The objective of my paper is to present Slovenia's national system of a unified training programme for employees in the civil service in view of the E.U. accession, where an insight is given into the content of the training system utilized, its background in the civil service regulatory framework and also identifying the specific target groups in need of receiving such training. I have already broached the subject of training needs analysis in one of my previous articles so that I will now more or less focus on this theme only incidentally as a matter of coherence.

The civil service was at the pinnacle of interest already in the early nineties, when extensive SIGMA research programmes were instigated on the subject of reform, based on trying to bring about a modern, even-handed, neutral and performance-driven new civil service system for countries that have embarked on the tedious path of transition. The SIGMA project was meant to be a blue-print to follow in the initial phases of structuring the needed regulatory framework in which such civil service reform could be successfully accomplished.

On top of this comes the concern of how to best enable the newly refurbished civil service to be able to prepare itself sufficiently to aid citizens in drawing from the European structural funds available upon entry into the E.U., because there is an enormous amount of red tape involved in these procedures. Also in France the departement officials aid would-be recipients of these funds on a regular basis, because it is ludicrous to imagine farmers handling those very complicated forms. Slovenia must take additional care not to become a net-paying nation into the E.U. budget, which, of course could easily ensue, if matters would be left to run their natural course i.e. if the civil service wouldn't give the farmers a helping hand.

There is a lot of work also to be done for adequately preparing the legal and institutional framework needed for the implementation of the European Social and Economic cohesion Policy and especially the effective use of the European structural & cohesion fund in the field of the Environment.

The civil service reform measures are based on a bundle of interdependent staff measures, which have previously been applied in the private labour sector in order to partly replace and/or extend the traditional model of staff administration by a new model as essentially embodied in mainstream new public management principles that have been transposed in the last decades to the public sector at large in most advanced nations across the globe.
PAPER: The Civil Service Capacity building with a special emphasis on training for E.U. accession: The Slovenian experience

Political discussion and debate regarding the civil service reform is generally sparked off by the issue of permanent employment, where it will be invariably necessary to come forward in identifying those areas where the need of permanent civil servants is absolutely unavoidable as opposed to areas where they are not. There are two pivotal issues in this regard, one is the staffing function i.e. the public personnel management on one hand and the salary reform on the other, both being part and parcel of a modernised and refurbished civil service reform endeavour.

A modern Slovenian civil service was constantly considered as a top priority issue of all post-independence governments, although it is only recently that this project was finally brought under the roof. There was a lot of anxiety surrounding this specific piece of regulatory reform, which is evident from the big number of government proposals which never got off the ground, so that it seems that the imminence of the country's accession actually shortened the process and brought this reform to fruition.

In the early nineties studies have been commissioned and consultations have been opened within Government concerning a draft bill on civil service reform the preparation of which lay within the responsibility of the Ministry of Interior.

In October 1991 a reform process began with the appointment of a working-group to prepare a bill on civil service reform. The bill was prepared by this working group under the auspices of the Ministry of Interior and was then subsequently circulated for consultation within the Government. The explanatory memorandum of the bill discussed the problems involved upon embarking on the road to reform, especially from the point of view of its objectives. The aim initially was to set up a civil service capable of assuming the novel tasks consonant with the tenets of the mainstream theory of new public management. The objectives at hand tried to address the challenges of new public management paradigm. These challenges initially derive from a handful of desirable targets on which a consensus seems to have been reached and which seems to have taken shape within countries of the OECD area.

Slovenia acquired observer country-status in 1993 in all OECD-PUMA (Public Management) activities and participated from that time on in various workshops as for eg, the one on H.R.M. (Human Resource Management), then the work-party on Regulation, Management & Reform, then the work-group on the Strengthening of the Government-Citizen Connection, and also the work-group on Senior officials from Central Government, etc.

To summarize these objectives, I will give a brief description of them below, as follows:

- First of all, decentralization of decision-making process by way of devolution of authority to lower administrative levels was called for, resulting presumably in a more flexible operation of the administrative system.

- Secondly, ensuring a better task performance in general and specifically establishing the appropriate check mechanisms, presumably resulting in an increased accountability on the part of civil servants. Within this scope comes the principle of neutrality and impartiality of the civil service, the dividing line between political functionaries and bureaucratic officialdom, especially the elite echelons of the civil service, the reinforcement of the Rule of Law, hierarchical remedies and Judicial review, etc.

- Thirdly the objective would be in introducing competitive elements and in creating the possibility of choice between different performers of administrative functions.

- Fourthly, providing professionally managed and responsive public services focused in end-users.

- Fifthly, the objective would be also in improving the status of civil servants through the development of an operationally modernized human resource management base.
Sixthly, the objective is to promote optimal utilization of information technology to be infused within the whole of the public administration sector.

