

Public Service Management in Some States Members of the European Union

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ABSTRACT: At a lower hierarchical level, they face the challenge of managing a large workforce from which efficiency and effectiveness are expected. States have responded differently to these challenges, depending on administrative tradition and current political priorities. However, there are common elements in the latest developments identified in civil service management in the member countries. We started from the classical distinction between the two main types of public office.

KEY WORDS: democratic regimes, public administration, political affiliation, equitable treatment, civil servants

Introduction

In their desire to ensure their legitimacy, democratic regimes are in a position to find a balance between two values, which may be in relative tension: ensuring fair and politically independent public services and, in the limit of the law, the receptivity of civil servants to the policies of the government in power. (Androniceanu 2000, 165)

The neutrality of public administration, in the sense of the absence of political affiliation, is, of course, a precondition for ensuring that, regardless of their political orientation, citizens will receive fair and equitable treatment. At the operational level, neutrality is maintained by emphasizing the professionalism, merit and competence of civil servants.

These values are important for the level of equity and continuity, which is a key format for citizens' trust in the administrative system. At the same time, civil servants must be accountable to the government for the effective development of the program, and the prompt response of the administration to requests from the ruling government, within legal and constitutional limits, is a key element in implementing government policies. In the states of the European Union, the requirements addressed to senior civil servants come from two directions. At the higher hierarchical level, they face the challenge of responding promptly to government priorities, while ensuring the provision of public services impartially and equitably.

First, a career-based civil service system, in which inclusion in a recruitment base, which includes potential senior civil servants, takes place after graduation or early professional career and often uses competitive examinations. Subsequently, the pass rate is managed by that body.

In this system, resources are invested in the development and careers of civil servants selected to prepare them for senior civil service. Secondly, a "civil service" system in which candidates for a certain senior civil service are recruited from the public service in the broadest sense and from the private sector, leading to a possible recruitment base. older candidates. A subcategory of the "available jobs" system is the "intradepartmental system" of the civil service, in which there is no well-developed career system for the entire administration. Appointments tend to be made taking into account the seniority in office and merit within the department in question (Alexandru 2007, 760).

The importance of developing civil service management is highlighted by the fact that all countries have undertaken civil service reforms. The general tendency in the community states is to focus attention on the development of managerial capacity. While the performance management of the civil service is a central concern in all countries, to this is increasingly added the attention paid to leadership and change management, as well as human resource management. Community Member States have decentralized management tasks in various proportions, together with mechanisms to ensure the individual responsibility of management. In this context, the following typical elements for the evolution of the civil service can be identified: measures to promote greater mobility.

Mobility in the public sector and the experiences gained in the economy are increasingly considered as a beneficial element of continuous training; appointments to senior public posts are made for a limited period (or through short-term contracts) in an increasing number of EU Member States; the existence of a specific civil service management system in some countries (Belgium, the Netherlands, the United Kingdom); elements of a more flexible remuneration system or a performance-based remuneration system have already been introduced in some countries; the major importance of training for the personal development of civil servants.

Some states have developed specific civil service management systems by creating specialized departments whose objectives are: to improve the management of the civil service at the highest level; selection and development of a category of highly competent executive managers with leadership skills and managerial expertise; adequate accountability of managers for individual and organizational performance; use of performance-based payment and employment systems; guarantees for executive managers to act to ensure the public interest and without political pressure. In most European Union countries, most civil servants have the status of civil servants. This means that they are governed by a civil service law, which is a public law, and not by labor law, which consists of private or civil laws applicable to the relations between employees and employers of the private sector. However, the importance of trade unions should be noted through collective commitments made with the government in public relations, for example, in France, Spain, Portugal, Greece, Ireland, the Netherlands, Belgium and Sweden. In Sweden, the Civil Service Law is minimalist, because it regulates specific rights and duties, as well as disciplinary measures, while labor law and collective agreements regulate other conditions of employment.

