Management of Civil Service Professionalisation in the Knowledge-based Society. Legal and Institutional Framework.

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15 May 2006

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1. *Conceptual issues*

Public Management Professionalisation represents the process of attracting, selecting and creating the corps of civil servants, specialised in the area of public management, in order to apply the principles of public management, its modern techniques and methods, aimed to achieve the public institutions' mission.

Public Management Professionalisation assumes a redefinition of the contents of the activities of the civil servants' training and development.

The name of *knowledge society* is used today all over the world. This name is a shortening of the term *knowledge-based society*. Romano Prodi, the President of the European Commission uses sometimes the syntagm: "knowledge-based economy".

The *knowledge society* [1], [2] represents more than the information society and IT society, comprising both of them. Knowledge is information with meaning and information that acts. Therefore, knowledge society is possible only on the basis of the information society and it cannot be separated from it. At the same time, it is more than the informational society, due to the major role of information – knowledge in society.

Mankind is irreversible within the framework of the information society, defined as a *society of knowledge* and at the same time as a *society of organisations* (Drucker, 1992).

The best meaning of *knowledge society* is probably that of information and knowledge society.

Knowledge society [2] assumes:

I) An extension and profound study of the scientific knowledge and truth about existence.

II) Use and management of existent knowledge under the form of technological and organizational knowledge.

III) Producing new technological knowledge through innovation.

IV) Dissemination of knowledge to all citizens through new means, using with priority the Internet and e-mail, the learning methods through e-learning.

In this context, the knowledge society is characterized by:

a) Fundamenting the new economy, where the innovation process becomes overwhelming. The Internet's influence as market in the information society and the acknowledgement of the importance brought by the value of intangible goods (assets), especially knowledge, represent characteristics of the new economy.

b) Ensuring a sustainable society from the ecological point of view.

c) It has global feature and it is a factor of globalization.

d) It represents a new stage of culture.

In conclusion, „the knowledge society" is purpose and context of the contemporary development, as knowledge is the only resource that increases along with its use; competitiveness depends on the quantity and quality of the used knowledge and the profitability of any enterprise may increase especially related to investments in producing the knowledge (intellectual capital) rather than in purchasing physical assets. (Vlasceanu, L., 2001)

2. *Acknowledging the importance of the stake of professionalisation*

The beginning of the 21st century discovers a new Europe, compared to the Europe of 50 years ago, mature, with a *sui generis* structure of the public administration. Globalisation, europeanisation, modernisation and managerialisation have a trigger effect on the national administrations reforms in general and on civil services, in particular.

Within a multinational and multi-structural framework of the European Union decision-making bodies, including the broad diversity of the governmental structures, traditions, political and administrative practices of the Member States, the core of developing the knowledge-based society, it is important to prepare actors for European integration in view of their new roles.

We assist at the changes of decades. The institutional renewing represents a challenge for public management.

The European integration process has put into application the structures of political power and the organisation of public management, which cannot be found as models, they are considered as such *sui generis*, due to their uniqueness.