Seventh, the objective is also to improve the quality of legal regulatory mechanisms. All the above-mentioned was elaborated at length in two projects included in the Masterplan for the Implementation of Public Administration Reform 1997-1999, that were specifically concerned with the prospect of drafting of the Civil Service Act and generally by developing of a professional civil service system as such.

The strategic plan for the Implementation of projects of Public Administration Reform in Slovenia was inaugurred at the 2nd Interministerial Conference on Administrative Reform in June 11th, 1997.

Later another distinct influence took hold, which was more specifically geared towards European needs ie. the so-called EAS- tenets (European Administrative Space Area) of civil service reform.

The European Administrative Space (EAS) is the informal acquis communautaire in the field of public administration, which has been developed by SIGMA experts only in the late nineties, due to the enlargement of the European Union, although it started much earlier in 1992. As the process of accession of these countries was completed the SIGMA project was terminated on December 31st, 2003. Slovenia started cooperating in the Sigma project in 1999 in the field of public employees system (including training), internal review, the setting aside of administrative obstacles and also in the field of the establishment of parastatal public agencies. Collaboration between Slovenia and SIGMA took also the form of studies, consultations and peer-reviews. The SIGMA project's aim was to give support for the Improvement in Governance and Management in CEE - countries by identifying minimal standards that were to be set for candidate countries on the issue of the reform of political institutions and public administration (especially central administrative machinery of Government). Furthermore, the so-called core European principles of Administrative Law have been developed on the basis of the decisions of the European Court of Justice, such as reliability and predictability (legal certainty), openness and transparency, accountability, efficiency and effectiveness.

These standards and principles, coming into force via common political, economic and societal development in Europe, are not obligatory in a strictu iure direct sense, but only represent a political criterion for candidate countries.

Despite the common basis of the EAS, there are some critical views of it as a really shared conceptual phenomenon, arising from open questions regarding the very definition of the public sector and within it that of public administration and also regarding the boundaries or ambit of the EAS. It is furthermore also open to question of what is to be considered as the underlying entity, where one is confronted by the dilemma either to consider public administration as a set of organizational, procedural and managerial components tied together in a sort of conglomerate on one hand or to consider public administration as an emanation of administrative law on the other.

A few other questions also remain open such as to what extent can we talk about a »European« public administration, and furthermore what is the link or relation (if any) among other EAS on one hand, the so-called Good Governance Theory on the other and the New Public Management at large.

Nevertheless the EAS is seen as incorporating common principles and measures in the fields of Quality Management, e-government, Human resource management, Basic systemic principles of Civil Service regulation, Public Finance, Local governance and also the basic framework for the institutional design of parastatal organizations (agencies), etc.
The EAS has developed some criteria in the field of the specifics catering to the Civil service system, focusing on employment, training, promotion, the salary renumeration system, social security and supranntuation etc.
The key principles that were constantly underlined were also the classic weberian repertoir of professionalism, political neutrality, objectivity and ethics.
The candidate countries earmarked for accession into the E.U. were expected to pass their Civil Service Acts according to the laid down principles incorporated in the EAS, but the timing of this piece of legislation was in some countries such as to lead one to wonder whether political will was lacking for the endeavor at hand, which is all the more intriguing, having in mind that such reform is in each country's best interest, regardless of accession.
Slovenia has followed all the required standards and principles set by the EAS for her administrative reform, which all came to a head in 1997 when the accession procedure was formally initiated.
The requirement of the EAS has been to develop national administrative capacity to effectively implement the european acquis, therefore to establish or adjust institutions ( as the case may have been ) to be able to carry out the tasks put forward by the acquis in specified administrative areas ( fields ).
SIGMA annual peer-reviews focused their research mainly on legality and impartiality of civil servants, criteria for decision-making in administrative procedures to be set in advance, management and supervision over public funds.
From the EAS perspective the great challenge for my country was finally overcome by passing through parliament in year 2002 five highly related piecec of legislation, ie. the State Administration Act, the Inspection Supervision Act, the Public Agencies Act and the central two acts of utmost importance – the long-awaited Civil Service Act and its corrolary – the Public Sector Wage System Act.
Immediately upon the enactment of the Civil Service legislation there emerged already the first critical remarks, which essentially boiled down to the point that the country had nevertheless still to make significant efforts regarding inter-ministerial coordination and that it needs to bolster its relatively poor Human resource management system.
The critics also remarked that it was necessary to focus on the implementation of the new legislation by way of the prompt passing of the appropriate secondary legislation and at the same time to implement also the necessary training of civil servants, plus in addition to that to implement internal supervision in an adequate manner.
Despite all the criticism, it is my opinion, that my country succeeded in the meantime to heed the critics admonishions, so that the voiced shortcomings were taken care of, so that the reform finally took off in time.
The Civil Service Act had to address two cardinal questions, the first one regarding the scope of the regulation, while the other had to do with the selection of the recruitment system, ie. where the choice is between the career rank-in-person system on one hand and the so-called open non-carrer rank-in-job system.
As far as the scope of the lawb (act) is concerned, the legislator chose the so-called global approach to what all constitutes the civil service, thus incorporating into it the whole public sector, consisting of the central state machinery of government service personell, local government service, public institutions, public funds and public agencies with the exception of public corporations operating on a profit basis.
The Civil Service Act took as its point of departure the career rank-in-person system, which stands as the basic principle of the personell recruitment system for the whole range of the service, ie. from the rank-and-file officials at the lower end up to the most elite echelons of officials serving in the capacity of permanent secretaries. The non-carrer rank-in-job system serves only as an exeption to the predominant career system. The non-carrer system will be
in use solely for higher positions reserved for public managers, who will be recruited predominantly from the propulsive private sector, ie outside the public sector in order to get people with a business acumen needed for specific tasks that need flexibility & self-initiative. According to the new law, titles of positions are based upon the content of tasks and responsibilities within stated positions eg computer operator, programmer, legal adviser accountant, audit officer etc. At a second stage, positions so identified, are attributed to specific personal rank levels on the basis of the qualifications required ( academic background, experience ) to perform such tasks, as well as the level of responsibility involved. At a third stage pay levels are then allocated.