The United Kingdom is a special case: civil servants have specific regulations, giving them civil servant status, but there is no general civil service law. In the countries of the European Union, the rule is that a public employee is a civil servant, and the exception is to have an employment contract with the state. The same is true of local government employees (except in the United Kingdom, where local officials are subject to labor law).

Based on this situation, the management of the civil service in the EU member states has a number of peculiarities. In France, the Ministry of

Civil Service and State Reform is the public institution that manages the central and territorial civil service. The General Directorate of Civil Service Administration, established within the Ministry in 1945, is the structure that manages the human resources of the state, making an important contribution to social regulations regarding the remuneration of civil servants, their working conditions, working time fulfillment of service tasks. It exercises tutelage over inter-ministerial administrative schools and is responsible for social dialogue with trade unions. This direction is at the disposal of the Minister of Civil Service, State Reform and Territorial Administration.

The Minister chairs the Superior Council of the State Civil Service. For civil servants, who are part of the category of senior civil servants, there is not yet a body to manage senior civil servants. The General Directorate of Civil Service Administration monitors the career development process of civil servants and, in this context, also manages the careers of civil servants in the category of senior civil servants. In the process of reforming the civil service in France, starting with 2003, the Interministerial Services for State Reform were created, which have competence for: modernizing the management of the civil service and state structures; simplification of administrative procedures; development of e-government.

Within the career system, the civil servant enters the service of the administration as a beginner, at the lowest level of a career for which sufficient knowledge and training are required; the official is promoted according to a regulated system. The civil servant generally pursues a career until retirement. Several states regularly hold open competitions. After certain oral and / or written tests, the lists of candidates' results and performances are published. The best candidates are recruited in the order of ranking until all positions are filled. In the interval between two competitions, the vacancies are assigned according to the reserve lists from the recruitment. Competitions are the most widely used selection method in France, Germany, Ireland, Italy, Luxembourg, Portugal, Spain and Belgium.

In France, there are three main types of competitions organized at the level of the state civil service, the territorial civil service and the hospital civil service. The competition organized by the state civil service is an external competition, open to candidates who are not part of the civil service and who meet the minimum criteria of age and training. These competitions are

organized in order to recruit staff from outside the civil service for access positions to a career in a certain body (group).

For example, in order to have access to a category A career, candidates must have a university degree. These competitions are organized every year by the competent ministry or departments according to the level of the vacancy. The territorial civil service competition is an internal competition organized for the recruitment of staff already employed in the public service and who wants to join other groups or want to obtain a high-level position. Internal competition is certainly an instrument of internal promotion. It has a reputation for being more accessible than external competition. In addition, wishing to open the civil service to civil society, special laws have provided a new type of competition for admission to certain schools (ENA, IRA, ENM), accessible to persons who can demonstrate their ability to pursue a professional activity in the sector, private or to fulfill a mandate as an elected member of an assembly of a local or regional authority.

In Germany, there is a typical distinction between civil servants who are employed holding public authority or state powers (around 40% of civil servants) and the rest, who are subject to labor law and specific collective agreements. German law provides criteria for distinguishing between Beamte (civil servants) and Angestellte (civil servants), namely the ability to hold public office. Civil servants are seen as the executing arms of the state, agents of public power, although they have the capacity to serve any government, regardless of orientation (the principle of political neutrality) and are accountable to the law. The concept of "exercise of public authority" is related to issues related to the national interest, law and order, state sovereignty, law enforcement, etc. However, university teachers and teachers at all levels, including primary school teachers, and almost all local government employees are civil servants.

Those who are not civil servants are seen only as performing a profession in the public sector or in the economy, or in public services financed from the state budget. Austria and Luxembourg are approaching the German model. The management of the civil service and of the civil servants is carried out in Germany - federal state - at the level of the Länder, in a decentralized way. In order to achieve administrative flexibility, the initiative to decentralize human resources management was concentrated in the Länder. Thus, in

view of the Government's main reform strategies, the general civil service and services were transferred to the federal authorities (Eymeri 2000, 134).

