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## FINAL EVALUATION REPORT ON THE INSTITUTIONAL INTEGRITY MODEL IMPLEMENTED IN THE MINISTRY OF JUSTICE AND HUMAN RIGHTS OF PERU

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### **November 2015**

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## Introduction

USAID Pro-Integridad Project (Project) implemented by Tetra Tech ARD, aims mainly to support the Government of Peru to reduce corruption levels and strengthen the rule of law through activities closely in line with local initiatives of justice reform, in coordination with other international cooperation agencies.

Within its Objective 2, the Project provided technical assistance to the Ministry of Justice and Human Rights (MINJUS) to adopt and implement the Institutional Integrity Model – IIM<sup>1</sup>. This Model refers to implanting an organizational culture based in the ethical behavior of the workers and the institutional procedures designed to reduce corruption risks and functional lack of efficiency.

This report shows the results of the final evaluation of the IIM implementation in the MINJUS by November 2015. The advance achieved by this institution with the Project's technical assistance has been a very positive one since the assessment presented in October 2013. This can be observed in the results obtained on the progression scale designed at the beginning of this task<sup>2</sup>.

As of the assessment of October 2013, MINJUS obtained 6 points over a total of 39 points, which rated the institution in **at risk position**. At the intermediate evaluation of November 2014 the MINJUS increased its rating to 21 points, making it achieve a position of **in the path to integrity**. As of November 2015, MINJUS has advanced to 26 units achieved, still in the position of **in the path to integrity**. Potentially, by July 2016 MINJUS could reach 31 units achieved, which would bring it significantly near the position of **integrity** that is reached which starts at 35 points.

We consider that the positive quantitative results reflect the level of engagement demonstrated by the high authorities of MINJUS and the officials that form the leader team for the implementation of the IIM that has been held since October 2013 even with the frequent changes of authorities which occurred in 2015. The institution is also implementing the mechanisms to sustain the Model after the Project is closed.

## 1. The concept of integrity and the instrument for data collection

### 1.1. The operative concept of Institutional Integrity

"The IIM development seeks reliability, which involves developing a climate of trust both internally and externally, that guarantees the concrete fulfillment of the institutional mission, its strengthening, renovation and effectiveness, and seeks to guide all the

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<sup>1</sup> Tetra Tech DPK™ 2012

<sup>2</sup> The progression scale designed for the implementation of the IIM in the MINJUS considers 6 aspects and 39 registration units on a discrete scale with the following sections:

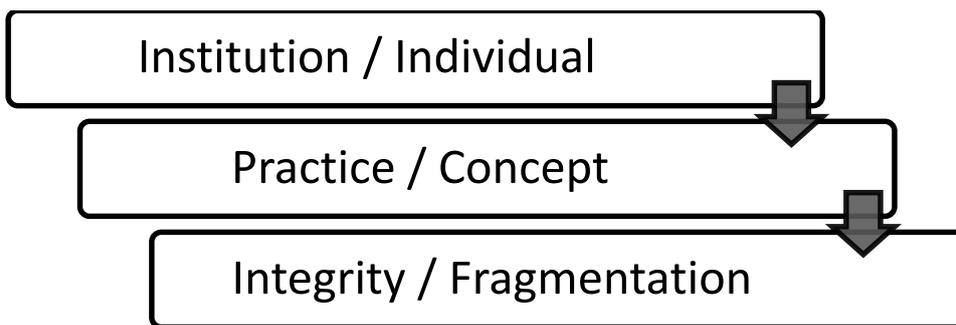
- From 0 to 20 units fulfilled: In at risk situation.
- From 21 to 34 units fulfilled: On the path to integrity.
- From 35 to 39 units fulfilled: Integrity.

Institution's human capital through the way of transparency and functional and institutional conscience" (DPK, 2012).

This approach considers two important twists, which the idea of "institutional integrity" entails with respect to approaches such as "personal values" or "ethics". This leads to consider not only the individual who acts, but the institution, which implies thinking about the behavior of the institution rather than the individual's. It is clear that the first idea involves the second and for proper conduct of the institution it is necessary to construct clear and organized spaces for the correct behavior and action of individuals.

On the other hand, it is important to consider a practical twist in the "integrity" focus because it needs to be understood the structure of an institution not only as an abstract concept but as a set of practices that defines that value. Within this approach is a practice that allows to account for values (and not necessarily the individual abstract values which appear as the center of the actions). Even if both aspects seem connected to the daily life, the focus is concentrated in a control of practices and actions, procedures and mechanisms of institutional functioning.