Position classification is used for other additional purposes, such as planning of staff needs, definition of personnel policy, planning of a skills development policy, personnel evaluation and promotion and career planning etc.

Position charts are approved at the central level, as last stage of the organizational process. The system is based on a combination of the career and positional systems, so it in fact amounts to a sort of open-ended career system, because my country is too small for a closed career system in order to broaden the choice.

Our new civil service system, as has been already stated above, also exceptionally allows for entry into the service from the private sector, but only subsidiarily if the needed personnel cannot be found within the existing employees of the civil service. In such a case, when it is concluded that outside help is needed, the civil service commission invites candidates to apply for the position by undergoing an open competition in order to attract the best possible candidates, mostly for top managerial jobs. Jobs with such a profile would amount to about sixty or so in number, which is a small fraction of the total which runs at about 40000 posts. All in all there are fourteen different ranks along with only five types of different service positions or posts (ie. the post of collaborator, the post of rapporteur, the post of adviser or counsellor, the post of senior adviser or senior counselor, and finally the post of secretary), while in addition to this, the system also provides posts that are filled by various top civil service positions.

A civil servant can alternatively perform his work on one and the same position (post) in one of three possible rankings ie, for eg. in the post of advisor he could function either in the capacity of adviser III., or adviser II or adviser I.

Top civil service positions, which come in direct contact with political functionaries as their counter-parts in the top echelons of central Government ministries were moulded by taking into consideration a sort of synthesis of the German and French models, which could be denominated as the franco-german model of political officials, where the minister chooses the most appropriate candidate among many possible ones veering for such a top job, where the criterion is such that precedence is given to the candidate that seems most likely to be able to establish with the minister some kind of confidential relationship of trust.

It has squarely to do with such a persons tasks, because they are needed precisely because they are to furnish the minister with timely advice whether the ministers political agenda would be compromised if a certain piece of legislation would see the light of day. For such advice they should be first well professionally seasoned as well as persons of trust. For this type of positions open competitions are called for. The Civil Service Commission's Advisory Panel charged with selecting candidates for such top positions has a tripartite composition, consisting of members named by the universities on one hand, then members named by the Parliament and thirdly members named by the President of the Republic and it fall within its duties to come forward with standards of professional proficiency required for the aforementioned top civil service posts along with the methods of selection for them.

For some enumerated types of the aforementioned top personnel selection processes the panel will only make a narrower selection of fitting candidates, among whom the Minister will
make a final choice. The same shall apply for top posts in the Prime Minister's office or for posts directly under the sway of the Office of the Head of Parliament and also for top posts, where the Mayors have the final say regarding personnel selection, where trust and confidentiality are one of the criteria to be reckoned with. For the vast majority of the civil service a government employee status will be achieved by means of concluding a public employment contract, which is governed by the Civil Service Act, further by specific requirement laid down by the respective collective bargaining rules signed between the Government and the Public Employees Union, and thirdly it may also be contingent upon specific requirements to be complied with in case of police officers, diplomats and the armed forces (military).

Legal protection of public employees will include besides the hierarchical recourse procedures also judicial review for all cases of selection & hiring new personnel procedures and for procedures to be followed upon termination of employees service contract as well as procedures regarding transfer of officials.

There will be three types of hierarchical control instances, each of them responsible for different types of public employees: one will be responsible for central government personnel, another for local government personnel and the third one for public agencies' personnel. Complaints will be all filed for purposes of judicial review with the Administrative Court.