The organisational model of the 21st century is that of the information-based organisation (Drucker, 1988), characterised by: dominant structure of professionals, low number of the intermediary levels of hierarchical management, ensuring the coordination by non-authoritarian means (standards, rules, cooperation rules etc) (see Figure 1).
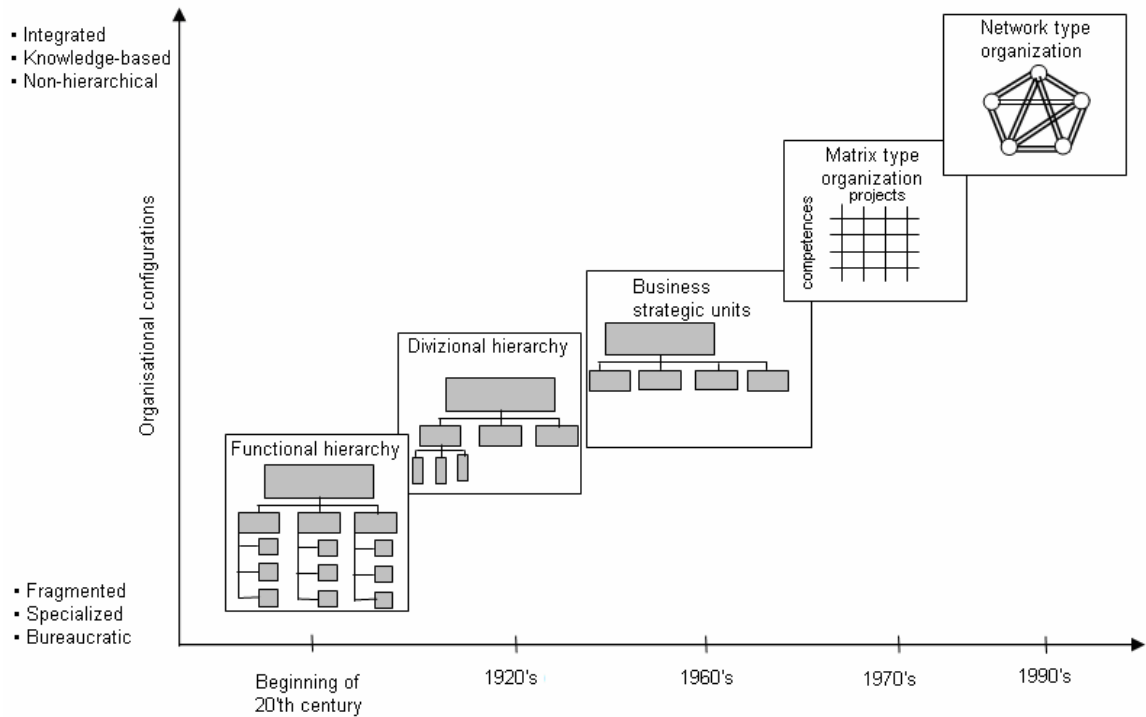
Figure 1. Succession of models of organisational configurations

Source: Palmer J (1998) - "The Human Organisation", in Journal of Knowledge Management 1(4):294 -307, quoted in [12].

The public management reform at European level, comprising privatisation, external contracting and decentralisation of responsibilities has led to changing the concept of public service and to changes within the structure of the corps of civil servants or to their resizing.

We speak today about New Public Management – what is New Public Management?

According to the specialized literature NPM is a global movement aiming to redefine the assignments of the state and public administration; for example the public sector reform is within the activities undertaken by NPM, aiming to replace the bureaucratic model with the managerial one, shifting from the organization formally structured and law- oriented, to management and efficient breakdown of public resources, according to the new economic role of the state's functions.

We may say that NPM is divided in two spheres of action, aiming, on one hand, to transform the external and internal factors of the public sector and on the other hand to influence its costs and performance (see Figure 2) .
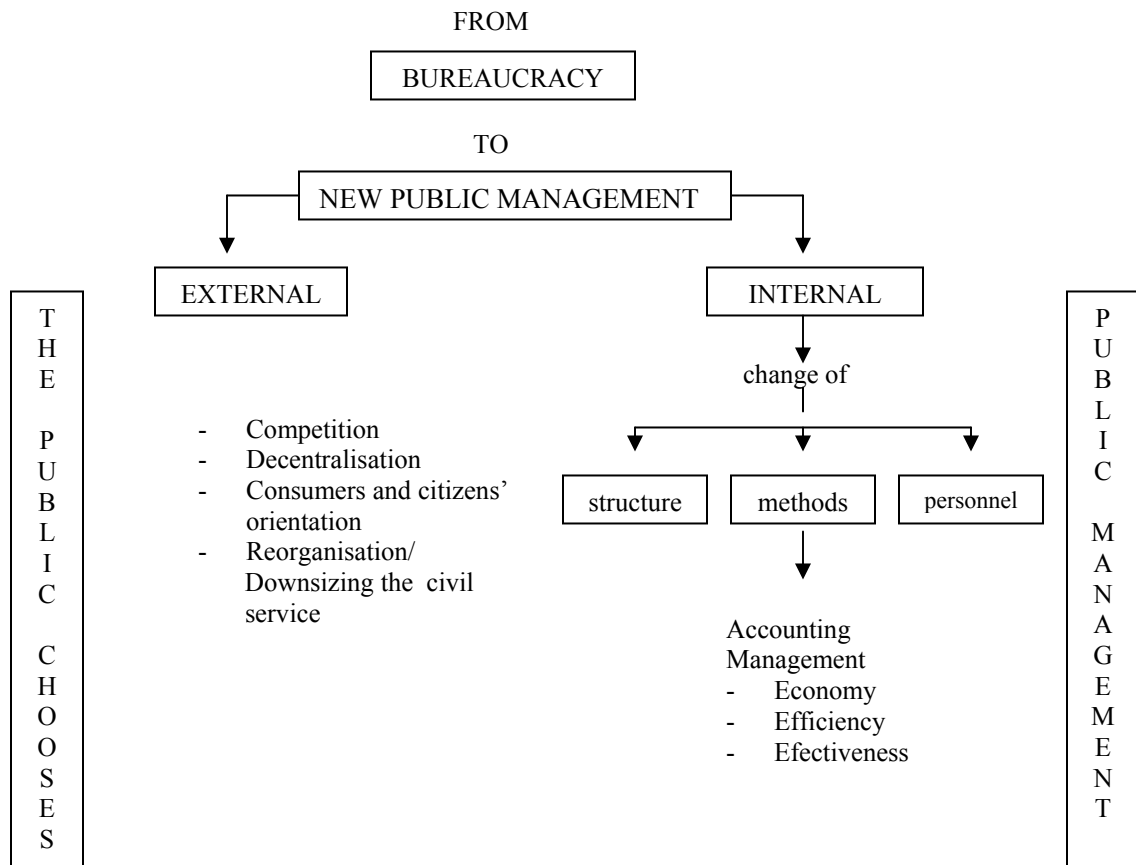
3