**Graph 1**  
**Tensions in the operative concept of integrity**



Own Production

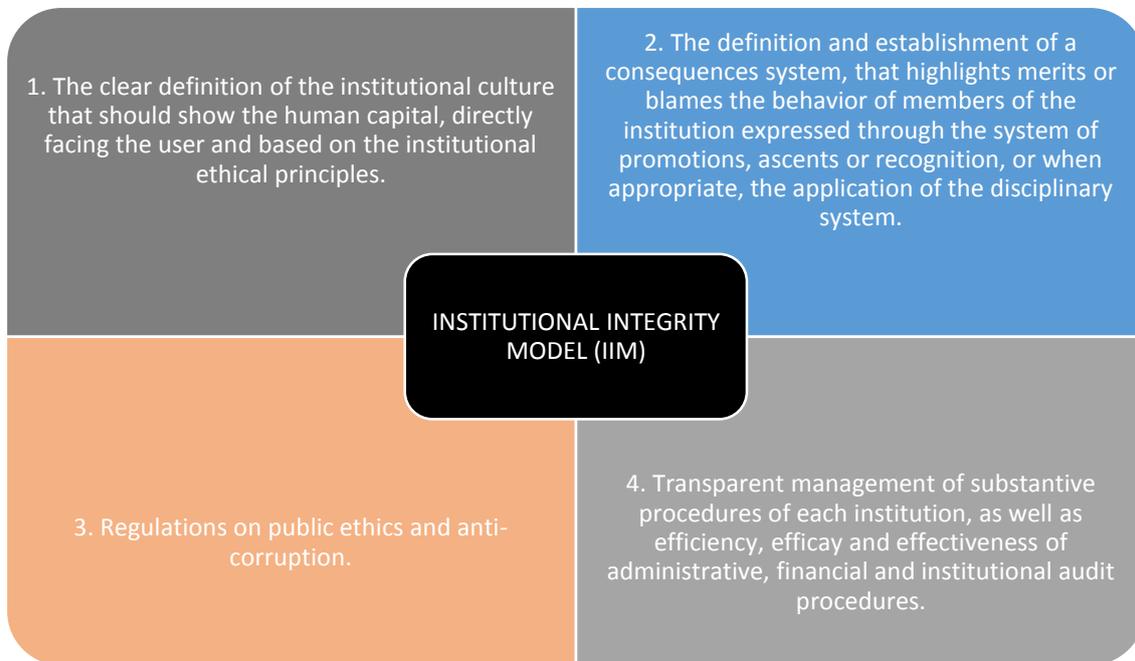
The core idea in the approach is to avoid fragmentation of the elements of the organizational and institutional structure. Thus, the "institutional integrity" requires thinking in the institution as a set of integrated elements and running in the same direction (and not as a set of fragmented individuals), and requires that this integration is manifested in the effective, specific and recordable institutional practice (and not only in speeches and abstract values).

It is important to understand that these elements work as a whole and not as juxtaposed operations in the organizational structure so that integrity cannot be established if the "system" is not fully drawn. It is evident that the integrity concept means the "whole of something" and the "participation of all the parts of something". So one cannot be "halfway honest" or "honest in half".

In order to achieve an integral institutional structure it is necessary to build an Institutional Integrity Model – IIM – which strives to redefine the *institutional practices* based on the redefinition of the *concrete practices* of the individuals and their functions, individuals that form the institutions and whose performance (their capacity to act as

people free to assume responsibilities for their acts) is carried out observing legal principles of ethics based in the public service. Thus, the implementation of an IIM involves contemplating and applying at least the following operative elements:

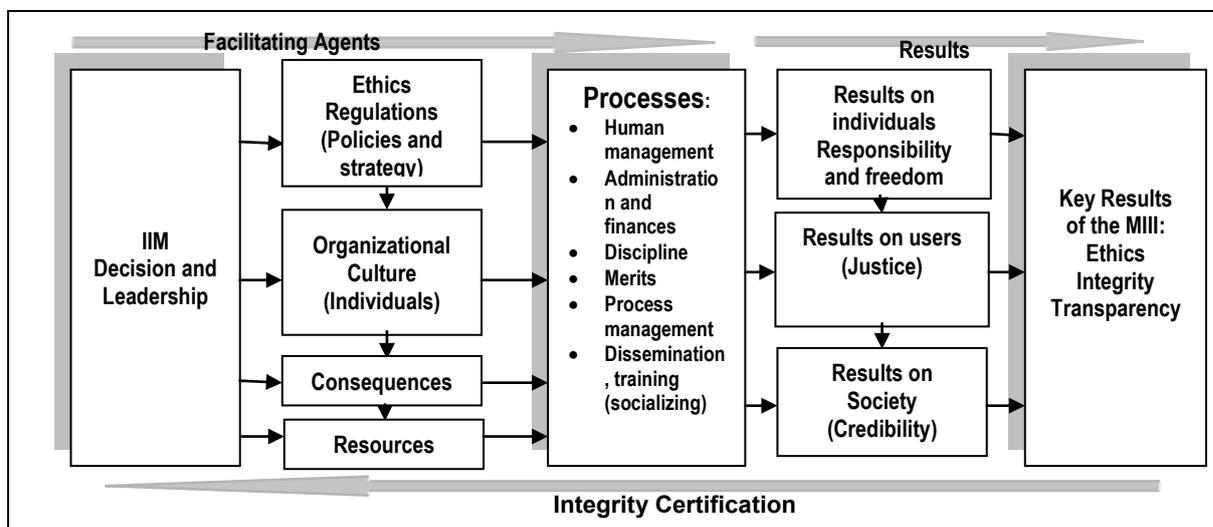
**Graph 2**  
**General components of the Institutional Integrity Model**



Source: Tetra Tech DPK, 2012  
 Own production

These elements appear in a process line marked by the “decision and leadership” of the institution’s authorities who promote mechanisms of “human management, administration, discipline, merits, dissemination, education, etc.”, looking for concrete results that lead to the “certification of integrity”.

**Graph 3**  
**Flow of the institutional integrity certification process**



Source: Tetra Tech DPK, 2012.

The components of the Model design appear in the flow of certification process and are reinforced in that way (see the elements that must be strengthened by the “Decision and Leadership” and the “Processes” that need to be built or enhanced related to the “Results” in Graph 3). In order to determine which are the aspects to be strengthened and built regarding the components and the certification flow it is necessary to determine the diagnostic situations in the institutions.

