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The Human Resources Management Authority

Civil Service Training System in Montenegro

Podgorica, January 2006

CIVIL SERVICE TRAINING SYSTEM IN MONTENEGRO

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1 This analysis was conducted by the Human Resources Management Authority during 2005.

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INTRODUCTORY BY THE EDITOR

Training of civil servants and state employees represents maybe the most important element in the public administration reform process. The administrative system of a state can not function properly and lawfully without trained civil servants and state employees, thus training is the most important functional element in the process of implementation of new administrative legislation, and one can say of the entire reform as well.

Following the adoption of the Law on Civil Servants and State Employees in Montenegro, the Human Resources Management Authority was established and began its operation. Apart from human resources management, the systemic function of this authority is most of all the training of civil servants and state employees. However, as this function did not exist in Montenegro before, its development should in no case be approached casually, yet all relevant aspects and elements of this system should be devised and developed carefully.

The aim of this publication is to bring closer to the reader the envisaged development of this system, the elements of the system as well as the basic outlines of the future civil service training curriculum in Montenegro.

The first part of this publication presents some theoretical and comparative solutions and experiences, which determine possible development courses of this system with respect to the experiences of some developed countries that devised their civil service training systems before. The objective of the overview is to offer an answer to dilemmas such as: what are the current civil service training systems in developed countries like, what

are the objectives of these systems, what is the approach to the question of selection of personnel for additional functional civil service training, which financing system should be chosen for this important task, and many other questions concerning all relevant elements of this system.

The second part of the publication provides an overview of some of the most important findings obtained by a training needs analysis conducted in the Montenegrin civil service system. Material collected during the implementation of the EAR project “PARiM-1”, which was an important input for the “PARiM-2” project, has been processed and analyzed, and it revealed that to date there was no system of training of civil servants and state employees in Montenegro and that this system is now to be developed as a relevant systemic function of the Human Resources Management Authority. Hence, only now the systemic prerequisites to approach permanent and functional training of civil servants and state employees in Montenegro in a comprehensive and systematic way have been met. Before the establishment of this institution, there was no systematic execution of this function in Montenegro, yet it was effected on an ad-hoc basis and unsteadily – differing from authority to authority and individual possibilities depending on the available resources. The Human Resources Management Authority thus represents a significant new agency within the administrative system of Montenegro, which will lawfully, effectively and systematically execute, among other, this important function in the future.

The third part of the publication displays the first draft of a permanent training programme that is to be complemented by some additional research, to be followed by organization of training as soon as possible.

Finally, the fourth part of the publication offers some recommendations and suggestions to the relevant authorities of Montenegro with regard to actions and inputs that are necessary for the establishment and operation of a sustainable permanent functional civil service training system in Montenegro.

On this occasion, and at this stage of the project, I would like to express my gratitude to all the experts who participated in the preparation of this significant document, particularly to the project team as well as Dr. Gozdana Miglič and Radoje Cerović, MA, Nevenka Pavličić, spec. Clinical Psychology and Jadranka Vojinović, MA, who worked on the development of some important elements of this publication during the „PARiM-1“ and “PARiM-2” projects. Furthermore, I would like to thank the civil servants and state employees within the state authorities, who helped us carry out the training needs analysis during the previous project by timely returning the filled questionnaires that facilitated the execution of this analysis.

I owe special thanks to the director of the Human Resources Management Authority, Ms Svetlana Vuković, and the assistant director, Ms Jadranka Đurković, as well as to the personnel of the HRMA for a good cooperation and utter support to the project team in the preceding work on this project.

Podgorica, January 2006

Slobodan Dujić, PhD
Team Leader of the PARiM-2 Project

Civil Service Training System in Montenegro

Civil Service Training System in Montenegro

Doc. Dr Slobodan Dujčić

1. INTRODUCTION

The aim of this document is to present the work accomplished to date in the framework of the public administration reform in Montenegro, with respect to the establishment of a permanent civil service training system, as well as to set down the bases for the adoption of necessary decisions based on which this system is to be outlined and further developed.

2. WHY IS THE ESTABLISHMENT OF A PERMANENT CIVIL SERVICE TRAINING SYSTEM NECESSARY AND WHICH MODEL IS MOST APPROPRIATE FOR MONTENEGRO?

2.1. Introduction

In this part of the publication we will explain the significance of permanent functional training and professional development (hereinafter: training) of civil servants and state employees (hereinafter: civil servants), as well as the differences between functional training on one side and formal education on the other side. Besides, we will give a brief overview of the current situation and recent activities in the field of civil service training in Montenegro, and finally, we will delineate some future, i.e. expected changes in the field of permanent additional functional training of civil servants. This particularly relates to the expected changes with regard to the already started implementation of the Law on Civil Servants and State

Employees. This law was adopted on 21st April 2004 (Official Journal of the Republic of Montenegro, No. 27/04). A considerable number of activities on the implementation of this law have been realized since then, while the first amendments of it are already underway (May 2005).

With respect to the aforementioned, the aim of this expertise is above all to set a basis for finding possible solutions for the creation of a system of permanent additional functional training in Montenegro, at the current stage of the Public Administration Reform process. The establishment of an institution for human resources management in state administration has already been foreseen in the adopted Public Administration Reform Strategy¹, which was accomplished in 2004, when a new administrative authority was introduced in the Montenegrin administrative system – the Human Resources Management Authority². In this respect, the Strategy also envisaged an “organizational basis for the establishment of a national institution for human resources management, which comprises also a unit responsible for preparation and execution of professional functional training of personnel in state administration. . . .”³ Briefly, beside the regulation of the normative system of the state, one of the most important tasks within the framework of the Public Administration Reform will also be the introduction of an appropriate system of permanent additional functional civil service training.

When using the term «civil servants» in Montenegro, it has to be considered that it is a corps currently comprising approx. 10.000 persons working in the State Administration (including the police and the education sector, as well as the different services of the Parliament, the Government and the Constitutional Court and some other state authorities).

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- 1 The Public Administration Reform Strategy was adopted by the Government of the Republic of Montenegro in March 2003. The Strategy was also published as a separate booklet »Public Administration Reform Strategy in Montenegro«, Podgorica, March 2003, COBISS CG ID 5326864.
 - 2 The Human Resources Management Authority was established in accordance with Article 28 of the Regulation on the Organization and Work of the State Administration (Official Journal of the Republic of Montenegro, No. 54/2004).
 - 3 Strategy, *ibidem*, page 45.

At the very beginning, it is necessary to emphasize the problem of relation between the adoption of regulations and their actual implementation. The normative regulation of a state sets only a legal framework for the operation of its institutional system⁴. The term ‘institutional system’ refers of course to the system of formal institutions – authorities and organizations, which, in accordance with the principle of legality and other important legal principles and regulations, perform various functions and tasks. These tasks are usually classified into four categories in a modern administration, in particular: regulative, service, developmental and auxiliary (supporting) tasks. Of course, the mentioned functions are not performed by the institutions – they are actually performed by the civil servants of these institutions. If we confine only to the field of Public Administration, the administrative functions, i.e. tasks, are performed by administrative personnel - civil servants and state employees.

In relation to the above-mentioned it has to be noted that it is necessary to avoid the danger of excessive fetishization of the law and legal norms to the disadvantage of the subsequent appropriate implementation of the legislation. This assertion refers to the fact that very often in practice the attention is paid to the preparation and adoption of legal regulations (which often represents even the easiest part of the work), and much less attention is paid to the practical, i.e. organizational and functional aspects of their consequent implementation, or they are even neglected. As a result, respectively due to a belief in “omnipotence” of law and legal regulations, a series of problems arise. Among other, there is the problem of negligence of the significance of permanent additional functional civil service training⁵. Such a mistake should be avoided in Montenegro, since

4 Please note in this context that a great majority of legal regulations, e.g. in the field of administration, regulate the administrative system in the inside: i.e. circumstances, relationships and relations among administrative institutions, as well as circumstances i.e. relations among personnel in that system. Only a relatively small number of legislative and other acts regulate external relations – i.e. the relations between the state (meaning its institutions and civil servants) and citizens and other persons subject to private law. This annotation is relevant in order to understand the dimensions of the relations within the administrative system of the state, as well as the relations between this system and its relevant system environment.

5 A similar conclusion can be found in the publication of the organization OECD i.e. SIGMA, »Country Profiles of Civil Service Training Systems«, Sigma papers No. 12,

an appropriate legal framework (which is mostly adopted here) is an essential, but in no case sufficient or even the only prerequisite for efficient and effective⁶ operation of the administrative system of a state.

It has to be noted that currently there is no civil service training system in Montenegro, although such a system represents the key element of a human resources management and development system in state administration. Current ideas of public institutions management are that there is no successful model of human resources management in public institutions, if there is no linkage between: a) fair and transparent selection of human resources, i.e. their recruitment in public administration, b) the system of their training, c) the system of rewarding successful performance, and d) the system of their promotion. Only an internally coherent and purposefully linked system, which harmoniously connects all the mentioned elements, yields good results in practice. Otherwise, an unsynchronized operation of the mentioned elements of the system causes a lack of overview, inefficiency and inefficacy of the functioning of the Public Administration System in its probably most significant part – the functioning of the so-called “human substrate” or “human capital”.

In the following, it is necessary to seek answers to the question of what is the role i.e. significance of additional training and professional development (in the framework of the integral function of the “HRM” and “HRD” – that is, the function of Human Resources Management and Human Resources Development in Public Administration). Hence, it is necessary to pose the question whether or not a successful and efficient functioning of the public administration system as a whole is possible, if no adequate system of HRM and HRD is provided. The key integral part of it is a system of additional functional civil service training.

The posed question requires two advance notices: firstly, that we speak about »additional functional training and professional development« of

Paris OECD 1997, OCDE/GD(97) 122., page. 15.

6 With regard to the question of measuring efficiency, i.e. effectiveness of operation of institutions in the area of public administration in Montenegro, the conclusion is that there is actually no systematic introduction of a quality system, i.e. system of measuring effectiveness of work of public administration institutions.

civil servants, and not about »additional education«⁷, and secondly, it is not possible to solve every problem of the public administration system operation merely with additional functional training and development of civil servants. As the public administration system is complex, the answers to the problems of efficiency of its functioning must necessarily be complex as well. To summarize: when analyzing issues of efficiency, i.e. effectiveness of public administration operation (or its parts, hence relating as well to the level of individual administrative institutions), we unavoidably have to ask the question: what is the cause for such or other consequences? It is possible that a certain institution of the public administration system operates unsatisfactorily, i.e. inefficiently due to an inadequate organization, resp. because it is not efficient in controlling its business processes. There might as well be other reasons – e.g. an inadequately developed system of personnel motivation and therewith associated lack of motivation to work and not due to insufficient training.

The above mentioned question thus imposes the following answer: successful and efficient operation of the public administration system as a whole is not possible, if an appropriate and effective system of human resources management and development system in the administration is not provided. Yet, the following remark has to be added here: we can not seek the causes for ineffective functioning of an administrative system always or exclusively in the non-existence of a system for additional functional civil service training, as these causes may be hidden (apart from the mentioned) in many other factors affecting the efficiency and effectiveness of operation of the administrative system of a state.