FROM

BUREAUCRACY

TO

NEW PUBLIC MANAGEMENT

| | EXTERNAL | | | INTERNAL | |

THE PUBLIC CHOOSES

change of

- Competition
- Decentralisation
- Consumers and citizens' orientation
- Reorganisation/ Downsizing the civil service

structure   methods   personnel

Accounting Management
- Economy
- Efficiency
- Efectiveness

PUBLIC MANAGEMENT

Figure 2. New Public Management (NPM)

Public management as academic discipline is the result of the interaction of three factors: state structure and reflection in employment and appointment in civil service positions, complex system of the public services (see the bureaucratic traditional models in public administration) and the world movement of New Public Management since the 1980's.

However, NPM imposes changes in the traditional education system, the managerial skills becoming necessary especially for:
- setting the objectives, general coordination;
- strategic and operational planning;
- accounting (cost calculation etc.)
- financial management;
- control;
- marketing;
- personnel management;

- organizational development;
- project management.

After 1995, the first significant outcomes occur in creating and functioning of the knowledge-based organisation. The knowledge-based organisations promote a new concept concerning management, its techniques and practices.

The most important contemporary management is knowledge management.

The actors' traditional roles show a change of focus, the actors becoming carriers of conceptual accountability, designing architectures of systems and processes, validating solutions, ratifying proposals. The new roles assume a specific education, designed and developed within this framework. The enforcement of the new roles requires endowing the actors involved with adequate types of managerial skills, especially strategic conception, interpersonal relationship, project management and managing changes within the context of European Union enlargement and knowledge-based society.

The knowledge-based society redefines the issue of education.

We assist at the change of conceptions about knowledge. The manner of learning and teaching is changing fast and radically, the training system being open.

Knowledge-based training has a social purpose.

According to [3]:

$$L = f(P, Q)$$
$$L = P + Q$$

L = learning

Q = innovating mental activity of the person who wishes to learn

P = scheduled assimilation from manuals

The continuation of training, in-service training represents a component of each government's strategy. It is modeling the society; it has the responsibility to hinder the degeneration of "meritocracy" into "plutocracy".

As Peter Drucker stated: "The knowledge society will become inevitable more competitive than any other known society – because knowledge is universal acceptable, it will no longer be an excuse for non-performance. There will not be poor countries. There will be only ignorant countries."

The public employees' development represents a *stake*, permanently felt by all of us. The public administration reform and the European integration process have strengthened the need for the civil servants' in-service training, playing an important role in the management process of integration. Thus, professionalisation and development are asserting and representing a stake, knowing a qualitative and quantitative growth of training.

Today we speak more and more about public administration and public management as about two revelations of the programmes of undergraduate and postgraduate education in European countries, as beyond the inevitable differences of mentality and culture, we feel at global level, the need of specialists in organisational behaviour, institutional development or selection of human resources.

By Lisbon Declaration [4], the European Union aims to develop, during a decade, the most competitive knowledge-based economy. This declaration contains also a

plan of measures showing the main action directions (the vectors of the knowledge-based economy): information society; education; research.