As regards training, the Central Authorities will be able to take one of the following action courses, contingent upon the specific situation at hand, as follows, namely:

- The Head of each Personnel department will have to arrange for all unit heads falling within their purview for a yearly mandatory get-together with each employee working under his/her authority, where they would discuss all implications, problems, possible promotions, training needs, assistance programmes etc in order to facilitate and aid the efficiency and well-being of the employee and also the communication between him and his superiors. The discussion could also be about the ways to perform the tasks in a more meaningful and efficient way and/or to alter the work process if such a change is called for and is deemed expedient. This so-called Annual Conversation with Employee (A.C.E.) is then formally protoclated in a so-called Memorandum-of-Understanding (M.O.U.).
- The M.O.U. is very important especially from the point of view of addressing individual training needs.
- By taking into account the departments future agenda and the feedback from the M.O.U.s the Heads of Personnel departments then summarize the specific training needs in the following year, in light of which they then report their findings to Government office, charged with planning training programmes.
- The Government office, charged with training then starts preparing all what is needed to run the needed training programmes, by first putting into place any new regulations if this is called for, and also to initiate the creation of the needed management manuals etc. Personnel departments via such feedback from M.O.U.s are able to find out their specific training needs, which provides a basis for the preparation of specific training modules, which is then the responsibility of the National Administrative Academy, which is a part of the Ministry of Interior. The N.A.A. only organizes training in collaboration with the universities at home and abroad.
- The central Government already now also acts as provider of a legal-cum-administrative aid service catering to local authorities and also performs annual visitations to the 65 odd administrative units scattered around the country, so that each year a number of the aforementioned units can benefit from this arrangement. These advisory services cover also the sphere of training and / or the sharing of experience and best practice among local...
public servants through seminars, conferences and on-line discussion forums and by providing management and benchmarking tools specifically customized for local public services.

- The central Government also encourages and assists local authorities initiatives involving the training of local public servants. They may take note even of private initiatives in this regard in order to identify best practices, especially those in the sphere of rights & duties and ethical conduct of public servants.

The Slovenian in-service training system is to a large extent based, as one can readily recognize, on the M.O.U.s (Memorandums-of-Understanding), emanating from the A.C.E.s (Annual Conversations with Employees) of each immediate hierarchical head with employees working under him/her. In the M.O.U.s the parties specify the problems regarding the fulfillment of employees duties in their current line of work; it may also revolve around the question of whether such employee has the capacity to aspire for a more challenging job within the service; what would be the best ways to handle the boss-employee relationship to become less strenuous in the upcoming year, the question if any mutual corrections of behaviour are called for in this respect either from the part of the boss or from the part of the employee or both in order to better accommodate to each others needs; what, if any, training is called for according to possible new duties with which the employee will be faced in the upcoming year; or whether the employee needs to sign up for a foreign language course.

Training needs can logically also be assessed from the different upcoming government agenda we will be facing after accession to the E.U. in May 2004, because we can easily envisage a time squeeze regarding some hasty preparations that will have to be made in order to facilitate and assist our farming population access to the structural & cohesion funds. There is a lot of red tape involved already when applying to the European Commission for its approval for allocations from those funds and we simply cannot expect the farmers to be up to it, namely they realistically cannot be expected to be able to fill out those very complicated forms, which come into operation in this regard. In order to be able to draw from the Structural and Cohesion Funds the applicants must fill a myriad of required programme documents in order to secure the Commission's approval for the allocation of these funds. The public service must step in to lend them a hand, otherwise we will surely wind up paying more into the European budget than we will get back from it.

This is namely what the department authorities have been doing all along in France and to my knowledge in other old E.U. member-countries as well, which is what we newcomers must speedily try to emulate. It is not only the formulars, but also whole project application procedures, payment procedures, financial control of payments, national co-financing of such projects etc.

The civil servants working in this field will undoubtedly need the necessary training themselves first in order to be able to assist others. This sort of training has been already set in motion.

As a final note I would like to emphasize that if we are to check whether there is some hope of actually developing the idea of the EAS in practice, we have to analyse the extent to which the process of the so-called europeanisation of the public administration has been successful so far. Do we see convergence or divergence in this regard? If we are to follow the concept of different convergences proposed by Pollit & Demmke, then it perspries that only Quality Management as a common policy impacts across Europe, due to its being standardised in actual activities, while this does not hold true for the rest of EAS principles and standards, and which are, moreover also alas differently interpreted in specific national contexts.
References:

3. Civil Service Act, Official Gazette of the Republic of Slovenia No. 52/02
4. Inspection Supervision Act, Official Gazette of the Republic of Slovenia, No. 52/02
5. Public Agencies Act, Ibidem
6. State Administration Act, Ibidem
7. Public Sector Wage system Act, Ibidem