## 1.2. Components and aspects to record for an assessment and evaluation of the institutional integrity in the Ministry of Justice and Human Rights

How to assess the institutional integrity situation and based on it conduct an evaluation on its advance? It involves generating areas to be recorded that truly represent the components of the Model identifying the aspects of the situation records. These aspects are related to objective and measurable elements (through quantitative or qualitative tools) that represent the fields covered by the Model. In the case of the Ministry of Justice and Human Rights, Tetra Tech DPK has identified six relevant aspects to record and monitor, associated to the components of the Institutional Integrity Model:

**Table 1**  
**Model Components and Aspects to Record**

Components of the Model	Aspects to Record
1. The clear definition of institutional culture	1. Studies on culture/organizational environment
	2. Public perception regarding the Ministry of Justice and Human Rights
2. The definition and establishment of a consequences system and a promotion system.	3. Productivity statistics
	4. Human capital management systems (announcement, selection, training, performance evaluation)
3. Regulations regarding public ethics and fight against corruption.	5. Regulation related to ethics and/or anti-corruption regulations
4. Transparency in procedures management	6. Management of public information and transparency

Source: Tetra Tech DPK  
Own production

These “aspects” may be divided in two relevant blocks. The first (aspects 1, 2 and 3) respond to fundamental elements of the institutional integrity model. The second (aspects 4, 5 and 6) are fundamental registration aspects due to the characteristics of the Ministry of Justice and Human Rights and to the Open Government indicators.

**Registration Aspect 1: Studies of the institutional culture.** The IIM entails a deep institutional change in order to ensure that the institutional principles and values are assimilated by all the institution’s members. The Culture change is a complex process and requires prolonged periods that can be shortened from the commitment, decision and participation of senior officials. Therefore a key to promote culture change must start by knowing the "inner voice" of the institution, considering the following criteria: interpersonal relationships (degree

to which employees help each other and their relations are respectful and considerate) ; management style (degree to which the chiefs support, encourage and give their employees participation); sense of belonging (satisfaction derived from their bond to the institution, sense of commitment and responsibility in relation to its objectives and programs); remuneration (degree of equity in pay and benefits from work); availability of resources (extent to which employees have the information, equipment and required input from other people and agencies to carry out their jobs); stability (degree to which employees see clear possibilities of belonging to the institution and feel that people are caring or dismissed with just criteria); clarity and consistency in direction (degree of clarity of senior management on the future of the institution; extent to which the areas' goals and programs are consistent with the criteria and policies of senior direction or management); collective values (degree to which institutional values and principles are internally perceived) (DPK, 2012).

**Registration Aspect 2: Study of external perception.** Know specifically the perception of the users of the services offered by the MINJUS, in order to measure the level of acceptance and impact it provides to the public, is a key factor of the IIM diagnosis and implementation. The study of perception, according to DPK, must include at least the following registration areas: *impact of service; opinion of leaders and/or specific groups; image of the institutions; effectiveness of the service received; waiting time; main aspects perceived as of higher interest for direct users; trust or mistrust in the service.* On the other hand, it is important to incorporate studies of insight, that is, how officials of the Ministry itself see the entity, as inside it there are also dynamics of users and providers of services between the different offices, directions and areas. Thus, it is necessary to take into account the following criteria: design, development, implementation and regular monitoring of qualitative tools (interviews) to measure perceptions of officials; development of guidelines on the image; speech on integrity and development of a media strategy; Ministry's communication team capable of monitoring instruments; and local and media dissemination of the Ministry and its integrity approach.

**Registration Aspect 3: Study performance evaluation (productivity and effectiveness).** The performance study must be focused on learning about the competencies of the public servants considering institutional pre-established indicators. The criteria proposed by Tt DPK to conduct such study must be based on indicators such as: pre-established competencies for each position; evaluation indicators; evaluation strategies and instruments; quantitative and qualitative measurement reports; efficiency, effectiveness, honesty and quality of service indicators; identification of the performance cases not satisfactory and/or removal from office. At the same time, it is necessary to consider the importance of evaluating the following matters: institutional size measurement (conditions, circumstances, complexity, time and workload referred to attention and services); measuring production indicators associated to the institutional size, suitable tools and work instruments (productivity and output gap); determining institutional quality standards; periodic productivity studies

published after an external evaluation; study of gaps between the size, the production indicator and the quality standards expected.

**Registration Aspect 4: Human capital management systems (convening, selection, training, performance evaluation).** IIM is based on the commitment that it is able to generate among officers and servants at the entities where it is implemented. In order to achieve this, MINJUS needs to develop a holistic human capital management policy that considers the following criteria: explicit personnel convening mechanisms, published, and arranged through office interpenetration control mechanisms; study pre-established competencies for each position with evaluation instruments (open eligibility criteria); develop an institutional performance evaluation system (ethics, dedication, respect, etc.) and of personnel individual production that allows to identify, catalogue and appraise merits, efficiency, efficacy and productivity; develop a professional improvement system related to production requirements; build a training program on basic concepts of ethics and integrity; develop impact indicators on professional training regarding staff performance and production; quantitative and qualitative measurement reports on efficiency, effectiveness, honesty and quality of service that include the identification of non-satisfactory performance cases.

**Registration Aspect 5: Regulation related to ethics and/or anti-corruption.** A relevant aspect is the set of rules to promote ethics and address corrupt acts within the entities. That means that the following criteria are needed to obtain information regarding the existence and applicability of regulations inside the MINJUS: implementation of a leading team in charge of the ethics code and its follow-up; development of the code of ethical behavior; definition of forbidden conducts related to international and national laws and regulations; development of a consequences system to i) define sanctions, and ii) monitor the sanction to any conduct against the law and regulation of the institution's ethical behavior; develop and sign engagement of the institution's members; monitoring and reports of production and quality of performance of the Processes Commission with sanction indicators; mechanisms of internal control implemented and functioning.

**Registration Aspect 6: Management of public information and transparency.** One of the most relevant aspects that has direct relationship between the State and citizenship is that referred to access to public information and institutional transparency. We hereby present the criteria that need to be considered in the assessment and evaluation: adequacy of the criteria of transparency and access to public information according to law through an application manual; setting up an office in charge of attention to requests for public information and institutional transparency; periodic and updated publication of the public information of the ministry in its web site; affidavit of incomes, assets and revenue disseminated through the web; development of a measurement of indicators on replies to request for public information and transparency; development of a hard and virtual archiving system that is amicable and secure for the information provided by the MINJUS; report of the

Ministry on transparency and access to the information with quantified data and the efficacy and quality of the replies; and transparent system of information and open and transparent mechanisms for involving civil society in the process of construction of public policies.