3. *Specific training needs in a specific management structure*

The public organisations are developing more and more in the affirmation environment of the knowledge-based society, getting the characteristics of the knowledge-based organisations and resizing the attributes: strategy, forces of change, performance, structure, personnel, functioning. The civil service is characterised by continuity, adjustment and continuous reform. The main changing vector is promoting the practices specific for the knowledge society, at educational and managerial intervention levels.

Professionalisation in the knowledge-based society assumes to design and develop the education system – main changing vector of all organisations, responding to the challenges of the 21st century and to questions, such as:

- How should be designed education, in general and training for employment in a civil service, in particular, in order to „comply" with the training needs of the labour market for the public sector in the era of globalisation and europeanisation?
- How can we develop, modernise and implement the environment of the new information and communication technologies, as essential change of the road of life, learning and teaching?
- Are the governments prepared to invest in promoting the new technologies, various forms of learning, education and in-service training in a knowledge-based society?

The current modernization concept for reorganization and development of the public administrations requires competent, well trained personnel. The training policy is changing progressively, adapting to needs and expectations. The development of the European integration process proposes a continuous updating of the institutional and national practices of public management and it involves sustained efforts for civil servants' training and professionalisation [5].

Training and professionalisation have a greater structural importance in the civil servants' career plan. The specific objectives of professionalisation are established in the official texts of the Governments (Constitutions, laws on civil service, regulating texts). The experiences of the EU Member States demonstrate that the public service reforms, human resource reforms in public administration aim common objectives, such as: developing the skills for sustaining the reform and modernization of administration, developing knowledge about European affairs and the European integration process.

Structure of the corps of civil servants in Romania

At the end of December 2003, [6], in the public administration in Romania, 110426 civil service positions were identified, that met the criteria established by Law no. 161/2003.

Table 1. Total of civil servants related to the dimension of the administrative space (population-GDP)

Country / Data	GDP mil. USD	Total population X 1.000.000	Number of civil servants X 10^3	No. c.s./ total population (%)
Belgium	209600	10.054	735.4	0.73
Denmark	85480	5.119	878.1	0.17
Germany	1850810	81.075	4919.3	0.60
Finland	77900	5.029	508.3	1.01
France	1321349	57.800	4495.6	0.77
Greece	95000	10.256	362.9	0.35
Italy	1015221	57.265	3652.0	0.63
Netherlands	312300	15.239	713.4	0.46
Portugal	87993	9.862	623.5	0.63
UK	575470	58.245	3060.0	0.52
Romania	22759	22.760	115.3	0.50
Spain	544417	39.417	1801.1	0.45
Sweden	137600	8.635	1265.5	1.46

The above positions are distributed as follows: 65497 in central public administration (59.31% from the total of the civil service positions) and 44929 in local public administration (40.69%).

Table 2. Employees in the public sector in limited and in broad meaning, in the EU Member States (x 1000) [7]

	Central Administration	Regional Administration	Local Administration	Other services of the limited public sector	Limited public sector	Other services	Public enterprises	Broad public sector
Austria (1994)	169.0	150.0	146.8		465.8	36.3	272.9	775.0
Belgium (1996)	138.4	349.7	244.7	2.6	735.4	18.1	126.1	879.6
Denmark (1994)	213.0		662.9	2.2	878.1		96.6	974.7
Finland (1994)	133.0		375.3		508.3		42.8	551.0

France (1993)	2273.4		1339.7	882.5	4495.6		1505.0	6000.6
Germany (1995)	546.3	2451.6	1735.6	185.7	4919.3	449.9		5369.1
Greece (1994)	230.3		39.0	93.0	362.9		124.9	487.8
Ireland (1995)	186.3		27.2		213.5		55.0	268.5
Italy (1994)	2129.0		1465.0	58.0	3652.0		1006.0	4658.0
Netherlands (1993)	521.9		183.5	8.1	713.4		128.0	841.4
Portugal (1993)	536.6		87.0		623.5		117.4	740.9
UK (1020.0)	1020.0		2040.0		3060.0	876.0	426.0	4362
Romania (2001)	65.497		44.929		110.426		363.0	473.226
Sweden (1995)	233.7		1031.8		1265.5		254.4	1519.9
Spain (1995)	576.3	498.7	398.6	327.5	1801.1		345.4	2146.5
Total	**8907.1**	**3450.0**	**9777.8**	**1559.5**	**23694.5**	**1380.3**	**4500.5**	**29572.2**

The positions effectively employed represent 87.97% from the total (12.03% from all the categories of jobs are vacant). The number of managerial positions is limited by Law no. 161/2003 at a maximum of 12% from the total of the civil service positions. For the time being, 10681 managerial positions are employed, representing 9.68% from the total of the civil service positions.