All the above stated indicates an extraordinary complexity of this problem, where probably the easiest part is to draft and adopt a new normative

7 'Education' is a term which refers to the activities of Universities and similar educational organizations, which are competent to issue different diplommas, certificates, etc. Such documents testify that a person has successfully concluded an educational programme. On the other hand, an additional functional 'training' of administrative personnel is executed in shorter seminars, courses and workshops, which rise the level of knowledge and ability for better and more effective work in their working places (this at the same time means that here we speak about the persons who have already successfully concluded a formal educational program and they are already employed).

framework for the operation of the system (although we do not underestimate this aspect either). However, it is necessary to once again admonish of the fact that the normative framework represents only one of the elements, i.e. factors of an efficient operation of a public administration system. This applies in the same extent to the operation on the macro and the micro level as well. From this point onwards, a series of practical organizational and other problems is opened, which have to be solved in the public administration reform process.

2.2. Why is functional training and professional development of civil servants necessary?

In various methodological materials from the domain of civil service training system, objectives of in-service training are defined as to:

- Increase the efficiency in the operation of the entire state (and broader – public) administration,
- adapt the civil servants' knowledge to the new technologies and procedures of work in the administration,
- facilitate horizontal mobility of civil servants (reassignment),
- facilitate vertical mobility of civil servants (promotion),
- increase the motivation to work of civil servants in the administrative system,
- improve the possibilities for human resources management in the administration etc.⁸

Beside these general objectives of civil service training and professional development, a series of other, concrete objectives of civil service training and professional development can be identified, such as additional training for the implementation of new regulations, support to the execution of various reforms⁹, etc.

8 Compare in publication »Public Service Training Systems in OECD Countries«, SIGMA PAPERS No.16, Paris, France, pg. 7-8.

9 In connection to this, in a professional publication we can find the following:

A particularly important factor determining the need for intensive additional functional civil service training and professional development is the fact that in so-called »transition« countries we can witness a genuine revolution in the field of changes of the legal and institutional system of the state. Each year a multitude of new legal regulations are enacted, due to which, civil servants constantly encounter new regulations, which have to be understood correctly and implemented accordingly. This is another reason why additional functional civil service training and development is of an extraordinary significance – even more so in so-called transition countries than in »countries of long-lasting democracy«, whose legal and institutional systems are in a relatively stable condition (here we speak about legal systems, which are not undergoing radical changes in the recent years, because such processes are already completed)¹⁰.

In OECD countries, the general reasons for such training and professional development are specified as the need for:

- supporting and facilitating the changes in the public administration system (of particular significance is the support to various reform processes)
- more efficient service to the public i.e. citizens and legal entities (an important awareness here is a certain change in the mentality: civil servants are not hierarchically above the citizens and other persons of civil law - they are not superior to them, yet they shall render particular »services« - hence the term »civil servants«)

»...Public sector reform as a whole will not succeed unless it is buttressed by a policy of comprehensive and continuous public service training, which in turn will enable the public sector staff to meet the challenge of implementing reforms...«. See more in detail in publication of the SIGMA organization, »Country Profiles of Civil Service Training Systems«, *ibidem.*, p. 5.

- 10 Compare in the publication »Public Service Training Systems in OECD Countries«, *ibidem.*, p. 2. Similar also in the publication of the SIGMA organization »Country Profiles of Civil Service Training Systems«, *ibidem.*, p. 3, where the following text can be found: »...As the economic situation calls for rapid changes in Public Administration and as resources for training are limited, it is an important issue for all countries in transition to dispose of an effective and efficient civil service training system, which will enable staff to carry out their new tasks and thus support economic development...«).

- increasing efficiency and effectiveness in the public administration – particularly taking into account that the systems of Public and State Administration are encountering budget restrictions and simultaneously with demands for provision of better quality service to citizens and legal persons¹¹.

All the above mentioned information must necessarily be taken into account when deciding on the implementation of the planned new civil service training and professional development system, which is anticipated in the new Law on Civil Servants and State Employees and in other regulations in this field¹².

2.3. Typical approach to the question of civil service training and professional development in some developed European countries

The need for additional functional civil service training and professional development has been ignored for a long time even in developed European countries, OECD member states¹³. However, systems of functional civil service training and professional development have been started to be established in these countries during the second half of the 1960-ies, though the approach was quite diverse: the systems varied from country to country. Centralized systems prevailed in unitary states, while in federations, i.e. other composite states, decentralized systems were pre-

11 Changes in the field of management in Public Administration refer especially to the inclusion of some important elements of the so-called »New Public Management«. Those elements refer to the demands for changing the management methods in the public sector. Here, the following issues are of an utmost importance: better budgetary management, decrease of the importance of hierarchical structures and an introduction of the principles of team-work, introduction of interlinked project teams, etc. In this respect, the process of the extension of responsibility for results to the lower levels of the system of Public Administration is a very important novelty. Here, investment in the HRD is of an utmost importance.

12 Article 115 of the law.

13 Compare in the publication »Public Service Training Systems in OECD Countries«, *ibidem*, p. 6.

dominant (in terms of territorial distribution of responsibility for civil service training and professional development).

The general personnel system in OECD countries had an influence on the establishment of the training system. In cases which are based on the so-called civil service 'Career System', there is a difference in comparison to the approach of the so-called 'Position System'. The career system requires a civil service training system that supports career development of civil servants. In the position system the training model is to a certain extent less important. However, this differentiation has become less significant in recent years, due to the trend of convergence i.e. the combination of those two systems. The combination of two or more systems can produce synergy as the advantages of one system can be used and the impact of the weak points of the other system can be levelled off at the same time.

What is interesting in this domain in OECD countries, is the question of personnel policy, i.e. philosophy: in the majority of these countries, the new civil servants are employed with very specific educational background (predominantly legal and economic graduates), while on the other hand, in other countries only the level of professional education matters, and the preference is not given to a specific background of professional education (as e.g. in Great Britain). This is why in Great Britain the importance of additional functional training (the so-called on-the-job training) was understood much earlier than in other countries. Initial functional training of newly employed civil servants is an obligation in this country, while it is of much less importance in systems, where they recruit first of all lawyers and economists (here the question of substance of the undergraduate study curricula of the educational institutions is very important¹⁴).

14 In this respect, we can make a thesis that in Montenegro the undergraduate educational curricula do not contain sufficiently practical matters, which would enable later effective inclusion of the graduates into the working environment in public administration. This is the reason why, later on, there is a need for a relatively long period of inception training of the new staff in public administration authorities. Therefore, here we can reach the conclusion that the needs of Public Administration and educational curricula should be inter-linked. Universities and other higher level

2.4. Elements constituting the civil service training system

Experts have ascertained the following factors to be relevant in the determination of the contents of civil service training, i.e. professional development, for OECD countries:

- definition of the objectives of training and professional development
- appropriate legal frameworks for the implementation of training
- sufficient financial support
- existence of a training institution and appropriate status of such an institution
- regulation of status of persons who perform the civil service training
- determination of the contents of the training curricula, as well as execution of comprehensive Training Needs Analyses and alike¹⁵.

Some experts add the following element, i.e. question to the above mentioned factors: which categories of civil servants should attend the most intensive additional functional training, i.e. professional development programs?¹⁶ This differs much from country to country: in some systems intensive additional functional training is a privilege to only the highest levels within the civil service system, while in other systems additional functional training is provided for the middle and lower civil service personnel as well, apart from the “top management”. It depends on the tradition of a country and on other factors how this issue is treated, but it certainly has to be emphasized that a modern approach to management in administrative systems – among other the trend of devolution

educational institutions should include in their educational curricula, as much as possible, also the matters which are important and relevant for subsequent successful work of their graduates in the system of public administration.

15 Compare in the publication »Public Service Training Systems in OECD Countries«, ibidem, p. 7.

16 See SIGMA publication »Country Profiles of Civil Service Training Systems«, ibidem, p. 17-18.

of responsibility to lower levels of the administrative system – requires certain additional functional training for all levels within the civil service system.

The adoption of a certain governmental public policy concerning each of these factors determines to a significant extent the feature of a concrete civil service Training System. Of course, each of these factors affects the feature of a concrete system as a whole – the change of one element of the system unavoidably affects the other elements, as well as the system as a whole. Particularly relevant is the additional functional civil service training when a country heads towards large-scope reforms of the public administration system¹⁷. This awareness is of utmost importance also for CEE countries, which are in the reform process of their systems as well as in the process of accession, i.e. integration in the European Union. All this has to be borne in mind when considering the feature of a civil service training system (particularly when deciding on the allocation of budget funds intended for this purpose when planning the budget).

The objectives of civil service training and professional development in OECD countries are usually defined directly in the legislation, which regulates the Human Resources Management, i.e. Development in the administration (that is, in the law governing the civil service system, or in another regulation¹⁸, governing the field of civil service training and

17 In Northern and Western Europe such reforms were executed in 70. and 80. years of the previous Century, but there were important differences among the objectives of these reforms. The objectives were quite heteronomous, e.g.: democratization of the State (Spain), »de-bureaucratization« (Germany), de-centralization (France), etc. The new »wave« of public administration reforms started in the late 90ies of the previous century, especially in Anglo-Saxon states (»Reinventing Government« in USA, »Public Service 2000« in Canada, »Next Steps Agencies« in Great Britain, and similar reforms have also been carried out in Australia, New Zealand, etc.).

18 In some countries these are secondary regulations, while in Spain, France and Italy this field is regulated in collective agreements (though it has to be noted that there are certain provisions in public regulations). Collective agreements usually regulate more precisely the rights and duties of public servants with regard to training. On the other hand, e.g. in Great Britain there is no legislation to regulate this issue (which is in line with the situation regarding legal regulation in this country), but it does not

professional development). Some member states of the above mentioned integration have legally regulated obligatory additional civil service training¹⁹. Thereby, it has to be noted that the majority of legal regulations in OECD countries regulates the right and obligation of civil servants to additional functional training and professional development in a general manner. Only in exceptional cases the regulations involve a concretization of this right, i.e. obligation in terms of quantification, i.e. extent of training and professional development²⁰.

One of the most important objectives of additional civil service training in the mentioned developed countries was to link the additional functional civil service training with the development of their careers. However, this objective has not been achieved anywhere yet – additional training and professional development has been defined as a necessary requirement for promotion of civil servants to higher ranked positions only in exceptional cases²¹. The reason for this lies partly in a certain extent of politization of the question of decision making on promotion to the highest civil service positions in the administrative system, to which no administrative system is immune. These factors may as well be understood from the aspect of financial consequences: if additional functional training is stipulated as a condition for promotion to a certain higher ranking post, equal opportunities for application to additional training and professional development programs have to be offered to all interested candidates. This is usually associated with great interest in training, and consequently with huge expenses. As a response to this problem, some countries have introduced the obligation to additional

mean by far that no significance is attributed to additional functional training of civil servants in this country.

19 Additional functional training of civil servants can be divided into two main constituents: training prior to entering public service, the »pre-service training« and training during employment i.e. »in-service training«. On these issues see more details in the frequently mentioned SIGMA publication, »Country Profiles of Civil Service Training Systems«, *ibidem*, pg. 20.

20 An exception in this regard is France, where the extent of civil servants' rights to additional functional training is defined.

21 Compare in the publication »Public Service Training Systems in OECD Countries«, *ibidem*, page 10.

training only following the promotion to a certain post. The promotion is thereby determined conditionally by an administrative decision - and the condition is subsequent successful completion of an additional functional training program of the employees, often with a specific exam at the end of the training program²². Apart from this, in some countries it is practiced that the civil servants bear part of the costs of additional functional training themselves.

One of the key questions for the determination of the feature of a civil service training system in a country is undoubtedly the question of financing of such a system. In OECD countries, generally, there are two systems of financing in this field:

- a system, in which the financial resources for additional functional training of civil servants are decentralized (which means that the resources are approved to individual institutions of the state administration system);
- a system in which the financial resources for additional functional training of civil servants is decentralized (which means that the resources are provided to a certain institution at the central level of the state administration system – in this system the participation of civil servants in training programmes is free of charge)²³.