### **1.3. The instrument for information gathering, diagnosis, progress and final results of the implementation of the Institutional Integrity Model in the Ministry of Justice and Human Rights**

The components are recorded through the aspects, and the aspects are split into registration units, referred to concrete actions and objective elements developed and recordable in the field data collection. This logical sequence has resulted in a basic instrument to establish a diagnosis of the situation of the Ministry of Justice and Human Rights, monitor compliance of activities and indicators regarding elements laid out and the ability to evaluate them. To that end, a matrix for simple register on a double entry table that includes the registration elements and units (indicators) for each aspect of the Model has been developed.

Thus, the instrument includes i) a column of aspects raised from the Model's components, ii) six rows with each of the aspects subdivided into registration units (indicators of compliance with the integrity standard). Each aspect is divided among five and seven registration units whose valuation sets compliance (0) or non-compliance (1) of the standard (see Table 3).

What are the criteria for selection of indicators (record units) and their type of numerical weighting?

*The registration units are derived from the aspects, and aspects from the components.* Thus, registration units are those that, in progressive order, can meet the aspects considered in the model.

*The aspects of institutional integrity must be met progressively.* Thus, the order of the location of the record units involved are met from left to right. While there may be registration units from the right end satisfied (with rating 1), it may happen that no units have a history log. That shows that there may exist a product but not necessarily will be supported in the institutional integrity model.

*Integrity cannot imply a partial fulfillment.* A binary criterion (0-1) is chosen to determine compliance with the registration units and no intermediate stops. This is because aspects and registration units should be met with the standard of integrity (there cannot be "medium integrity." That is contradictory to the concept).

How to apply the instrument? Using "exit interviews" (between 5 and 20 questions) operating as a contrast and complement to the documentation provided by each area, direction or office in which registered aspects were investigated.

**Table 2**  
**Complementary tools to fill out the Registration Matrix (Table 3)**

<b>Complementary tools</b>	<b>Record card file</b>	<b>Exit interviews</b>
Data source	Institutional document archive	Institutional officers
Instrument	Check list derived from the registration matrix	Open questionnaire derived from the registration matrix
Quantity	1 application to the current universe	10-20 applications until saturation

Own production

How to read the results of the application of information gathering tools and evaluation measuring instrument, previously used in the diagnosis carried out in 2013? For this, two important issues should at least be considered. The first has to do with the total number obtained from adding recording units deemed fulfilled. That amount can be arranged on a pre-built scale and indicates a general diagnostic situation of institutional status. The second important issue concerns the progression of the shares of the satisfactory performance indicators for each aspect, so it is necessary to know if the progressive indicators are met in progression or have jumped stages.

*Weighting in the scale.* The instrument should be applied through the complementary tools and must fill in the columns indicating 0 or 1. The total sum for each row and the total sum of all rows determine the final number within a qualitative situation scale. On this scale less than 50% compliance of the possible numbers obtained (you can get maximum 39 points) indicates a risk regarding the integrity model (less than 20 points). The following quartile (between 21 and 34 points) shows a not at risk situation, on the way to integrity (see example in Table 4).

*Progression of registration units.* To monitor the progressive compliance of the registration units it must be determined what, in a horizontal line from left to right (arrow), the criterion of progression from A to G in the columns of registration units is. A complete arrow shows complete fulfillment; and incomplete arrow but with units counted as satisfactorily from left to right, even if they do not have satisfactory registration units, means progressive and stable compliance; an arrow with holes between the registration units shows no progression so the units are achieved without generating integrity (see example of Table 5).





Table 4

Assessment results according to the table of registration of institutional integrity indicators in the MINJUS (October 2013)

Aspect \ Registration Unit	A	B	C	D	E	F	G	H	Σ
1. Studies of organizational culture/climate	0	0	0	0	0	0	0	0	Σ = 0
2. Public perception regarding the Ministry of Justice and Human Rights	0	0	0	0	0	0	0	0	Σ = 0
3. Productivity statistics	0	0	0	0	0	0	0	0	Σ = 0
4. Human capital management systems convening, selection, training, performance evaluation)	1	0	0	0	1	0	0	0	Σ = 2
5. Regulation related to ethics and/or anti-corruption	0	0	0	0	0	0	1	0	Σ = 1
6. Management of public information and transparency	0	0	1	1	0	1	0	0	Σ = 3
<b>Sum of registration units of the institution</b>									<b>Σ = 06</b>
<b>Integrity 100</b>									<b>ΣX = 39</b>
<b>Integrity</b>									<b>35 ≤ X</b>
<b>In the path to integrity</b>									<b>21 ≤ X ≤ 34</b>
<b>At risk situation</b>									<b>X ≤ 20</b>

**Table 5**  
**Assessment results of the progression of registration units in the MINJUS table of application (October 2013)**

Aspect \ Registration Unit	A	B	C	D	E	F	G	H	Σ
1. Studies of organizational culture/climate	0	0	0	0	0	0	0 GOL		No progression
2. Public perception regarding the Ministry of Justice and Human Rights	0	0	0		0	0 GOL			No progression
3. Productivity statistics	0	0	0	0	0 GOL				No progression
4. Human capital management systems convening, selection, training, performance evaluation)	1	0	0	0	1	0	0 GOL		No progression A-E
5. Regulation related to ethics and/or anti-corruption	0	0	0	0	0	0	1 GOL		No progression G
6. Management of public information and transparency	0	0	1	1	0	1	0	0 GOL	No progression C-D-F

Own production

The tables above show the situation in the Ministry as of the assessment in year 2013, based on the limits detected at that moment. They show that the rating weight was six points over 39 possible, which placed the MINJUS at a risk situation according to the categories set forth.