In Germany there is no central authority to manage the management of the civil service and civil servants, the structure of the body, the terms, the conditions of employment being standardized by the federal administration and the administration of the Länder. In this sense, the public services of the ministries are responsible for the recruitment of civil servants, as well as for ensuring the conditions for their career development.

In Germany, the basic criteria for a career of a certain level are set by law. As for the other criteria, they are set by the Bund or by the Länder and the departments, depending on the specific requirements of the publicly announced vacancies (Stellenausschreibug). The selection criteria are represented by previous skills, knowledge and experiences. German selection methods are considerably decentralized. During the reforms, the open recruitment procedure was moved. The key principle is that civil servants are recruited for a specific position rather than for a specific career. In order to be recruited, candidates must meet the conditions set by the department and/or the competent agency.

In this case, the specific skills required for a job are more important than a diploma required for a specific career, as is the case in countries that apply the career system. The important difference from other groups is that in this case there are no universally applicable official procedures. In fact, the selection methods are comparable to those in the private sector. The law specifies the training criteria only for certain positions with a high level 185 Management of the civil service in some Member States of the European Union or for positions in the civil service held in a career system (diplomat, police officer, military).

In Sweden, the Ministry of Justice is responsible for coordinating public management reforms. The Swedish Agency for Administrative Development has responsibilities for public sector review as well as reform in this sector in general. It also has the role of implementing public management reforms at the agency level. This highlights the fact that in Sweden a progressive decentralization of human resources management to agencies has been achieved, with the aim of increasing efficiency and effectiveness in this sector. The government has thus delegated responsibility to ministers and heads of

agencies, with the Agency for Government Employees becoming the central body for negotiating collective bargaining agreements.

In Sweden, the selection criteria are stipulated by the Constitution and the Public Employment Act. In this context, staff are recruited in the same way as in the private sector. Different selection methods are generally applied to interviews. In the Netherlands, personnel policy has been centralized and the public sector has been the subject of administrative reform. The Office for Senior Officials was established in 1995, with the aim of professionalizing and integritying the public service by implementing government policies, investing in human resources, quality and mobility (Hinescu, Pavel and Hinescu 2004, 25).

Its role is to establish links and relations between ministries, as well as to develop the public service in order to increase its quality. This institution is subordinated to the Ministry of Interior, which in turn has important responsibilities and responsibilities in the field of general personnel policy. In Denmark, one of the most important objectives of public administration reform is to achieve a legislative framework for the civil service. To coordinate this effort, the Government has set up the Directorate for Regulations within the Ministry of Finance. The same ministry has competences in carrying out the personnel policy within the public service by elaborating programs, instructions and recommendations both for the civil servants and for the high civil servants. The Danish civil service is managed in a decentralized manner by ministries and agencies, separating political from administrative functions.

The reforms in Denmark in 1969 and in Italy in 1993 followed the German model. In Italy, only a few thousand high-ranking officials are subject to the Civil Service Law, while others are subject to labor law. Thus, it can be said that only Denmark (since the 1969 Act) and Italy (since the 1993 Act) have redefined the civil service by resizing it in the last fifty years.

In Sweden, such a redefinition has led to an expansion of the civil service dimension by including the majority of civil servants, due to labor law reform and trade union pressure. In Denmark and the Netherlands, the department and / or agency concerned shall provide a specific description of the post and choose the applicable selection methods according to the importance of that post and the tasks to be performed. In the Netherlands, recruitment is often carried out through evaluations. The first step in the

recruitment procedure is to implement the selection process within your own body. The vacancy is not advertised unless there are no valid candidates or if a person from outside the organization is specifically wanted. In general, there is no difficulty in being able to predict vacancies due to internal staff. Typically, a new official is first appointed on a temporary basis, for a probationary period of up to two years. At the end of this period he can be appointed definitively. In Finland, personnel policy reform is constantly evolving. The main purpose of this action is to achieve a competitive, fair and responsible personnel policy, together with the development of a high level of ethics of civil servants. The public authority responsible for carrying out human resources management for the Finnish public administration is the Personnel Department of the Ministry of Finance. Also, the competence regarding personnel policies and changes in the structure of salary policies were delegated and decentralized to ministries and agencies. In Finland, recruitment decisions are often based on the evaluation of external consultants, and administrations organize complementary interviews.