It is important to emphasize that a modern trend in this field is a certain combination of both models – i.e. the forming of a kind of »mixed« financing system. This means that the resources for additional functional training of civil servants are partly decentralized and disbursed to precisely target-oriented horizontal programs,²⁴ and partly the resources remain

22 In France, as an example, there are training programmes that facilitate the preparation for internal competition for promotion to a higher civil service position. Although such programmes are formally, i.e. legally, not obligatory, it is almost impossible to pass the foreseen exam without prior attendance of such additional functional training programmes. In Germany there is a similar civil service training programme at the Federal Academy for Public Administration.

23 Compare in the publication »Public Service Training Systems in OECD Countries«, *ibidem*, page 12.

24 In OECD member countries it is interesting that the execution of certain »horizon-

in the state administration authorities (for training in the so-called »vertical areas«). The advantage of this model is perfectly clear: firstly, the government holds an instrument, by which it can directly influence the quality of its »human substrate«, and secondly, this model facilitates the satisfaction of particular (»vertical«) needs for additional training in individual state administration authorities. At the same time, the problems that arise, if there is no combination of these models in practice, are apparent. The basic problem of the centralized model is that there is not sufficient flexibility and that it does not enable the satisfaction of specific needs of individual state authorities. On the other hand, the basic deficiency of a completely decentralized system is that the effects of additional functional training are scattered and that the resources are spent on irrelevant contents, while there is no evaluation of the degree of effects of such training in practice. Besides, in a completely centralized system, the Government as the central element of the administrative system has no effective instrument to influence the quality, i.e. substance of knowledge of its civil servants. This is due to the fact that individual state authorities totally independently decide on where and which kind of know-how to buy within the training market. This is not a big problem in highly developed administrative systems with sophisticated methods of Human Resources Management. But it is certainly a problem in administrative systems that are not sufficiently developed.

Each of the mentioned models requires a certain monitoring and control system – particularly from the aspect of assessment whether the objectives of the additional functional training of civil servants are actually achieved. Relative to this, it is necessary to apply an adequate methodology of needs assessment for additional functional training (TNA – Training Needs Assessment) on one hand, and on the other hand it is necessary to provide an adequate method of evaluation of the scope of effects (actually achieved results) of the executed civil service training programs.

tal« civil service training programmes is often centralized. The term »horizontal« programmes relates above all to those topics that are relevant for all civil servants, regardless of the concrete state authority they are employed in (e.g. human resources management, organization and panning of work, budget financing, drafting of new legal regulations, foreign languages, computer literacy and alike).

Particularly important in this context is to ensure that the existing financial resources in the administrative system, intended for additional functional civil service training, do not spill over, i.e. are later used for other purposes. Such a risk is realistic – even in very developed systems – particularly if the heads of certain institutions are not entirely aware of the significance of additional functional training of employees (that is why existing resources are usually transfused to other, momentarily »more important« purposes).

Modern trends in some highly developed countries (e.g. Great Britain) show that institutions which are in charge of additional functional civil service training are more and more expected to cover the expenses of their operation themselves – partly or even entirely. This means that such institutions (for permanent functional civil service training) have to compete with other suppliers of similar training services. Their advantage is certainly that they are already located in the very framework of the public administration, and thus are in the situation to better understand the problems and needs of the public sector than their competitors (e.g. organizations from the private sector). However, on the other hand, this forces such institutions to rationalize and decrease expenses, i.e. to maximize their profit, which might in extreme cases even lead to certain dysfunctions in the existing civil service training system²⁵. Such a problem arises in public administration institutions that hire the trainers themselves (such as the British Civil Service College), but not in smaller countries, in which a governmental training institution only plans and organizes the realization of a certain training programme for civil servants, while it engages a university unit, training providers from the private sector or even civil servants for the execution of the programme.

Even in developed OECD countries there is sometimes a lack of relevant data on the scope of financial resources in the Public Administration that are allocated for additional functional civil service training. Available data for some countries show that the resources spent for this purpose are in the

25 Such a »dysfunction« is e.g. an excessive commercialization and negligence of necessary but »low profit« programmes.

amount of approx. 2 – 6% of the resources spent for civil servants' salaries in the administration²⁶. In transition countries this amount should in no case be less than 2%, as a minimum, since the need for training in these countries is certainly much greater than in better developed countries, for reasons already mentioned in this text.

As regards the question of status of the institutions having the function of additional functional civil service training, there is no uniform model in the world. On one hand, there are organizational models in form of so-called »administrative academies« or similarly designated institutions, which are organizationally located within ministries competent for affairs of public administration²⁷, while somewhere else these institutions are »expelled« to the wider periphery of the public sector (and have e.g. the status of public institutes, agencies, etc.). Eventually, in some administrative systems there is no such institution, but the additional functional civil service training is entirely decentralized, i.e. it is left up to each authority and organization of the administrative system to provide for the additional training of their personnel on their own²⁸. Considered from this aspect it can be concluded that there is no predominant model, though it can be ascertained that there are certain advantages in the model, where such an institution is tightly linked with the administrative system of the state. In this way relevant information are available to this institution, facilitating it to be well acquainted with the needs for additional functional civil service training. Besides, literature dealing with this issue offers certain criteria for the assessment of potential effectiveness of such institutions. These criteria are as follows:

26 The data for Great Britain for the period between 1989-1990 is 6 %, while in France 2% of the resources allocated for salaries have been spent on this purpose in 1992 and 3,2% in 1994. Compare in more detail in the publication »Public Service Training Systems in OECD Countries«, *ibidem*, page 13.

27 E.g. in France, Spain and Slovenia it is within the ministries competent for public administration and public sector reform, and in Germany and Holland within the ministries of interior. In Great Britain there is a special governmental commission (»Civil Service Commission«) is competent for these affairs. For more details see the publication »Public Service Training Systems in OECD Countries«, *ibidem*, page 15.

28 According to available information, this is the case in Holland.

- the institution should have a certain degree of functional independence (in terms of curriculum elaboration)
- certain resources for the development of the institution and its training curricula should be ensured)
- it is favorable that the institution be exposed to a certain degree of competition with other alike
- institutions (this forces the institution to a relatively fast reaction on new training needs of employees)
- certain resources for active participation in various national and international institutional and professional symposiums should be provided to the institution, which facilitates the following of the development of the profession
- the institution should have a certain advisory body, through which it can establish contacts with the beneficiaries of its services, i.e. through which it determines the needs for additional functional civil service training.²⁹
- Eventually, it is necessary to treat the following question: which categories of civil servants need most intensive additional functional training? In this respect, there are three general models, i.e. approaches, in developed countries:
 - the so-called »elitist approach«, which advocates the most intensive additional functional training only for the highest ranking categories of civil servants; this means a »production of an administrative elite« - i.e. forming a small by number, but exceptionally trained administrative elite (an illustration of this model is the operation of the French »Ecole National d'Administration«);
 - the so-called »Anglo-Saxon approach«, which involves an intensive comprehension of the business excellence model in the operation of the public sector (the »New Public Management« approach);

²⁹ Compare in the publication »Public Service Training Systems in OECD Countries«, ibidem, page 16.

- the so-called »German approach« which at first sight seems the most acceptable at this stage of development of CEE countries; this model involves a partial comprehension of the so-called »elitist approach« (intensive training of the administrative elite, i.e. the highest categories of civil servants), whereas the training of medium and lower categories of civil servants is not ignored either³⁰.

The existence or non-existence of all these system requirements and presumptions can be reviewed in the sequence of this expertise. What remains to be considered relative to this, is the question whether there is a recognizable system of civil service training in Montenegro at this time, and what are the plans in this regard in the framework of the forthcoming elaboration of the Law on Civil Servants and State Employees.

2.5. The current situation in the field of civil service training in Montenegro

Currently it is not possible yet to speak in terms of a training »system« in the Montenegrin administration, since several important prerequisites for the existence of a »system«, mentioned in the preceding part of this text, are missing. However, the adoption of the new law governing civil service created the preconditions for the development of this system.

As mentioned in the preceding part of this text, the existence of a »system« requires the following system elements:

- the provision of an adequate legal framework (legal basis) for the execution of the civil service training function
- the existence of an institution that performs the function of planning, organizing and execution of additional functional training programs for employees in the administration

30 See more details in the SIGMA publication »Country Profiles of Civil Service Training Systems«, *ibidem*, pages 17-18.

- the adoption of a strategy for the development of this system with defined objectives of the civil service training, as well as with set priorities as to which categories of civil servants should attend the most intensive additional functional training in the short-term and in the long-term period
- the establishment of a special body for the coordination of activities in this field (for the harmonization of interests of different administrative authorities)
- the provision of an adequate (stable) financing system for the execution of an adopted civil service training program.

Legal framework

The legal framework for the functioning of the system of permanent functional civil service training has been established by the Law on Civil Servants and State Employees, which includes all relevant issues within this field, thus, this system prerequisite has been met.

The institution

In early March 2003 the Montenegrin government adopted the »Strategy for Public Administration Reform in Montenegro 2002 - 2009«. This document anticipates the establishment of a special Agency for Human Resources Management in Public Administration, and the main three functions of this institution will be: a) Human Resources Management in the administration, b) performance of the function of additional functional training of civil servants, and c) the development of methods and techniques of work in the administration. The Human Resources Management Authority was established in 2004 and it covers all important functions in the field of human resources management and development in state administration. Thus, this system requirement has also been met.

The strategy

Beside the adoption of the legal framework and the establishment of the institutional structure for the functioning of the additional functional civil

service training system, it is necessary to adopt a specific governmental strategy in this field. This document should more precisely define above all the objectives of the civil service training in a particular time perspective, the curricula which should be of priority, as well as the question which target groups of the administrative apparatus are to be most intensively additionally and functionally trained. This system requirement has not been met, as the strategy has not been adopted, but pursuant to the Law on Civil Servants and State Employees the Human Resources Management Authority has the obligation to “define the training curriculum”.³¹ This curriculum should be defined and its realization should be started as soon as possible.

The advisory body

This body is an important element of the system, since it has to coordinate the various needs of the administrative authorities. It should consist of representatives of the civil service training institution, as well as of representatives of ministries and other state administration authorities. This will ensure the coordination of work relating to the assessment of needs for permanent functional training as well as to the logistic coordination of work and selection of civil servants to attend the individual training programmes. Such an advisory body has already been established in the Montenegrin state administration: on the initiative of the Human Resources Management Authority, »contact persons« have been appointed in every ministry and other state administration authority, as well as in other state authorities that fall under the system of uniform human resources management in Montenegro. So, this system requirement has also been met.

The financing system

Finally, one of the key systemic prerequisites of this system is the existence of a regulated and stable financing system of the additional functional civil service training. In the recent years this question had not been regulated at all, and various ad hoc actions of civil servants’ training mostly relied

31 Article 93/2 of the Law on Civil Servants and State Employees.

upon resources of international donor institutions. It is essential to make a substantial change there, because knowledge must become one of the principal strategic priorities in the administrative system of Montenegro and in the Montenegrin society in general. Particularly in the coming years the accent will have to be put on additional functional civil service training in some »horizontal« areas (»European issues«, management, administrative procedures, public finances and the execution of the budget, elaboration of quality legal regulations, foreign language courses, etc.) Along with all this, it has to be considered that more developed countries provide financial resources for the additional functional civil service training that reach the extent of approx. 2 – 6% of salaries of employees in the administration. Equally important to state is that in these countries the model of financing is a combined one. This means that the financing system is neither entirely decentralized (as e.g. in Slovenia), nor entirely centralized. The »combined« system actually means that the administrative authorities dispose themselves with a part of the resources for additional functional training of their civil servants (they “buy the knowledge” on the training market with it, regardless of who the concrete supplier of this knowledge – a person of the private or the public law - is), and on the other hand, a part of these resources for this purpose are centralized. The other part of these resources is at the disposal of the institution providing additional functional civil service training (according to guidelines and adjustments of the curricula at the mentioned advisory inter-ministerial body). In this way the government has an instrument to prevent the gravest deficiencies in the administrative system – deficiencies, which can be prevented by additional functional training of employees. The advantage of this (combined) system is that the administrative authorities still dispose themselves with part of the resources for this purpose and cover their specific needs for additional functional training, while a part of these resources is used for the execution of the said »horizontal« functional training of the employees. This facilitates a planned training of civil servants in matters that require additional training, determined by administrative control and by a training needs analysis, with a view to a better functioning of the administration.