To get to those results, an inventory of critical areas and gray zones in the compliance of the institutional integrity indicators was carried out. The critical area considered those aspects that do not show complete indicators development of no progression. Gray zone are those aspects that have met the indicators but there is no progression. The description of the results of the assessment of October 2013 is as follows:

**Critical area 1: Aspect 1: Studies of organizational culture and climate.**

According to the Institutional Integrity Model, the institutional culture represented by the habits and persistent practices in institutions represent a key element: integrity, understood as adequacy of personal conduct to comply with the standards set by the entity, is an important element of justification on how people are able to appropriate institutional values. In this sense, the recording table shows that no indicator has been fully achieved so, without information, there is no way to determine the institution's specific status, areas to be strengthened and the problems that must be addressed and resolved.

**Critical area 2: Aspect 2: Public perception regarding the Ministry of Justice and Human Rights.** The public perception regarding the Ministry is also a key element in the implementation of the Institutional Integrity Model. We especially understand the public perception as a tool to determine the level of user satisfaction with the service provided by the institution. According to the data, the Ministry does not have tools regularly applied to measure public perception regarding its work, so there is no contrast or progression reference on the improvement or deterioration of perceptions of the institution. As it has been noted, the mechanisms to monitor public opinion are temporary and basically refer to following news in the media.

**Critical area 3: Aspect 3: Productivity statistics.** The productivity statistics measure the impact of work to achieve the institutional objectives and mission. There needs to be information of the size of the demand in terms of services provided by the institution, allows to determine more precisely the workload that is needed to reply to that demand and determine the appropriate resources to be efficient. The presence of satisfactory indicators bring relevant results: i) Increased trust of the citizen in the institution; ii) Improved institutional climate as the worker is given better conditions to perform; iii) Access to objective evaluation systems on the positions' profiles and the performance of the worker to improve production within the institution. The MINJUS does not have instruments that allow work productivity measurement. That means that there are no standards or lines to compare, or regular hiring criteria established.

**Critical area 4: Aspect 5: Regulation related to institutional ethics and integrity.** The existing regulations on institutional ethics and integrity matters are based currently on the Law of the Code of Ethics in the Public Sector.

Though it is true that this law represents an important element to evaluate functional conducts, it is also true that it is necessary to adapt many of its principles, duties and prohibitions to the specific application context of the MINJUS. That means a practical adaptation exercise of that established by the law, the mission, vision and specific institutional values of the entity and the understanding of these by the workers, in a logic of awareness, information and ongoing training. It is also necessary to establish a clear merit and sanction system that encourages the workers to comply with what is expected of them in performing their work. According to the information collected, it is proven that there is only the Internal Control System in place.

**Gray zone 1: Aspect 4: Human capital management systems convening, selection, training, performance evaluation).** Human capital management is a key element in the development of any organization, because it is this process that determines the success or failure of institutions: people with qualities, skills and limitations, which with their work determine the type of operation of an entity. In the case of the MINJUS, the system of human capital management shows progress in relation to this aspect, effectively complying with the procedures established by SERVING in notice cases of staff to run for work spaces and in relation to the training of officials in the framework of the Development of People Program. Still the development of profiles for the positions according to the entity's production requirements are pending, as well as the development of evaluation systems that encourage enhancement of official productivity.

**Gray zone 2: Aspect 6: Management of public information and transparency.** The MINJUS shows important advances in the implementation of the Law of Transparency and Access to Public Information. The principle of publicity is clearly developed, according to the standards foreseen in the law. The use of the web site is adequate and according to what the officials say, the Presidency of the Council of Ministers evaluates satisfactorily the compliance of the entity. Regarding the archiving system, there is information related to physical archives of the institution. There is no information that there is a virtual efficient archive in place. There is the need of a manual for the application of the Law of Transparency and Access to Public Information that allows the workers to adequately apply the law in their performance. Also, they need to have an official office in charge of the promotion and follow up on transparency and access to public information that gives information on the level of access of citizens to the information requested and the efficiency of the Ministry to reply to those requests. Not having these mechanisms in place may create risks of misconducts and negative impacts in the user perception. There may be a good performance level regarding claims by not attending as adequate the requests for information, as well as the publicity of the information according to the standards established by law. Nevertheless, not necessarily the citizen who accesses information or seeks information finds a satisfactory reply, because of the way the information is arranged is not appropriate, or because the attention to its requirement does not satisfy its request.

## **2. Final Evaluation of the Institutional Integrity situation in the Ministry of Justice and Human Rights through the application of the instrument.**

### **2.1. Situation of the Ministry of Justice and Human Rights according to the application of the instrument**

Following the same methodology as that of the assessment of October 2013, the results of the implementation of the Institutional Integrity Model in the MINJUS has been evaluated as of November 2015. The following are the results:

**Table 6**  
**Assessment results according to the table of registration of institutional integrity indicators in the MINJUS**  
**(November 2015)**

<b>Aspect</b> <b>Registration Unit</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>	<b>Σ</b>
1. Studies of organizational culture/climate	1	0	1	0	1	1	1	0	Σ = 5
2. Public perception regarding the Ministry of Justice and Human Rights	0	1	1	0	1	1	0	0	Σ = 4
3. Productivity statistics	1	1	1	0	0	0	0	0	Σ = 3
4. Human capital management systems (convening, selection, training, performance evaluation)	1	0	0	1	1	0	0	0	Σ = 3
5. Regulation related to ethics and/or anti-corruption	1	1	1	1	1	0	1	0	Σ = 6
6. Management of public information and transparency	1	0	1	1	0	1	0	1	Σ = 5
<b>Sum of registration units of the institution</b>									<b>Σ = 26</b>
<b>Integrity 100</b>									<b>ΣX = 39</b>
<b>Integrity</b>									<b>35 ≤ X</b>
<b>In the path to integrity</b>									<b>21 ≤ X ≤ 34</b>
<b>At risk situation</b>									<b>X ≤ 20</b>