Table 3. Statistical data concerning the number of managers in the public service

Australia	Managers	**1990**	**1997**
	Women	175	312
	Total	1563	1502
Canada	Executives	**1994**	1997
	Women	708	748
	Total	3878	3258
France	Managers	**1990**	1996
	Women	182794	333912
	Total	491330	698948

UK	Grade 6 and 7	**1990**	1997
	Women	1646	3680
	Total	17522	19740
USA	Professionals	**1990**	1996
	Women	156294	172315
	Total	463576	459121
Romania	Total	**2003**	
		10681	

Structure of the corps of civil servants in Romania in 2004

Table 4 - Breakdown of civil service positions

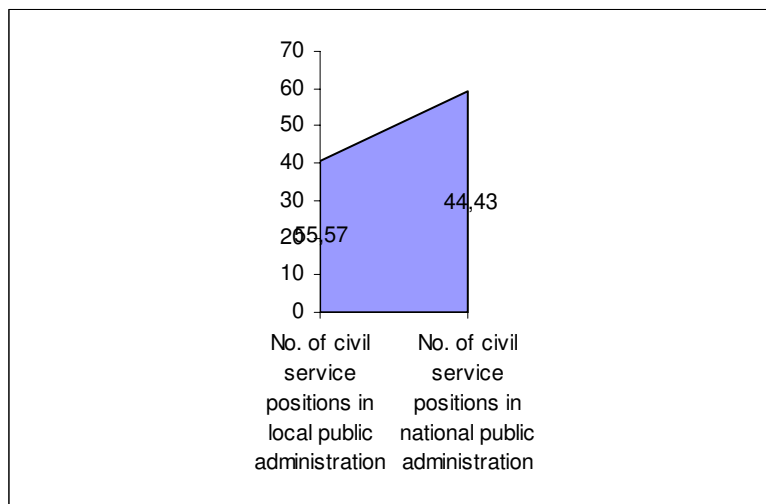| Civil service positions, Total	112847	100%
Civil service positions in national public administration	50140	44,43%
Civil service positions in local public administration	62707	55,57%

Chart - Percentage of civil servants

Table 5 – Situation of employed civil service positions

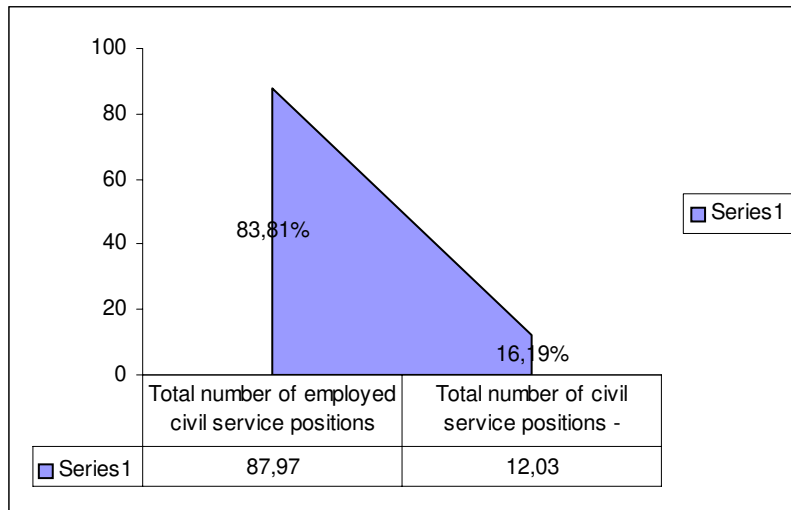| Civil service positions , Total	112847	100%
Employed civil service – occupied	94576	83,81%
Civil service positions- vacancies	18271	16,19%

Chart – Structure of employed civil service positions

	Total number of employed civil service positions	Total number of civil service positions -
Series1	87,97	12,03