During the initial development phase it is possible to use a relatively

uncomplicated model of financing the additional functional civil service training. The elements of this model are the following:

- The participants of the training pay relatively low fees for their participation in seminars and other programmes to the training institution,
- The training institution organizes and executes seminars and other training programmes, while the lecturers are experts from the administration, higher education institutions and the private sector,
- The lecturers conclude contracts on the execution of training programmes with the training institution.

The above presented relatively simple system was used in Slovenia in the inception phase, while in the recent years a shift towards the aforementioned so-called »combined« financing system has been considered.

In accordance with the new Law on Civil Servants and State Employees, it is evident that a decentralized financing model has been adopted in Montenegro, since the law determines that »the expenses of training of a civil servant or state employee shall be borne by the state authority« and the same applies to the bearing of expenses of the so-called »special training« within state authorities.³² This means that the participation of civil servants in training programmes determined by the HRMA will be provided by the individual state authorities, respectively these authorities will also bear the training expenses for their employees. From this aspect it can be ascertained that this system requirement has also been met (of course, it also has to be ascertained which amount of the resources will be planned and actually allocated by the state authorities for the training of their employees). In the next few years, foreign donations will certainly continue to be a significant factor, as the budget resources are very limited.

Conclusion

At this moment almost all the above mentioned minimum requirements for a permanent functional civil service training »system« have been met

32 See Articles 93 and 94 of the Law on Civil Servants and State Employees.

in Montenegro. Therefore it is necessary to adopt as soon as possible a certain governmental strategy, i.e. prepare a curriculum of functional civil service training, whereby all necessary requirements for the existence of this system will be met. This should be followed by the concrete realization of the adopted curriculum and the subsequent maintenance of this system as well as its qualitative and quantitative development.

Briefly, the following has yet to be provided for the establishment and beginning of functioning of this system:

- Adoption of an adequate governmental strategy respectively functional civil service training curriculum,
- Selection of an appropriate model of permanent functional civil service training (training to be intended for the highest civil service structures in the first place, or evenly for all civil servants and state employees)
- Determine the amount of resources to be allocated for this purpose (these resources are to be planned within the individual state authorities when planning the state budget for the following year),
- In addition, it will be necessary to clearly as possible link the permanent functional training of civil servants with the system of their promotion (e.g. by means of provisions in legal regulations stipulating that promotion is directly conditioned with previously completed additional functional training and alike).

Finally, the question is: how should the future Montenegrin permanent functional civil service training system be designed?

2.6. Which elements should be particularly emphasized in the Law on Civil Servants and State Employees with regard to this area?

Within the new system, the institution providing additional functional civil service training – the Human Resources Management Authority – will have to professionally perform primarily the following tasks:

- Continuously perform periodic training needs analyses with regard to matters relating to general (»horizontal«) civil service training programmes (perform periodic TNAs based on the previously adopted methodology)
- Prepare i.e. determine annual or longer period general civil service training curricula³³
- Organize the realization of the general civil service training programme
- Evaluate the effectiveness of realization of the general civil service training programme and continuously adjust the contents of the general training programme according to these evaluations.

Considering all the above stated, the conclusion is that permanent functional civil service training should be treated as an extremely important element in the public administration reform process. Therefore it has to be prevented that this mechanism be treated as an unnecessary expenditure, this matter must not be approached on an ad hoc basis and be isolated from other constituent elements of the human resources management and development system in the administrative system of the state. In this respect permanent functional civil service training should be defined as a right of civil servants and their obligation. It is important to ensure a stable financing system of this area, as it is an investment into knowledge and not an unnecessary expenditure. Finally, the civil service training system should be linked to the system of rewards and promotion in the state administration. Only in this way additional functional training can significantly support the achievement of the set objectives of the Public Administration Reform in Montenegro³⁴.

33 Obligation under Article 93 of the Law on Civil Servants and State Employees.

34 Compare in the SIGMA publication »Country Profiles of Civil Service Training Systems«, ibidem, p. 19.

NEEDS ANALYSIS FOR FUNCTIONAL TRAINING OF CIVIL SERVANTS AND STATE EMPLOYEES

(2003/2004 – FACTUAL ANALYSIS)

3. NEEDS ANALYSIS FOR FUNCTIONAL TRAINING OF CIVIL SERVANTS AND STATE EMPLOYEES

(2003/2004 – FACTUAL ANALYSIS)

3.1. Introduction

At the beginning of the »PARiM-2« Project, an analysis of the factual material collected during the implementation of the »PARIM-1« Project was executed. The research included 35 state administration authorities at the central level, whose representatives filled a previously prepared questionnaire, while in addition, the project team conducted a series of interviews with the civil servants and state employees working in the various state authorities. The relatively small sample (35 state authorities) represents a certain methodological shortcoming of this analysis, despite the fact that it comprised almost all authorities within the state administration system of Montenegro. A certain number of state administration authorities failed to deliver complete answers to all questions, which in consequence reduces to a certain extent the quality of the achieved results.

The obtained data have been entered in a database and a special analysis has been carried out subsequently. For the nominal variables, a descriptive analysis as well as a calculation of frequencies (descriptives and frequencies) has been made. As part of the descriptive analysis, the following measures have been calculated: sum³⁵, value and arithmetic mean³⁶. For ordinal variables, the frequencies have been calculated (the appearance frequency of a unit under observation in the sample). The SPSS (Statistical Package for Social Sciences) has been applied for the preparation of the analysis.

35 The sum is a measure representing the total of all values variable in the sample.

36 The arithmetic mean is a measure of central tendency and calculates the average value of all elements in the sample.

3.2. Educational structure of personnel within the state authorities included in the Training Needs Analysis

The situation on 1st July 2003 with respect to the education of the personnel in the analyzed ministries and other state administration authorities was as follows: 6 *ministers* were holders of a PhD degree, 1 *minister* had a postgraduate degree, 1 had completed a specialization, 9 *ministers* had a university degree, while other educational levels on this position were not represented in the processed material.

The next position is that of the *heads of other state administration authorities*, where in the mentioned period there was 1 head of such an authority who had a PhD degree, one had a postgraduate degree, 14 had a university degree and 2 had a higher education degree (2-year study). The other educational levels have not been represented on this position, whereby it has to be noted that only 18 answers to this question in the questionnaires were received.

The position of *secretary-general of an authority* was filled by 2 postgraduate degree holders and 13 individuals with university degree.

The position of *assistant to the head of a state administration authority* was filled by 3 PhD degree holders, 6 postgraduate degree holders, 1 specialization internee and 57 individuals with university degree. The total number of civil servants on this position was 76.

The position of *head of an organizational unit* was filled by 5 postgraduate degree holders, 3 specialization internees, 126 individuals with university degree, 3 with higher education and 4 with secondary education, which makes a total of 141 individuals on this position in 32 authorities that replied.

The status of *permanent employee*, according to the obtained data, had 6 PhD degree holders, 22 postgraduate degree holders, 80 specialization internees, 1,937 individuals with university degree, 638 individuals with

higher education, 3.743 individuals with secondary education, 1.329 with vocational secondary education and 32 with elementary education, which makes a total of 8.064 employees on a permanent basis in 34 authorities that replied to this question.

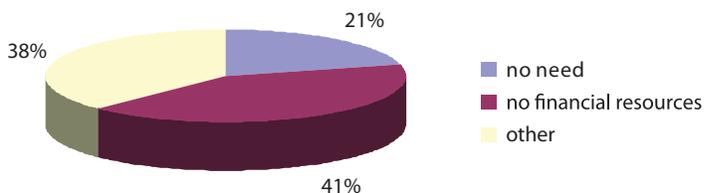
The status of *temporary employee*, according to the obtained data, had: 1 postgraduate degree holder, 281 university graduates, 43 individuals with higher education, 432 with secondary education, 58 with vocational secondary education, 53 with elementary education and 381 individual with some other type of education in altogether 34 authorities that responded to this question.

3.3. Civil service training curriculum

A curriculum and training program existed in 17,4% of the authorities that replied to this questionnaire.

The remaining state authorities specified the following reasons for the non-existence of a civil service training curriculum: a) there is no need for such curricula and training programs (expressed by 21% of the questioned), b) the financial situation doesn't allow it (stated by 41% of the questioned) and c) "other" (38% of the answers).

Chart 1: Reasons for the non-existence of a civil service training curriculum



3.4. Extension of the training period for trainees

According to the data obtained, the total number of trainees was: 165 with university degree, 59 with higher education, and 68 with secondary education – these numbers applying to 23 authorities having replied. The trainees' internship period was extended for 80 individuals with university degree, 43 individuals with higher education and for 36 of them with secondary education. The number of trainees who passed the professional exam in the first attempt was 94 with university degree, 6 with higher education and 65 individuals with secondary education. This means that somewhat more than 50% of the trainees passed the professional exam successfully in the first attempt.

3.5. Additional qualification of personnel

With regard to additional qualification of the personnel in state administration in terms of various professional exams, the obtained data showed that 1 minister had passed the judicial exam, 2 of them had passed the professional exam for work in public administration (in 26 authorities having replied to this question). 2 heads of state administration authorities had passed the judicial exam and 10 of them had passed the professional exam for work in public administration. 3 secretaries-general of ministries had passed the judicial exam and 8 of them had the professional exam for work in public administration. 4 assistants to the head of a public administration authority had passed the judicial exam, 37 had passed the professional exam for work in public administration and 2 of them a different type of exam. 4 heads of organizational units had passed the judicial exam, 95 the professional exam and 9 of them another type of exam. 44 employees on a permanent basis had passed the judicial exam, 1,678 of them had passed the professional exam and 6 of them another type of exam.

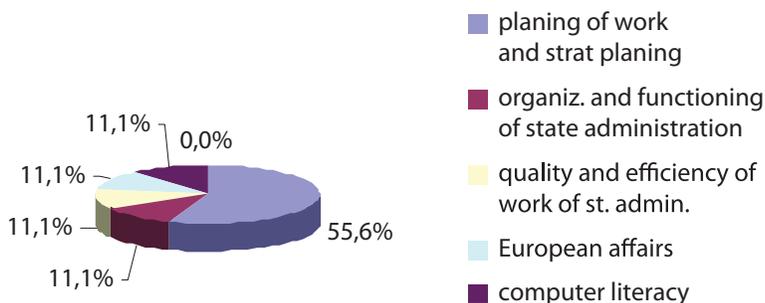
The received information relating to completion of additional functional training among the highest management personnel, was as follows: one

minister attended training in the field of European issues, English, German and French language. One head of an administrative authority each attended training in budget management and methodological skills, three took training in computer skills, while two attended an English language course. Three secretaries-general to ministries attended training in the field of budget management, two of them in financial management, one in project management and one attended training in computer literacy. One assistant to the head of a state administration authority each took training in budget management, financial management, management in public administration, 2 of them in project management, 15 took training in computer literacy and 9 of them attended an English language course. These data show that the management personnel exploits the possibility of additional functional training to a relatively low extent.