**Table 7**  
**Assessment results on progression of registration units according to the table of application in the MINJUS (November 2015)**

Aspect Registration Unit	A	B	C	D	E	F	G	H	Σ
1. Studies of organizational culture/climate	1	0	1	0	1	1	1		No progression
2. Public perception regarding the Ministry of Justice and Human Rights	0	1	1	0	1	1			Yes progression
3. Productivity statistics	1	1	1	0					Yes progression
4. Human capital management systems convening, selection, training, performance evaluation)	1	0	0	1	1	0			No progression
5. Regulation related to ethics and/or anti-corruption	1	1	1	1	1	0	1		Yes progression
6. Management of public information and transparency	1	0	1	1	0	1	0	1	No progression C-D-F

Own production

## **2.2. Inventory of the situation of the aspects and indicators of the institutional integrity model**

### ***Aspect 1. On the Studies of organizational culture/climate.***

According to the information provided by the head of the Human Resources Office, the indicators for registration aspect 1 are at the following status:

#### **1.A. Declaration and definition of values, principles, language and symbols of the institution**

This has been achieved through the Code of Ethical Behavior and other especially relevant institutional documents.

#### **1.B. Development of monitoring mechanisms on the ethical compliance of functions related to the definition of values and servants' training.**

These mechanisms are not yet developed. However, according to the information provided by the Head of Human Resources, they are expected to be designed by next year and are scheduled in its 2016 work plan.

#### **1.C. Development of periodic reflection spaces and activities on the value of integrity and ethics in the institution**

There is a space named “**Thursday of Ethics**”, which is to deliver a four-hour training to workers on issues of public ethics and institutional integrity. This space is for workers to be more aware of their role in an ethical perspective and also for them to reflect on the relevance of their work to help strengthen the institutional integrity. In 2014, 845 MINJUS workers (including 48 officers) have been trained directly with project assistance. This space has been institutionalized by the Ministry and has been ongoing through all 2015. It is estimated that more than a thousand workers of the Ministry have been trained in the development of the Institutional Integrity Model and key aspects of public ethics. It must be also noted that during 2015 the Project has trained 464 penitentiary agents of the National Penitentiary Institute – INPE, public executing agency of the Justice Sector.

#### **1.D. Recognition system to actions in line with the meritorious indicators assessment and management**

It does not yet exist. Even though it was incorporated as an activity in the 2015 work plan, it could not be done. It will be incorporated in the 2016 work plan.

#### **1.E. Periodic surveys of identification of disrupting elements in the development of institutional values**

Developed during 2015. The study yields four disruptor elements: disorganization, lack of motivation, misinformation on the institutional values, and weak integrity of workers. The identification of these elements that hinder the exercise of institutional values, will allow the Ministry to develop a policy for the dissemination and improvement of organizational climate to increase professional ethics.

#### **1.F. Tools designed, implemented and institutional values and satisfaction assimilation and compliance measurement results monitored**

Developed during 2015. The study of disruptive elements now include a methodology applied to measure assimilation and compliance of the institutional values and the workers satisfaction level. The results were that there is low level of knowledge of institutional values leading to weak compliance of them. The study also revealed that the level of satisfaction of the workers is low.

### **1.G. Development and dissemination of studies on organizational climate (structure, functions, perceptions)**

This year a study on organizational climate was done and the results of March 2015 were negative. The climate is weak. Main causes are: no career line in the Ministry, the different hiring instruments generate distrust and suspicion among the workers and there is not enough attention to their needs.

### ***Aspect 2. On Public perception regarding the Ministry of Justice and Human Rights***

According to the information provided by the head of the Institutional Communication and Image Office, we hereby present the advance on the progression indicators for this registration aspect.

### **2.A. Design a tool to integrate the instruments to measure perceptions on the Ministry of Justice and Human Rights**

The tool has not yet been designed. It was incorporated in the 2015 work plan but due to budgetary reasons could not be done. It is now incorporated in the 2016 work plan.

### **2.B. Design, development, application and monitoring of periodic surveys to users and citizens on i) effectiveness of the service, ii) impact, iii) timing, iv) the aspects of higher interest for direct users, v) trust in the service, vi) kindness of attention**

This indicator was developed through a survey carried out by IMASEN under a contract with the World Bank.

### **2.C. Design, development, application and periodic monitoring of qualitative instruments (interviews) to measure perceptions of officers**

IMASEN conducted a survey via email to 400 officers that was accompanied by interviews to motivate officers to be open and candid in their replies. The survey determined the perception of officers regarding their work within the Ministry and their needs to improve their sense of belonging to the institution. Also, the trainings during the “*Thursdays of Ethics*”<sup>3</sup> added a dynamic so that the workers could openly express their perceptions regarding the MINJUS and their participation to improve their performance.

### **2.D. Design, development of application and periodic monitoring of qualitative instruments (focus groups) to study perceptions in experts, specific groups and media**

Not yet implemented. Included in the 2016 work plan.

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<sup>3</sup> Weekly meetings held by MINJUS aimed at sensitizing staff members on issues like public ethics and institutional integrity.

## **2.E. Construction of guidelines on the image and speech on integrity and development of a media strategy**

A dissemination process has been developed on ethics and integrity and has been spread through the institutional web, social networks and TV. A line of products has also been developed to put the speech on institutional integrity in the minds of officials of the institution and users, such as pens, clipboard, poles, and other souvenirs in order to reinforce the message of institutional ethics and integrity.

## **2.F. Communication team of the Ministry trained to monitor the instruments and media and local dissemination of the Ministry's image and the integrity focus**

The Institutional Office of Communication and Image team has been trained during their attendance at the **Thursdays of Ethics**.