Table 6 – Structure of civil service positions on categories – Total

Civil service positions, Total	112847	100%
Category – Top civil servants	188	0,20%
Category – Management civil servants	10616	11,22%
Category – Executive civil servants	83772	88,58%

Chart – Structure on categories
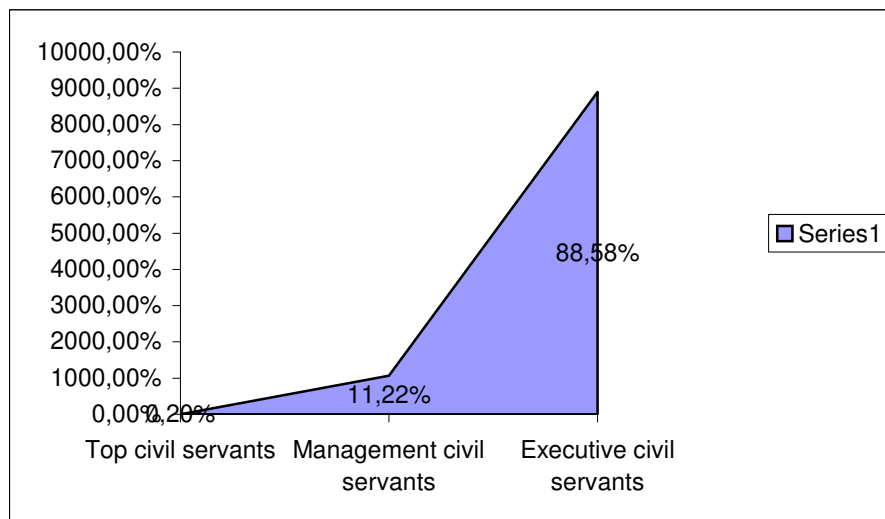
On the whole public administration, the number of civil servants with high education represents 54% and the number of civil servants with high school education represents 46%.

Causes: The number of civil servants with high education is smaller in local public administration (41%), where the majority comprises civil servants with undergraduate education (59%), due to unattractive salaries and absence of a system of incentives aimed to attract high education graduates.

Table 7 – Structure on professions of the corps of civil servants

No.	Profession	Number of civil servants
1	Economists	17537
	Engineers, total	18816
2	Agricultural engineers	4425
3	Geodesic engineers	89
4	Engineers with other specialisation	14302
5	Lawyers	4268
6	Physicians	626
7	Veterinary physicians	1849
8	Teachers	3279
9	With education in public administration	407
10	Social assistants	94
11	Sociologists and psychologists	223
12	Other professions	6304

The structure on professions of civil servants reflects an obvious polarisation towards the profession of economist (17537) and engineer (18816), that is not in favour of the civil servants with education in public administration (407), legal sciences (4268), sociology and psychology (223).
Taking into account the nature of the activities developed by the civil servants, and the majority of technical specialisations, we appreciate that it is necessary to establish a balance between the above -mentioned professions, attracting lawyers, sociologists, statistic persons, other specialists with the aim to achieve the general and/or specific competencies established for public authorities and institutions by the law.

The management issue related to knowledge is approached from two angles:
   a) as management of organization concerned about the use and integration of various types of knowledge;
   b) as management of knowledge, as such.
   We propose five propositions of strategic guide for knowledge management:
1. Knowledge is a product. 2. Transfer of knowledge by best methods; 3. Client-focused knowledge; 4. Personal accountability for knowledge; 5. Strategy of copyright management.

On European level we find a trend of making uniform various courses of management and public administration, trying to diminish, for example, the orientations to market and its behaviour that occur in the Anglo-Saxon schools of public administration or those concerning the legal framework of a country, specific for continental Europe. [8] The outcomes are visible, the old or new students from all over the world are assimilating today knowledge, relative similar in the area of public administration or management.