3.6. Which are the most important training areas and foreign languages?

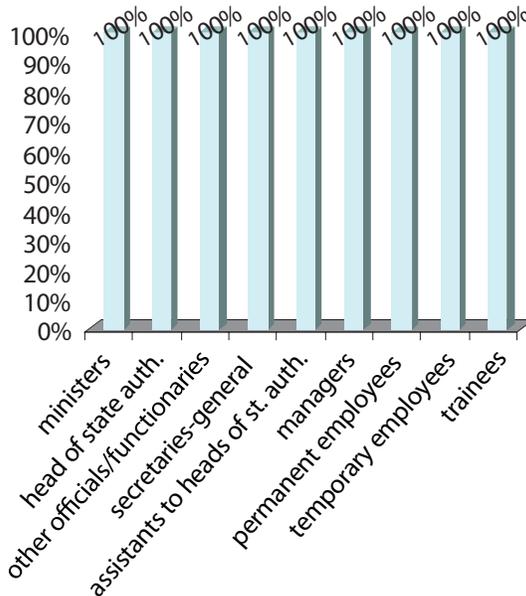
In line with the obtained data, the interviewees expressed the opinion that the most important areas of training are as follows: for the position of a minister it is planning of work and strategic planning in 55,6%, in 11,1% it is organization and functioning of the administration, in another 11,1% it is quality and efficiency of work of the administration, while another 11,1% stated European issues and a final 11,1% stated computer literacy.

Chart 2: The most important training areas for the position of a minister

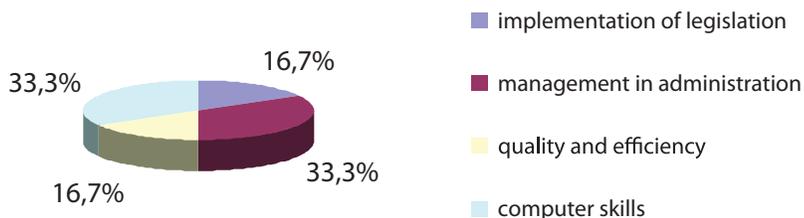


The most significant foreign language for ministers, heads of state administration authorities and for other officials/functionaries, secretaries-general to ministries, for assistants to heads of administrative authorities, managers, permanent employees, employees on a temporary basis and for trainees was the English language – stated by a 100% of the interviewees.

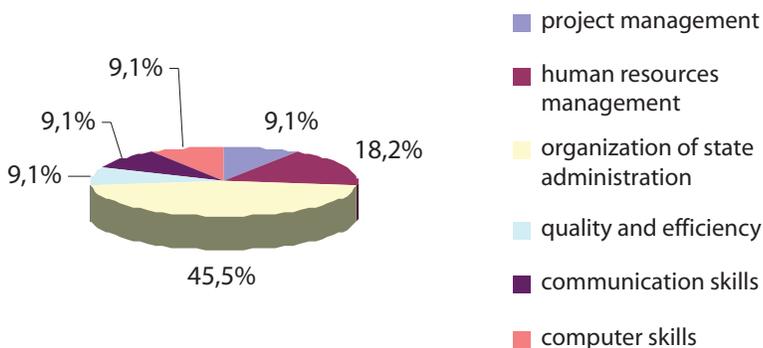
Chart 3: The most important language for all positions



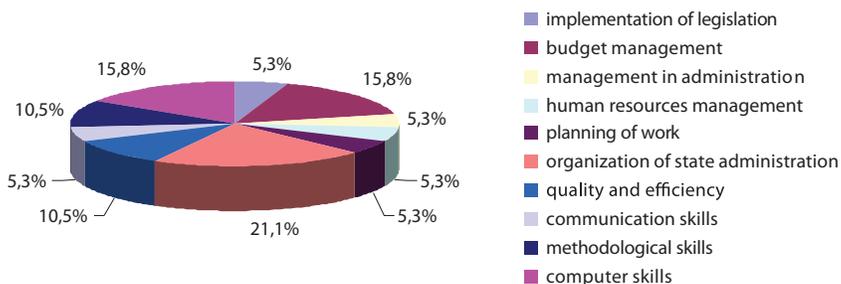
According to the obtained data, the most important training areas for the position of head of a state administration authority is: implementation of legislation (in 7.7%), financial management (in 7.7%), planning of work and strategic planning (in 7.7%), quality and efficiency of public administration operation (in 15.4%), methodological knowledge for work in the administration (in 15.4%) and computer literacy (in 46.2%).

Chart 4: The most important training areas for heads of state administration authorities

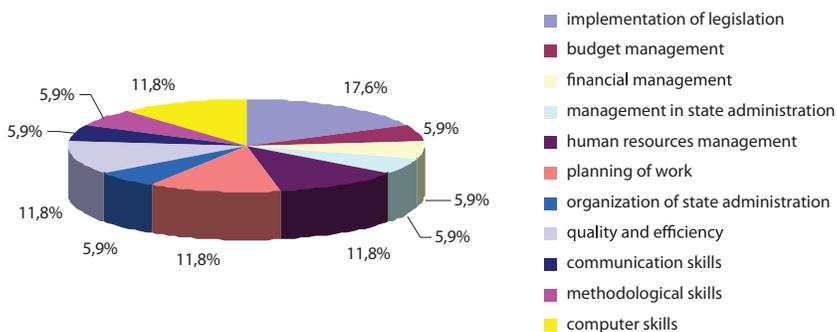
The most important training areas for other officials (functionaries) is implementation of legislation (in 16.7%), management in administration (in 33.3%), quality and efficiency of public administration work (in 16.7%) and computer literacy (in 33.3%).

Chart 5: The most important training areas for other officials

The most important training areas for secretaries-general to ministries are: project management (in 9.1%), human resources management (in 27.3%), organization of work in public administration (in 45.5%), quality and efficiency of public administration work, communication and computer literacy (each area represented by 9.1%).

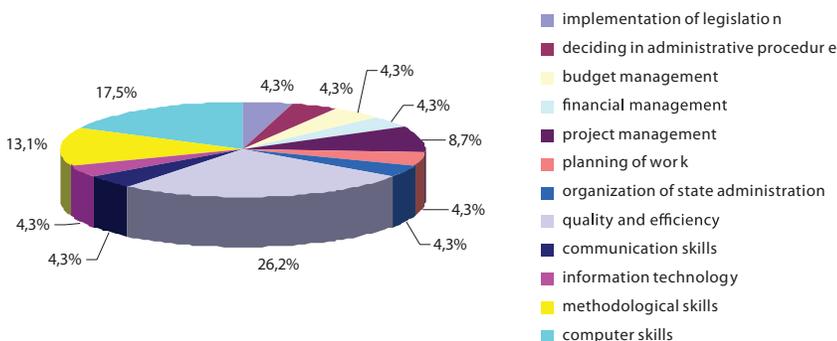
Chart 6: The most important training areas for secretaries-general to ministries

The most important training areas for assistants to heads of state administration authorities are: implementation of legislation (in 5.3%), budget management (in 15.8%), management in administration, human resources management and planning of work (each 5.3%), organization of work in public administration (in 21.1%), quality and efficiency in public administration work (in 10.5%), communication (in 5.3%), methodological knowledge for work in public administration (in 10.5%) and computer literacy (in 15.8%).

Chart 7: The most important training areas for assistants to heads of state administration authorities

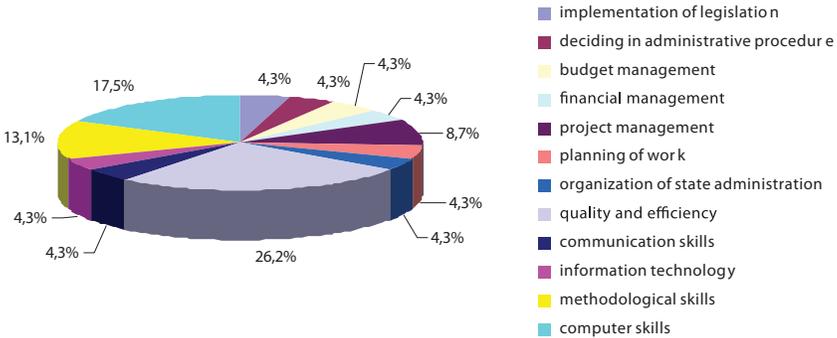
The most essential training areas for other managing persons in state administration authorities are: implementation of legislation (in 17,6%), budget management, financial management and management in public administration (in 5,9%), human resources management respectively planning (each in 11, 8% of the cases), organization of public administration operation (in 5,9%), quality and efficiency in public administration operation (in 11,8%), communication (in 5,9%) methodological knowledge for work in public administration (in 5,9%) and computer literacy (in 11,8%).

Chart 8: The most important training areas for other managing persons within state administration authorities



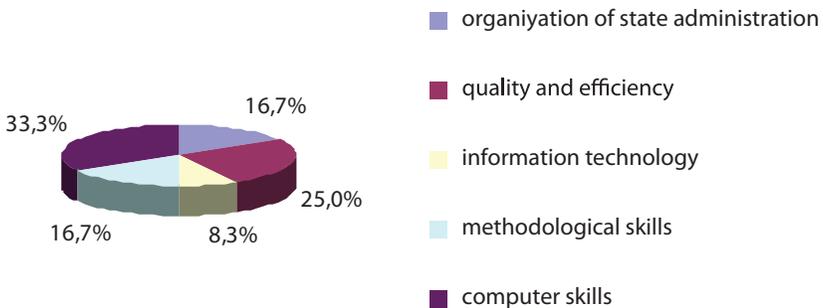
The most important training areas for the category “employees on a permanent basis” in public administration are: implementation of legislation, decision making in administrative procedure, budget management, financial management, planning of work, organization of the administration (each in 4,3% of the cases), project management (in 8,7%), quality and efficiency of public administration operation (in 26,1%), communication and computer literacy for state administration authorities (in 4,3% for each), methodological knowledge for work in public administration (in 13%) and computer literacy (in 17,4%).

Chart 9: The most important training areas for “employees on a permanent basis” in state administration



The most essential training areas for the category „employees on a temporary basis“ are: organization of the administration (in 16,7%), quality and efficiency of work in public administration (in 25%) information technology (in 8,3%), methodological knowledge for work in public administration (in 16,7%) and computer literacy (in 33,3%).

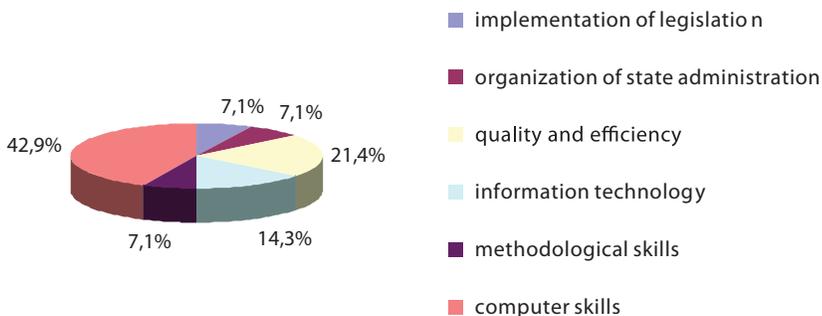
Chart 10: The most important training areas for „employees on a temporary basis“ in state administration



The most important training areas for trainees are: implementation of legislation and organization of the administration (in 7,1% of the cases for each), quality and efficiency of work in public administration (in 21,4%),

information technology (in 14,3%), methodological knowledge for work in public administration (in 7,1%) and computer literacy (in 42,9%).