### ***Aspect 3. On Productivity Statistics***

#### **3.A. Measurement of the institutional size (conditions, circumstances, complexity, time and workload regarding the services and attention).**

The draft Procedures Manual - MAPRO identifies all the processes in the MINJUS. It has established a level of detail from the macro-processes, processes, sub-processes, activities and tasks, as well as the identification of the input document and the product or service provided to the user, in order to improve the quality of services. The number of resources spent or used in each process has also been established so as to determine a less costly structure versus the actual one set forth by the TUPA, and the kind of value generated by each activity or task. Finally, improvements deal with the aspect of process (reduction of tasks and / or activities as eliminating bottlenecks), automation (implementation of information flow tools) and organization (modification of the functional organizational structure to one by process).

#### **3.B. Measurement of production indicators associated with institutional size, tools and adequate work instruments (productivity and performance gap)**

It must be noted that each process or sub-process identified by MAPRO's project has productivity indicators so that the implementation of the processes (procedures) fulfills its purpose and there is a continuous monitoring and control in order to improve a quality implementation. Also, along with the heads of offices and directorates, the connotation of monitoring processes and oversight have been restructured as missional or operational in order to see the production process thereof, and the implementation of the control system on the goals of the processes.

#### **3.C Determination of institutional quality standards**

MAPRO has determined the quality standards for key selected processes. Also, a training process through the Pontifical Catholic University of Peru and its Institute for the Quality is going on to strengthen the institutional quality standards.

#### **3.D. Periodic productivity studies published based on external evaluation**

Not yet in place. Included in the 2016 work plan.

### **3.E. Study on gaps between the size, the production indicators and the quality standards expected**

Not yet in place. Included in the 2016 work plan.

### ***Aspect 4. On Human capital management systems convening, selection, training, performance evaluation)***

#### **4.A. Explicit, published personnel convening mechanisms and arranged through office interpenetration control mechanisms**

There are personnel convening mechanisms explicit and published through the Ministry's web site.

#### **4.B. Study pre-established competencies for each position with evaluation instruments (open eligibility criteria)**

There is no study on pre-established competencies as these are linked to the development of position profiles whose guidelines must be approved by SERVIR and have not yet done so.

#### **4.C. Development of an institutional performance evaluation system (ethics, dedication, respect, etc.) and of personal individual production that allows to identify, catalogue and appraise merits, efficiency, efficacy and productivity**

The system to evaluate the institutional performance is not yet set. As with the previous paragraph, they are expecting the approval of SERVIR.

#### **4.D. Development of a system of professional improvement referred to production requirements**

There is a system for professional strengthening under the Personnel Development Plan (PDP)

#### **4.E. Construct a training program on basic concepts of ethics and integrity**

There is a training program in place on concepts of ethics and integrity that has been a success factor in the implementation of the IIM in the MINJUS. Through this program a significant number of workers from the institution have been trained, making sustainable the *Thursdays of ethics*. The training program designed by Pro-Integridad is currently underway in the MINJUS, and is expected to continue the following next year as well.

#### **4.F. Construction of impact indicators of professional training related to personnel performance and production**

No impact indicators in place. The evaluations are conducted through a survey to the heads after the courses received by their personnel to see if the course has had any impact, but not based on pre-established indicators. This activity will probably be included in the 2016 work plan.

**4.G. Quantitative and qualitative measurement reports on efficiency, effectiveness, honesty and quality of service that include the identification of non-satisfactory performance cases**

No reports yet. They will be included in the 2016 work plan.

***Aspect 5. On Regulation related to ethics and/or anti-corruption***

**5.A. Implementation of a leading team in charge of the ethics code and its follow-up**

The team leading the Code of Ethical Conduct was formed in 2014 and was approved by Ministerial Resolution. It is led by the Secretary General and the Executive Secretariat rests with the head of the office of planning and budget implementation. The team has been formalized by Ministerial Resolution 0105-2014-JUS, in which the functions of this working group were set forth.

**5.B. Development of the Code of Ethical Behavior**

The Code of Ethical Behavior was approved through Ministerial Resolution 0151-2014-JUS. The Minister presented it to the institution's workers during a public event in the year 2014. It is still an instrument being disseminated during the trainings provided by the Ministry to newly appointed workers in the institution.

**5.C. Definition of forbidden conducts related to international and national laws and regulations**

The Code of Ethical Behavior clearly states the forbidden conducts within the framework of national and international regulations.

**5.D. Development of a consequences system to i) define sanctions, and ii) monitor the sanction to any conduct against the law and regulation of the institution's ethical behavior**

The Code of Ethical Behavior includes a defined consequences system.

**5.E. Develop and sign engagement of the institution's members**

The institution's workers have signed letters of commitment during the trainings provided through the **Thursdays of Ethics**.

**5.F. Monitoring and reports of production and quality of performance of the Processes Commission with sanction indicators**

No such report has been yet developed, included in the 2016 work plan.

**5.G. Mechanisms of internal control implemented and functioning**

The Assessment Report on the System of Internal Control is developed. Currently there is a bidding process underway to hire a consulting firm to work the implementation study.

***Aspect 6. On Management of public information and transparency***

#### **6.A. Adequacy of the criteria of transparency and access to public information according to law through an application manual**

With the Project's technical assistance, during 2015 a Manual on the Application of the Transparency and Access to Public Information was developed and is available to all the MINJUS workers.

#### **6.B. Setting up an office in charge of attention to requests for public information and institutional transparency**

There is no office in charge of these functions. Its set-up has not been discussed.

#### **6.C. Periodic and updated publication of the public information of the ministry in its web site**

The Presidency of the Ministers' Council and the Council of Peruvian Press have carried out quarterly evaluations with good results. There are guidelines in place to make transparent the information in the MINJUS.