In Spain, the management of the civil service and civil servants is carried out by the Ministry of Public Administration, through the General Directorate of the Civil Service. Another public authority with competences in the matter of the civil service is the Superior Council of the Civil Service, which represents the superior body of coordination and consultation regarding the civil service policies. It has the task of debating and proposing measures to coordinate personnel policies for all levels of public administration and, in particular, on personnel records, access systems to the civil service, relations between positions related to public positions.

In Greece, the Ministry of Interior, Public Administration and Decentralization within the general policy of the Government coordinates the planning of human resources in accordance with the needs of public services. The filling of vacant public positions is governed by the principles of equal opportunities in order to fill public office, selection by merit, objectivity, transparency, social solidarity and publicity. The management of the system is entrusted to a central and independent administrative authority: the Personnel Selection Committee. The Staff Selection Committee is a central jury that allocates vacancies, this jury can be assisted by decentralized juries. Qualifications obtained from the competition can be increased taking into

account social, regional (disadvantaged regions) or merit criteria (for example, a doctoral student) (Cardona 2000, 67).

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In the United Kingdom, the method of selection is laid down in the Code of Recruitment of Public Service Commissioners. Departments and agencies are themselves responsible for organizing staff recruitment (calendar, needs, criteria to be met, etc.). A specific career scheme, referred to as a „fast stream” for academics, is an exception to this system, with different structural characteristics. For these careers, the selection is coordinated by the civil service office and is carried out by the recruitment and evaluation service agency. The term „fast stream” indicates that persons with competent university education are promoted, in particular, through a training program after their entry into the civil service, in order to acquire as soon as possible the knowledge necessary to exercise positions of responsibility or framing functions.

For most candidates, the selection process follows three stages:

- 1) an evaluation paper through a questionnaire of a working day;
- 2) a two-day evaluation center comprising a series of papers, group exercises and interviews, related to the selection committee of the London Civil Service. In the second study, interviews can take any form. They can be based on the intellectual capacities of the candidates, on the probing of their specialized knowledge and skills or on the coverage of interests and on a wider experience;
- 3) a meeting of almost 40 minutes with the final selection committee. The qualification test consists of 4 aptitude tests scored objectively and based on a questionnaire.

Conclusions

The aptitude test allows the assessment of verbal and mathematical skills, as well as the ability to reason logically. The questionnaire includes questions about the candidates, their interests and their experience. The marks obtained in the aptitude test and in the questionnaire are combined from a statistical point of view to obtain a general standard employed to select the candidates. In the context of the general evolution of the management of the European civil service, there is a tendency towards an even greater decentralization, on the one hand, and an increased importance of the European dimension, on the other hand. The decentralization process involves the transfer of competencies from the central administration to the regional one. This also involves the transfer of officials from central administrations to regional entities (Belgium, Ireland, Spain, Italy). The growing influence of the European dimension is another key element (Document SIGMA 1997, 83).

This influence is particularly noticeable in the field of European exchange programs for officials in the Member States. However, it should be noted that in two of the new Member States, Austria and Finland, mobility in relation to other EU Member States and other European institutions is very rare. In fact, EU accession imposes high demands on public administration, and other public services play an increasingly decisive role in choosing economic operators when deciding to locate their activity. All major forms of mobility (geographical, professional and / or functional) can be observed in

various public positions. But a distinction is often made between voluntary and compulsory mobility. In general, mobility is encouraged for the following reasons: from an administrative point of view, mobility is a means of increasing the flexibility of the functioning of the ministry, office or agency; from the point of view of the civil servant, mobility allows the familiarization with other fields of work, the development of new skills, the extension of the horizons, the progress on professional level.

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