Chart 11: The most important training areas for trainees in state administration



3.7. Resources allocated for education and training of civil servants and state employees

Chart 12: Planned for education and training (2003/2004)

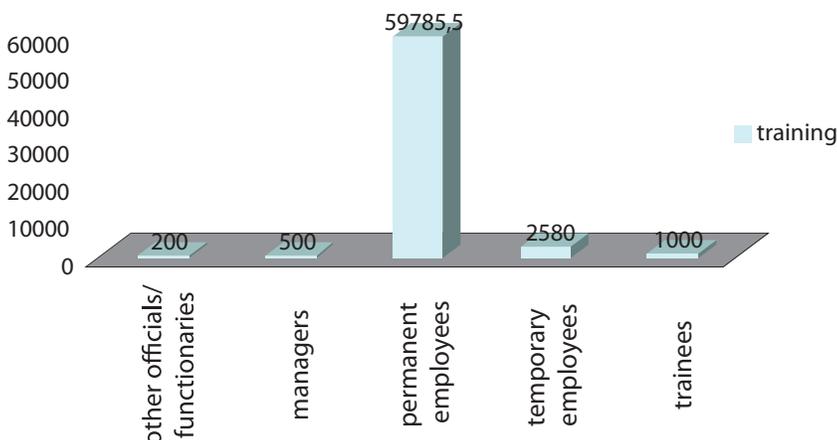
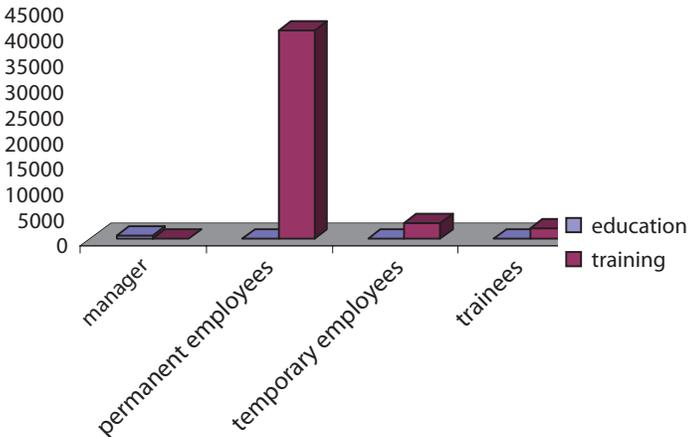
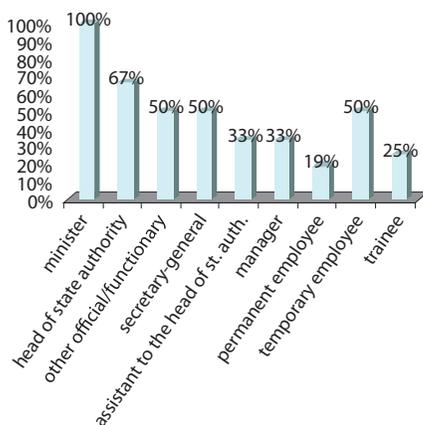
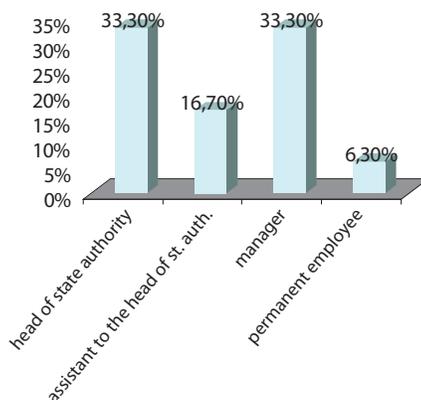


Chart 13: De facto spent on education and training (2003/2004)

3.8. Permanent training institutions

This question was aimed at determining which institutions in Montenegro are the most significant with regard to the implementation of permanent functional training of professionals. According to interviews with ministers, these are private organizations (in a 100%). In the case of heads of state administration authorities, these are specific schools or other educational organizations in 33,3% and private organizations according to 66,7% of the interviewees. According to the other officials, these are international educational organizations in 50% and private organizations according to the other 50% of the interviewees.

Chart 14: Private organizations**Chart 15: Other educational and training institutions**

As regards secretaries-general to ministries, the answer was international and private organizations (each by 50%). In the case of assistants to heads of state administration authorities the answer was international organizations (in 50%), other school or organization (in 16.7%) and private organizations (in 33.3%). According to managers in state administration authorities, the replies included the own units for training of the respective authority and the Law Faculty (each represented by 16.7%)

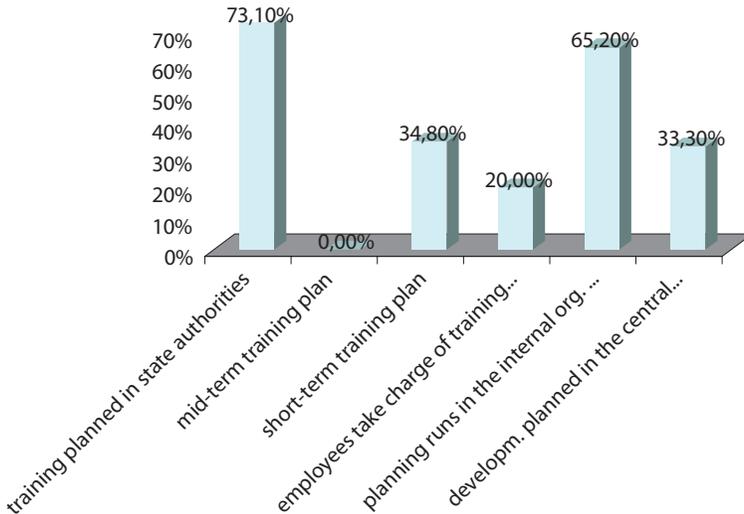
and some other school or organization as well as private organizations – each represented by 33.3% in the replies).

In the case of employees on a permanent basis, the own training units and private organizations were represented by 18.8%, international organizations by 43.8%, the Law Faculty, other school i.e. organization and ‘other’ by 6.3%.

3.9. The current civil service training system

According to the received replies, training of civil servants and state employees is planned within the state authorities in 73,1% of the cases. A mid-term training plan is not made at all. A short-term training scheme exists in 34,8% of the examined authorities. Employees who take charge of their training themselves appear in 20% of the examined cases. The planning runs at the level of the internal organizational unit in 65,2%, while the professional development is planned for all employees within the personnel department in a state administration authority – in 33,3% of the examined cases.

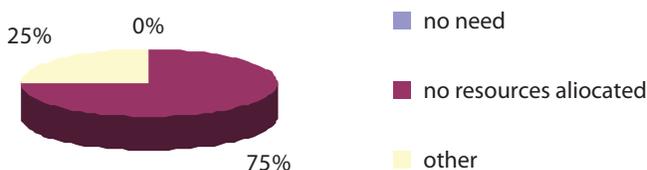
Chart 16: Education and training of personnel



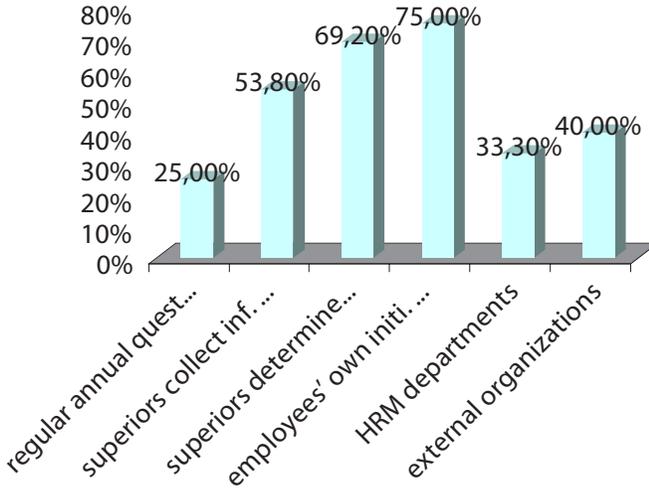
3.10. Civil service training needs assessment

A regular and systematic needs assessment regarding education and training of professionals is performed in only 39.1% of the examined cases (i.e. authorities that rendered a reply to this question). Training needs are not determined in the remaining 60.9%, because of the following: a) there are no financial means allocated for it – stated by 75% of the interviewees, and for ‘other’ reasons (not specified) – stated by 25%.

Chart 17: Reasons for non-performance of training needs assessment



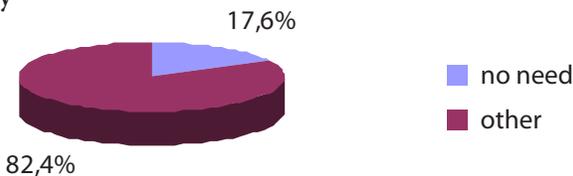
Needs for education and training of professionals are determined in the following manner: by means of regular annual questionnaires in 25%; superiors collect information in 53.8%; superiors determine employees to attend additional training in 69,2%; the employees apply on their own initiative in 75%; the human resources department proposes the employees to attend additional training in 33,3% of the examined cases and international organizations offer programs of additional functional training in 40% of the surveyed cases.

Chart 18: Education and training needs of professionals

3.11. Evaluation of effectiveness of additional training of civil servants and state employees

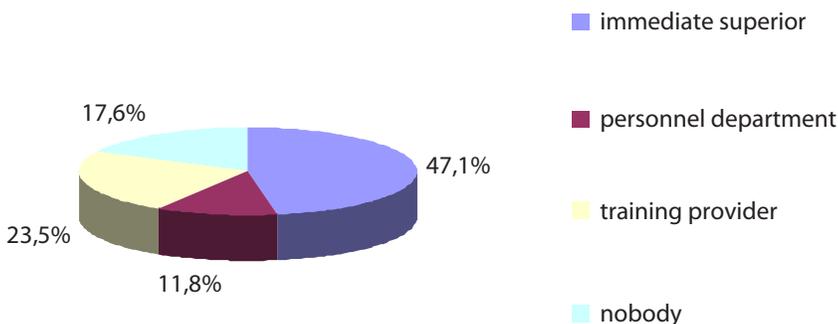
A system for evaluation of the training exists in only 17.4% of the surveyed authorities.

The reasons for the non-existence of a training evaluation system in the other authorities (in more than 80%) are the following: a) because “there is no need for it” in 17,6% of the cases and b) “other” in the remaining 82,4%.

Chart 19: Reasons for the non-existence of a training evaluation system in an authority

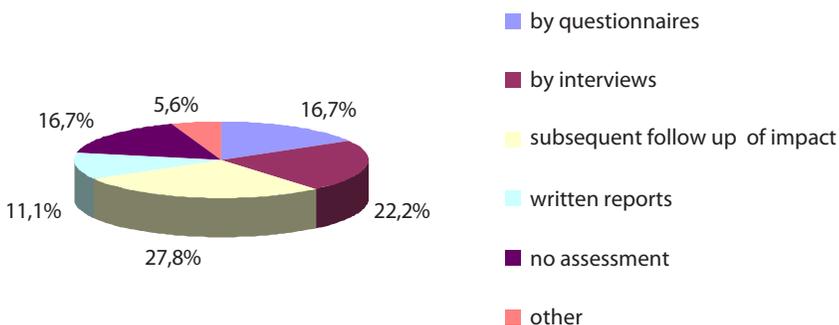
The effectiveness of training of professionals is followed up by: the immediate superior in 47.1%; the personnel department in 11,8%; the implementing authority of the training in 23,5% and nobody in 17,6% of the examined cases.