#### **6.D. Affidavit of incomes, assets and revenue disseminated through the web**

Incomes and revenue are published through the institutional transparency web page.

#### **6.E. Development of a measurement of indicators on replies to request for public information and transparency**

There is no such measurement in the institution. It is planned in the 2016 work plan.

#### **6.F. Development of a hard and virtual archiving system that is amicable and secure for the information provided by the MINJUS**

There is a Project to digitalize the documents. It is expected to be implemented during 2016. There is an updated physical archive in place.

#### **6.G. Report of the Ministry on transparency and access to the information with quantified data and the efficacy and quality of the replies**

There is no report of the kind in the institution.

#### **6.H. Build transparent system of information and open and transparent mechanisms for involving civil society in the process of construction of public policies**

With technical assistance of the Project, a document proposing the development a citizen participation mechanism was drafted. The proposed mechanism is an accountability process with civil society participation. The draft was validated with civil society and MINJUS representatives which allowed a final tuned-up and discussed version of this product.

### **2.3 Potentiality of the Institution**

Table 8 shows the level of advance of the MINJUS in the implementation of the IIM by November 2015 and potential advance of the institution towards the first semester of 2016. Color blue shows results achieved by the institution and the green boxes show what is currently in process.

The table shows that by July 2016 the MINJUS could reach a score of 31 points, which may bring the institution near the integrity status by only four points.

**Table 8 Potentiality after the evaluation of November 2015**

REGISTRATION UNIT ASPECT	A	B	C	D	E	F	G	H	Σ
1. Studies of organizational culture/climate	1	0	1	0	1	1	1		Σ = 6
2. Public perception regarding the Ministry of Justice and Human Rights	0	1	1	0	1	1			Σ = 4
3. Productivity statistics	1	1	1	0	0	0			Σ = 3
4. Human capital management systems convening, selection, training, performance evaluation)	1	0	0	1	1	0			Σ =6
5. Regulation related to ethics and/or anti-corruption	1	1	1	1	1	0	1	0	Σ = 7
6. Management of public information and transparency	1	0	1	1	0	1	0	1	Σ = 5
Sum of the registration units of the institution									Σ = 31
Integrity 100									ΣX = 39
Integrity									35 ≤ X
In the path to integrity									21 ≤ X ≤ 34
At risk situation									X ≤ 20

## 2.4 Conclusions

**First conclusion.** The MINJUS shows a positive level of advance versus the results shown in the assessment of October 2013. The initial six points score placed the MINJUS in **at risk situation**. By November 2015 they came up to 26 points placing the MINJUS **in the path to integrity**.

**Second conclusion.** It is important to highlight that the strong aspects of this improvement has been the development of regulations and the internal dissemination of the Institutional Integrity Model that MINJUS has developed. Aspect number 2 “Public perception regarding the Ministry of Justice and Human Rights” has moved from zero initial points to four points. Aspect 3 as well has moved from initial zero points to three points. Aspect 5 “Regulation related to ethics and/or anti-corruption” advanced from one to six points, and finally aspect 6 moved from three to five points. All these cases show the institutional leadership and engagement of the high authorities that are included in the Ministry’s leading team to improve the processes with USAID Pro-Integridad support.

**Third conclusion.** The training process on the Model has been the most noted issue inside the MINJUS, and has allowed the indicators on critical registration areas to move in a positive way, creating a “good opinion” inside the institution regarding the IIM. It is important to note that 845 MINJUS workers (including 48 officials) have been trained with direct Project assistance on the most important Institutional Integrity Model and the ethics in performing the public function. The training continued during 2015 and is institutionalized in the *Thursdays of Ethics* of the MINJUS.

**Fourth conclusion.** The results of the IIM in the MINJUS have been positive and sustained notwithstanding frequent changes of ministers and high level authorities during 2015. The institution’s interest to continue implementing the IIM has been maintained. This can be seen on the progression shown on the following table.

**Table 9 Progression of the implementation of the IIM in the MINJUS**

Aspects	Registration Units fulfilled			Potentiality by July 2016	Maximum possible
	October 2013	November 2014	November 2015		
1. Studies of organizational culture/climate	0	2	5	6	7
2. Public perception regarding the Ministry of Justice and Human Rights	0	4	4	4	6
3. Productivity statistics	0	3	3	3	4
4. Human capital management systems convening, selection, training, performance evaluation)	2	3	3	6	7
5. Regulation related to ethics and/or anti-corruption	1	6	6	7	7
6. Management of public information and transparency	3	3	5	5	8
Sum of registration units fulfilled	6	21	26	31	39
Integrity 100%					$\Sigma X = 39$
Integrity					$35 \leq X$
On the path to integrity					$21 \leq X \leq 34$
At risk situation					$X \leq 20$

The table shows the comparison with years 2013 and 2014; during 2015 the rhythm of advance was slower. While during the period between October 2013 and November 2014 the MINJUS moved from six fulfilled units to 21, during the period between November 2014 and November 2015 the level of advance was from 21 to 26 units. This relates on the one hand to a larger number of aspects to move forward, but also to the fact that this year there have been three leadership changes of minister which had a disruptive effect. Thus, the constant changes of officials have delayed some of the activities planned and the approval of documents related to IIM indicators. However, it is noteworthy that even in that context the institution has kept the interest in the model and has made progress in important indicators.

**Fifth conclusion.** The sustainability strategy is marked by a follow-up to the explicit commitment of the new Secretary General of the Ministry of Justice, Dr. Patricia Figueroa, who at a meeting held on November 5 indicated that she would issue a resolution of institutionalization of the IIM before the end of this year. This will strengthen the advancing trajectory of the IIM, as the model is already built into the Institutional Anti-Corruption Plan of the Ministry of Justice; however, a formal recognition of its existence as an institutional policy, ensures its continued development.