Thus, there are studied the functions of management, including organization, coordination, planning, control, motivation and delegation; the specialized literature tends however to replace the functional analysis of all the aspects above mentioned, approaching them rather as "managerial roles". A special attention is paid also to communication, human resource management, budget and financing of the public sector, achieving equally an introduction in accounting and marketing. Concerning the behavioural dimension of a thorough study on management, it aims on one hand, to accomplish analyses of perception, motivation and job satisfaction, to elaborate theories related to the methods used in decision-making and on the other hand, to discuss about the dynamics of groups and their performance, reviewing the trends of leadership or conflict, interpersonal processes and last but not least the channels of communication best turned into account. There are numerous situations where the lectures focus on organizational meta analysis, structure and culture of organizations, causes and consequences of the institutional changes, organizational development and its implications. The differences between the topic of the courses for introduction in management, delivered within the academic centers from all over the world are mainly due to the weight given by each education system to the above mentioned aspects. On the other hand, there is a "tough core" of all the lectures concerning public management, aiming the analysis of the normative framework and types of public organizations existent in the respective country, trying to respond to the following questions: "What are the managers doing – Do they control, develop strategies, plan and/or make decisions?", "What training should have an efficient manager?", "How is a manager acting?", "Which are the manager's purposes?"

4. *Stakeholders' involvement in developing the professionalisation system*

The stakeholders in developing the professionalisation system are identified, finding answers at the following questions:

Which is the target group?	institutions of national public administration and civil servants
Who achieves professionalisation?	specialized institutions and their trainers
How is professionalisation achieved?	programmes, methods, techniques and means
What knowledge and what know-how will training develop?	areas of European training (law, policy, public management, economy, institutions, negotiation)

What results are expected from training?	civil servants in charge with European affairs, euro managers, persons knowing the European integration process

The stakeholders' intervention has to be sustained coherently on several levels (Dragomirescu, H., 2001):

A. Educational level:
– developing conception *competencies* for the members of the organization;
– *professionalisation of individual roles* related to knowledge-based functioning of the organizations.

B. Organisational culture level
- assuming the *ethics of accountable legitimacy* by the members of organization; such ethics is in principle in opposition to individualist exclusivism and it is open to partnership interactivity; at the level of such organizations, and the ensemble of knowledge society, civilization will reveal the ability and availability of the members to work together in a transparent and equitable manner;
- focusing the individual and collective behaviors on the *values of the professionals' spirit of community,* recognizing the right to personal identity and preeminence of conceptual pertinence as source of influence in organization.

C. The managerial intervention level:
- assimilating and extending the *managerial practices of advanced generation*, including those specific to knowledge management;
- adopting the *non-directive intervention style*, oriented to facilitating and articulating the professionals' action, by the management factors.

D. The work methods and managerial instruments level:
The above mentioned enumeration shows that for the time being there is available a range of technological and managerial solutions, enough for operationalising the concept of knowledge-based organization; their application assumes judgment in choice, consistency in the learning effort and responsiveness in identifying and assimilating their advantages.

The specialized literature identifies the target groups depending on the training level: general and sectoral level.

We distinguish the following stages in public administration training:
- general basic training;
- sectoral training;
- in-service training (during the whole period of civil servant's career).

General training enables the creation of a homogenous group of civil servants, responsible of activities with European dimension, generalists.

Sectoral training means a specialized approach of the policies and sectors of activity at EU level. The European public policies are based on cooperation among civil servants of European institutions and national or specialized agencies, regional and local governments.

The model of the matrix for the training needs designed by European experts, accepting the sectors, roles and levels of accountability in public management of European dimension as key elements represents a component of the process for elaborating the task handbooks of training and developing the new competences.

Table 8. Correlating the strategic target groups with the types of programmes and main providers of in-service training

No.	Strategic target groups	Other categories*	Aim of training	Aim of the programme	Issues of contents	Corresponding programmes in the current offer	Providers	Necessary adjustments
01	Top civil servants			Keeping the actual positions/ Access to top civil service position	Improving/Developing the competencies necessary for top civil service position	Synthetic vision on the politic, social, economic context Modern principles and methods of management Skills of leadership, negotiation and communication	Programmes of specialised training with duration of 1 year	NIA	Separating from other programmes/groups Adjustments and thematic focus
02	Manage-ment civil servants	Young graduates		Access to management civil service position	Developing the elite corps of the future managers from public administration (fast stream)	Conceptual and practical basis of the management position in administration	Programmes of specialised training with duration of 2 years, YPS	NIA	
03	- Future	Young civil servants				Applied knowledge and skills of modern management	Programmes of specialised training with duration of 1 year, YPS	NIA	
04			Executive civil servants of over 35 years old that wish to develop their career		(see line 05/06)	(see line 05/06)	(see line 05/06)	Universities, other providers of in-service training	Assimilation to other programmes for current management civil servants (main stream)
05	- Current			Keeping the actual positions	Improving/Developing the competencies necessary for management position	Synthetic vision on the governance process. Modern principles and methods of management Achieving the contexts for areas of management Leadership skills	Programmes of specialised training with duration of 3 months -1 year	Universities, other providers of in-service training, NIA (limited no.)	Separation from other segments Thematic adjustment Updating the contents Thematic focus
06									
07	Civil servants with special** tasks in the area of reform and integration			Development	Developing the competencies in specific areas	Decentralisation/devolution Elaborating the public policies Civil Service Management European integration	Development programmes	NIA, regional centers, schools from ministries, other providers of in-service training	Focus/ Thematic and contents adjustment
08			Other categories of civil servants			Adapted contents to the specific requirements	Development programmes	Regional centers, schools from ministries, other providers of in-service training	Orientation to „tailor made" approach