Chart 20: The effectiveness of training is followed up by



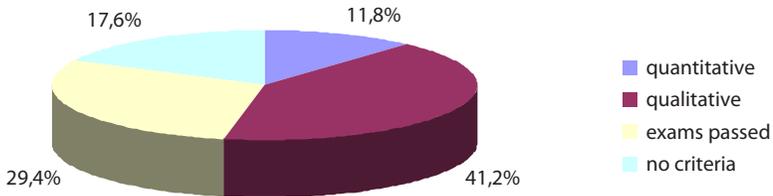
The methodology used to assess the effectiveness of training is as follows: a) conducting a questionnaire in 16,7%; b) interview with the person having attended training in 22,2%; c) follow up of the subsequent effectiveness in 27,8%, and d) written reports in 11,1%. The effectiveness is not assessed in 16,7% and »other« in 5,6% of the examined cases.

Chart 21: The determination of effectiveness of civil service training



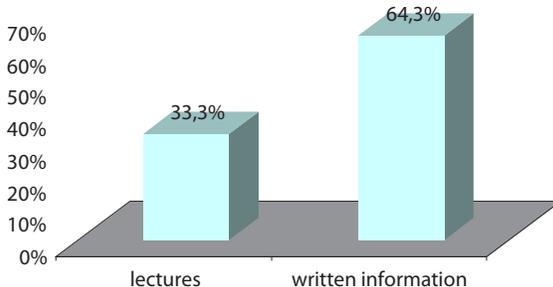
The criteria used to determine the effectiveness of training of professionals are as follows: quantitative in 11,8%, qualitative in 41,2%, exams passed in 29,4%, while there are no criteria in 17,6% of the examined cases.

Chart 22: Criteria for evaluation of effectiveness of civil service training

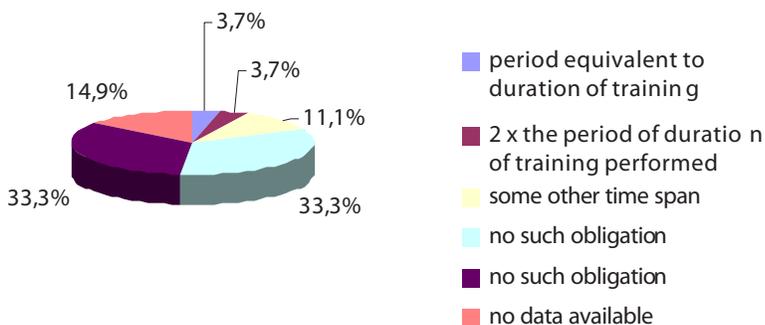


The acquired knowledge is implemented by means of lectures in 33,3% and written information for other employees in 64,3%.

Chart 23: Implementation of the acquired knowledge



Persons who have attended training are liable to stay in their respective authority after completion of the training: for a period equivalent to the duration of the training program (in 3,7%) or for twice the period of duration of the training program (in 3,7%). Some other time span is determined in 11,1% of the cases, while there is no such obligation in even 33,3% of the examined authorities.

Chart 14: Obligation after completion of the training process

3.12. Conclusions

Taking into consideration all limitations regarding the quality and quantity of the obtained data, it is yet possible to draw some relevant conclusions on the basis of these information:

- a very small number of state administration authorities had a specific plan and programme for training of their personnel (only 6 administrative authorities out of 34 questioned), which leads to the conclusion that this function has been given little attention in the state administration authorities (the main reason for the non-existence of these plans i.e. programmes, as stated most frequently by the state authorities, was the existing economic situation, due to which it makes no sense preparing such programmes, as there are no financial resources for the implementation of the same),
- state authorities do not design any mid-term plans for training of civil servants and state employees,
- the needs for permanent functional civil service training are usually not determined in state administration authorities (such a reply was obtained even in 60% of the surveyed authorities),
- the majority of the interviewees replied that the most important foreign language essential for work in the administrative system

- is the English language (almost all the managing personnel), and as well training in computer skills,
- somewhat less than 2% of the total amount of resources allocated for salaries of personnel is allocated for civil service training, which is little considering the need for intensive training of the civil service personnel in Montenegro,
 - there are no adequate training institutions in Montenegro that could offer quality programmes for permanent functional civil service training (except for training in foreign languages and computer skills),
 - the administrative authorities have no system of evaluation of the effectiveness of training of the personnel (after completion of seminars or other forms of civil service training).

**CONTENT ANALYSIS OF CURRENT
LEGISLATION REGULATING THE TASKS OF
STATE AUTHORITIES (BASIS FOR DRAFTING
OF A TRAINING CURRICULUM)**

4. CONTENT ANALYSIS OF CURRENT LEGISLATION REGULATING THE TASKS OF STATE AUTHORITIES (BASIS FOR DRAFTING OF A TRAINING CURRICULUM)³⁷

The aim of the preparation of the analysis of legal acts regulating the so called "horizontal" (general) tasks of civil servants i.e. "horizontal" tasks of public administration authorities was to facilitate the execution of a quality training needs analysis and later on a quality civil service training curriculum. This analysis is complementary to the TNA executed by means of questionnaires commented on in the preceding part of this publication.

When speaking about the horizontal tasks performed by the administrative or other state authorities, we have in mind all those administrative tasks which more or less appear in all or in the majority of the public administration or other state authorities. Or, if we apply this statement to the level of an individual civil servant, we have in mind those typical tasks performed by the majority of civil servants at the same hierarchical level or of the same profession in executing their daily work within the public administration.

A legal analysis of relevant laws and other regulations was an important preliminary element in conducting a proper analysis of needs for additional and functional training of civil servants in Montenegro. Other elements of the analysis were the following:

- The mentioned research by means of appropriate questionnaires that have been sent to the various state authorities (TNA) and
- Execution of interviews within personnel and other departments in various state authorities (which will be extended by means of

37 This analysis was prepared during the implementation of the PARiM-1 project in 2003, when some very important current legal acts were not adopted and enforced yet.

permanent “contact persons” within all the authorities, who have been assigned for liaison with the Human Resources Management Authority).

The execution of the analysis of horizontal administrative tasks has determined the course of conducting the research on the views among civil servants regarding their needs for permanent functional training on one hand, while on the other hand this analysis enabled a clearer idea of the real needs for training of civil servants with regard to their actual working tasks defined by positive regulations. In this way we avoided the situation in which the training needs analysis might produce only a long list of different “training wishes”, i.e. civil servants’ subjective estimates regarding additional training.

The basic methodological instrument to determine whether to include a certain horizontal function i.e. task in the subsequent analysis was the question “Does the observed function/task appear in all or at least in the majority of the public administration authorities?”. If the reply was positive, the function i.e. task was included in the list, otherwise it was not.

The need for an analysis of horizontal tasks originated from the strategic determination to prepare a starting point for the establishment of a civil service training institution within the Montenegrin state administration. This institution is to provide in particular the knowledge and skills that are of significance to the majority of authorities, i.e. civil servants (“horizontal training contents”). Such an institution has been established (the Human Resources Management Authority) and it is about to start its activities in this area³⁸.

The legal analysis comprised 22 laws and other general legal acts determining the most important areas of operation of the state administration system, as well as the horizontal functions within the state administration authorities, respectively tasks performed by civil servants and state employees.

38 See Article 4 of the Rule Book on Internal Organization and Systematization of the Human Resources Management Authority.

The next important starting point of this analysis was the fact that some of the functions, i.e. tasks are determined by laws and other legal acts as explicit, whereas some others can be ascertained only indirectly, i.e. implicitly – by associating certain tasks into logical entities.

This was at the same time a starting point for the following methodologically relevant finding: the horizontal functions and tasks comprised in the analysis appeared at different levels of generality (horizontal appearance). This means for instance that a certain horizontal function, i.e. task, is constituted by several different (interconnected) functions or tasks.

Bearing in mind the aim of this analysis, it is clear that this inquiry was focused on the functions of the administrative system of Montenegro. The analysis comprised those horizontal tasks that appear in all or in the majority of state administration authorities (such as human resources management, financial management, drafting of legal acts and alike). On the other hand, it means that the aim of this analysis is not to the ascertainment of some general tasks that are performed by administrative authorities for the benefit of private organizations (such as certification, issuing of licences, and similar) or individuals i.e. citizens (such as keeping registers, issuing permissions).

At any rate, it can be said that an important horizontal function i.e. task, from the aspect of this inquiry, is the accurate and lawful manner of preparation and issuance of administrative acts and other concrete decisions, or the function of lawful interpretation of legal regulations.

The legal analysis will, as mentioned before, be focused on the following main spheres of the state administration system:

- State administration,
- General and procedural laws,
- Other legal acts having an impact on the work of all state administration authorities i.e. civil servants.

Sphere of the state administration

- Law on State Administration (Official Journal of the Republic of Montenegro, No. 38/03)
- Law on Civil Servants (Official Journal of the Republic of Montenegro, No. 45/91, 50/91)
- Law on Civil Servants and State Employees (second draft, 22 May, 2003)
- Law on Salaries of Civil Servants and State Employees (second draft, 21 July, 2003)
- Regulation on Office Work in State Administration Authorities (Official Journal of the Republic of Montenegro, No. 61/92)
- Regulation on Titles of Task Groups and Principles for Internal Organization of State Administration Authorities, Official Ranks, Professions and Promotion of Civil Servants (Official Journal of the Republic of Montenegro, No. 9/92, 26/96)
- Regulation on Recognitions of Civil Servants in State Administration Authorities (Official Journal of the Republic of Montenegro, No. 21/96)
- Regulation on the Government of the Republic Montenegro (Official Journal of the Republic of Montenegro, No. 15/94, and 4/97)
- Regulation on the Organization and Method of Work of the State Administration (Official Journal of the Republic of Montenegro, No. 8/93, 33/01, 09/03, 19/03)
- Rules of Procedure of the Parliament of the Republic of Montenegro (Official Journal of the Republic of Montenegro, No. 37/96, 16/97, 24/97)
- Rules of Procedure of the Government of the Republic of Montenegro (Official Journal of the Republic of Montenegro, No. 45/01)
- Rules concerning the Acting of the State Administrative Authorities toward Citizens (Official Journal of the Republic of Montenegro, No.1/93)
- Rule Book on the Principles and Procedure of Completion and Assessment of Civil Servants' Probationary Work (Official Journal of the Republic of Montenegro, No. 18/96)

- Rule Book on Training of Trainees, Professional Exam and Additional Training of Civil Servants (Official Journal of the Republic of Montenegro, No. 18/93, 31/95, 53/01)
- Instruction on the Uniform Principle for Internal Organization and Systematization of State Administration Authorities (Official Journal of the Republic of Montenegro, No. 11/92)

General tasks and procedural legislation

1. General Administrative Procedures Act (Official Journal of the Federal Republic of Yugoslavia, No. 33/97, 31/01)
2. Law on Administrative Dispute (Official Journal of the Federal Republic of Yugoslavia, No. 46/96)
3. Law on Inspection Control (Official Journal of the Republic of Montenegro, No. 39/03)
4. Law on the Budget of the Republic of Montenegro (Official Journal of the Republic of Montenegro, No. 40/01 and 44/01)
5. Law on the Constitutional Court (Official Journal of the Republic of Montenegro, No. 21/93)
6. Law on the Protector of Human Rights and Freedoms (Official Journal of the Republic of Montenegro, No. 41/03)
7. Instruction on the Work of the State Treasury (Official Journal of the Republic of Montenegro, No. 64/01).