(*) Included to underline the fact that these categories, although not prioritary, benefit of the possibility to attend training programmes adapted to their needs.
(**) For the civil servants with specific tasks in this area, that attend long-term programmes: the priority themes will be inserted also within the framework of these programmes.

Within the internal process of public organization, the so-called managerialism or public management, the interdependencies between structures, procedures and personnel are essential.

5. *Assessing the Romanian legal and institutional framework*

The training offer for Romanian civil servants must take into consideration the dispositions of the legal framework and especially the following regulations:

- Constitution of Romania (adopted in 1991, amended in October 2003) comprises provisions concerning civil service and public sector employees.
- Training Law 84/1995 with the subsequent changes and completions.
- The ordinance 15/1998 on the creation, organisation and functioning of the European Institute of Romania, with the subsequent changes and completions .
- The Law 188/1999 on the Statute of Civil Servants, with the subsequent changes and completions.

The normative deed is applicable to "the persons delivering their activity in public bodies of authority" (article 2). The other employees in public institutions benefit of special statutes, some with amendments: the military (Law 80/1995); teaching staff (Law 128/1997); financial checking corps (Law 30/1991); customs personnel (Law 16/1998). Law 115/1996 regulates the declaration and control of wealth of "high officials" (mainly elected politicians), magistrates, civil servants and personnel with "management positions". Law no. 14/1991 and Law no. 154/1998 concerning the pay roll system in the budgetary system define the components of the wage and regulate the wages of the employees from the public sector and elected public authorities. The Law on Labour (Law no. 10/1972 and Law no. 83/1995) is applied to the employees from the public sector, whose statute is not regulated by any other above mentioned normative deed. [9].

- The Emergency Ordinance 81/2001 on the creation and organisation of the National Institute of Administration.
- The Ordinance 129/2000 on adults training.
- Government Decision 8/2001 on the creation, organisation and functioning of the Ministry of Administration and Interior.
- Government Decision 710/2002 on the functioning of the National Institute of Administration.
- The Law 215/2001 on local public administration.
- Memorandum on strengthening the administrative capacity and human resources training on European integration.
- Law no. 7/2004 concerning the Conduct Code of the Civil Servants.

The Government of Romania approved in its meeting on 26 January 2006 the draft to modify the Law no. 188/ 1999 concerning the Civil Servants Statute in emergency procedure. The law draft was debated and certified favourably on 9 May 2006 by the Commission for Public Administration, Territory Endowment and Ecological Balance of the Chamber of Deputies, in its quality of decisional Chamber.

Law 161/2003 represents a collection of various legislative elements, known as "The Package of Anticorruption Laws", grouped under the title "Law concerning some measures to ensure transparency in high public positions, civil service positions and business environment, preventing and sanctioning the corruption".

By Law 161/2003, the General Secretary of the Government and General Secretaries of the ministries are also included in high public positions, representing another positive step in depolitisation of administration from ministries.

6. *As conclusions*

The study on management and public administration is obviously indispensable to understanding the principles of democracy and competitive economy. Decision-making, communication with the public, complying with the citizens' needs involve and are based, under the terms of law, on the art of negotiation and compromise, art focused on the principles of management.

The profound study of the theories and function of administration, together with the analysis from the managerial perspective do not lead immediately and directly to creation of loyal, efficient, well-trained civil servants, but represent an important step in achieving this objective.

Therefore, balancing and making uniform the programmes of undergraduate and postgraduate education become an imperative for construction of a genuine democracy and coherence of an efficient administrative system.

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