Main findings – list of horizontal tasks in individual legal sources

4.1. SPHERE OF THE STATE ADMINISTRATION

The Law on State Administration (Official Journal of the Republic of Montenegro, No. 38/03)

EXPLICITLY

- decision-making within administrative authorities on administrative matters (application of the general and special administrative proce-

- dures, supervision of the execution of legal regulations concerning administrative procedures) (general; Articles 19, 20, 21)
- preparation of materials for the Government of the Republic of Montenegro:
 - o laws,
 - o other regulations and general legal acts,
 - o reports and other material, as well as
 - o performance of other professional tasks ordered by the Government of the Republic of Montenegro to an administrative authority (Articles 38, 39, 40, 60, 61, 62, 63)
 - execution i.e. implementation of laws, other regulations and legal acts of the Parliament, as well as regulations and legal acts of the Government of the Republic of Montenegro (Articles 11, 14, 15, 38, 39, 40, 60, 61, 62, 63, 73)
 - o preparation and issuing of administrative regulations,
 - o preparation and issuing of administrative and other legal acts (regulations, instructions, decisions and other),
 - execution of administrative tasks, e. g. participation in policy making, executive tasks, inspection control, monitoring, developmental tasks, facilitating public services (Articles 11, 12, 13, 27)
 - execution of inspection control over the implementation of laws (Articles 11, 15, 16, 17, 18, 19)
 - ensuring the performance of affairs of public interest that are within the sphere of competence of the central government and provision of control over the legality of operation, as well as supervision of the professional performance of tasks of public interest (Articles 11, 15, 16, 18, 23, 26)
 - promotion of economic, social, cultural, ecological, and general social development (Article 27)
 - management and representation of an administrative authority (Articles 41, 42, 43, 44, 45, 46)
 - supervision of the legality of work of local government authorities and supervision of the appropriateness and professionalism of work of local self-government authorities in the case of transferred competencies (Article 34)

- deciding on appeals in administrative procedures in the first and second instance (Article 70)
- submission of reports to the Government of the Republic of Montenegro on the conditions in a certain area that is under the competence of the respective authority, submission of reports on the execution i.e. application of laws and other legal acts as well as governmental instructions (Articles 72, 73, 74)
- cooperation with other ministries and other administrative authorities (Articles 65, 66, 67, 68, 69)
- cooperation with the courts, local self-government, public institutions, non-governmental organizations (Articles 75, 76, 77, 78, 79, 80)
- data protection and data security within administrative authorities (Article 73)
- collection, processing, arrangement and preparation of data and information within state administration authorities (Article 23)

IMPLICITLY

- interpretation of legal acts before issuing decisions and other concrete administrative acts
- knowledge on and performance of activities of the legislative i.e. normative procedure
- knowledge on and implementation of organization of work in administrative authorities
- implementation of modern management methods in administrative authorities

The Law on Civil Servants

(Official Journal of the Republic of Montenegro,
No. 45/91, 50/91)

EKSPLICITLY

- conditions of employment of civil servants and arrangement of working relations within the state administration (Articles 4, 5)

- testing period and preliminary testing of working abilities of the employees before starting to work within the state administration (before the first employment) (Article 5)
- open competition – concurs (Article 6)
- apprentices, apprenticeship training and period (Articles 10-12, 63)
- arrangement of working relations and conditions for replacement civil servants to another post (Articles 13-15, 61)
- rearrangement of the employees and conclusion of working relations for a limited period (a part of the personnel function within the state authorities) (Article 16)
- decision-making and issuing of the decisions concerning working relations (Articles 13, 53, 54)
- decision-making of the rights and obligations of civil servants (Articles 17-31)
- discipline responsibilities of civil servants, discipline measure, offence and procedures; execution of the procedure of finding (out) inappropriateness of an employee and of finding (out) the facts (Articles 32-41)
- appointment and advancement of civil servants, conditions and way of advancement of civil servants (Articles 44, 45)
- professional qualification of civil servants (Article 44)
- assessment of performance of the employees within the state administration (performance appraisal as a part of the personnel function within the state authorities) (Article 45)
- keeping and maintaining of the personnel records and other data which are needed for the execution of the personnel policy within the state authorities (personnel evidences as a part of the personnel function within the state authorities) (Article 46)
- determination of the working time for civil servants and employees within the public administration (Articles 47-50)
- arrangement of working relations and salaries and determination of substitutes and other incomes of the civil servants (Articles 51-52, 61)

- civil servants' complains to the administrative inspection (Article 55)
- cancellation of the employment (Articles 57-63)
- civil servants' obligation to pass the prescribed proficiency exam (Article 58)
- determination of the employment policy and decision-making about replacements of employees for the reasons of work reorganisation and rationalization of operation of state authorities (Article 62)

IMPLICITLY

- determination of appropriate i. e. rational internal organization within the authorities of the state administration
- execution of the training function for civil servants
- obligation to undergo the professional training – employees of the authorities of the state administration during the working relation
- co-operation within different commissions and other working bodies
- execution of the apprenticeship training within the authorities of the state administration
- decision-making of work obligations of the employees within the authorities of the state administration
- disciplinary responsibility within the state administration (conducting the disciplinary procedures)
- protection of rights of the employees within the state authorities

The Law on Civil Servants and State Employees (second draft, 22 May, 2003)

EXPLICITLY

- familiarity with the contents of the Law on Civil Servants and State Employees – working material as a whole
- familiarity with provisions concerning the rights and obligations of civil servants (Article 1)

- determination and execution of tasks of the civil servants and state employees (Article 3)
- functioning of the trade union within the state administration and administrative authorities (Article 10)
- codex of ethics and responsibility (Articles 11, 12)
- rights for career development (Article 13)
- obligation of preparing the act on the internal act on the systematisation of working places within an authority of the public law (Articles 18, 21)
- employment procedure – conditions, public concourse, selection, probation period (Articles 17-33, 40)
- part time employment (Article 34)
- classification of civil servants and state employees (Chapter IV)
- working places – condition for the civil servants and state employees (Article 35)
- appointments of civil servants to the positions for the execution of special authorizations and responsibilities – classification, conditions, procedure of an appointment and displacement (Articles 36-39, 46)
- classification and appointment of the of civil servants into titles (Articles 40, 41)
- classification of state employees (Article 42)
- conditions for nominating/obtaining the titles of civil servants (Articles 43, 44)
- rights and obligations pf civil servants and state employees (Chapter V)
- execution of the tasks concerning instructions and directions (Article 47)
- execution of the extra tasks (Articles 48-52)
- team work and introduction of new working methods (Article 51)
- human resource management function (Article 58)
- nomination and responsibilities of the commission for complains (Articles 59, 60, 61)
- civil servants’ and state employees’ responsibilities (Chapter VII)

- determination of the working order and discipline responsibilities of the civil servants and state employees (Articles 62-63)
- discipline procedures, discipline commission and decision-making concerning the disciplinary responsibility of employees (Articles 64-73)
- temporary prohibition of work (Articles 74-76)
- disciplinary responsibility of the civil servants and state employees and decision-making concerning the disciplinary responsibility of employees (Articles 77-81)
- transfers of the civil servants and state employees (Chapter VIII)
- condition, reasons and limitations of transfer, procedure in the case of transfers due to work requirements (Articles 83-86)
- termination of employment (Chapter IX)
- reasons for cancellation of the contract of employment, cancellation of the employment on the part of employer or employees, cancellation of the contract of employment for the reasons of service, e.g. reorganisational, structural or financial reasons, reduction in the scope of public tasks (Articles 88-91)
- promotion period, conditions for promotion and standards of evaluation (Articles 97-100)
- assessment of the officials, promotions and acknowledgements (Chapter X)
- education and training of the civil servants and state employees (Chapter XII)
- obtaining an additional formal education (Article 112)
- obtaining an additional functional and special knowledge (Article 113)
- additional in – service training (Article 113)
- in – service training program (Article 114)
- monitoring of the career and professionalism at the work of the civil servants and state employees (Article 115)
- periodical testing of the theoretical and practical knowledge of the civil servants and state employees (Article 115)
- passing an appropriate proficiency exam (Articles 45, 116-118)
- apprentice and apprenticeship period (Articles 119-120, 122)

- apprenticeship training program (Articles 121)
- scholarship for gifted pupils (Article 123)

IMPLICITLY

- obligation of informing the general public about execution of public tasks and about the results of such work, as well as obligation of informing the users about changes in the operation of an authority of the public administration
- obligation of keeping the personal record for each employee within the authority of the public law
- providing of data on the filled personal records to the ministries
- preparation of general legal acts which affect working relations within the authority of the public law
- determination of titles within the state administration
- execution of advisory, organizational, and project tasks
- determination of the systematization of working places within the state administration
- determination of titles and positions within the state administration
- issuing of the acts concerning the first systematization according to this Law
- execution of the rationalization of operation within the authorities of the public law, on the ground of the first systematization of working places
- introduction of new working methods within the authorities of the public law
- introduction of different methods of the supervision of work
- determination of the employment policy and decision-making about replacements of employees for the reasons of work
- decision-making on the rationalization of operation of authorities of the public law
- determination of criteria and standards for measuring the performance of employees within the authorities of the public law
- co-ordination of the execution of public tasks

- leadership of the internal organizational units of the authorities of the public law
- execution of the authorization of deputizing higher officials (civil servants)
- conclusion of working relation within the authorities of the public law (conclusion of the employment contracts)
- execution of advisory tasks
- execution of organizational tasks
- execution of project tasks (team work)
- decision-making concerning the employment within the authorities of the public law
- preparation of employment plans within the authorities of the public law
- collecting data about possible candidates for concluding the working relation
- nomination of the commission for performing a special selecting procedure for choosing the candidate for the new working place within the authorities of the public law
- obligation of using a new professional knowledge in the work of civil servants within the authorities of the public law
- operation in accordance with the internal rules of the working order and discipline, which are determined by the employer
- execution of working operations which belong to a working place (to a certain job description)
- providing of the oral instructions (ordering of the work)
- obligation of informing the direct superior about essential circumstances which influence or could influence the execution of his working operation
- obligation of an employer to overview the work of employees and enable those who are assessed as excellent ones to take an additional education
- providing the enforcement of the rights and obligations of the employees concerning the additional professional training and functional perfection
- conclusion of the contracts about an additional education
- passing the prescribed proficiency exam

- obligation of assessing of the working and professional qualities of employees
- finding out conditions and decision making on the promotion of employees within the public administration
- execution of the procedure of finding (out) inappropriateness of an employee and of finding (out) the facts
- reasonable usage of provisions of the general administrative procedure for making decisions about the disciplinary responsibility of employees
- leading the administrative disputes in connection with working relations within the public administration
- decision-making on giving notice of the employment contract
- replacement of employees to another post
- execution of the inspection for the civil servants system
- preparation of written analyses of the extents of working competences from the point of view of needed executors
- obligation of keeping the official and the business secret

The Law on Salaries of Civil Servants and State Employees (second draft, 21 July, 2003)

EXPLICITLY

- familiarity with the contents of the Law on salary system of civil servants and state employees (working material as a whole)
- method of determination and payment of salaries within the ministries and administrative authorities (Articles 3, 5)
- determination of criteria and standards for measuring the performance of employees within the ministries and administrative authorities (Article 6)
- performance of the organizational, financial, accountancy, information, professionally – technical and other auxiliary jobs (Article 6)
- determination of salaries and other incomes concerning the civil servants' relations (Articles 7-10)

- obligation of preparing the internal act on the systematization of working places within the ministries and administrative authorities (Articles 3, 11)
- knowledge of the Instruction issued by the Minister of Finance concerning statements of incomes and payments including own incomes of the users of the state budget (Article 13)
- keeping of the employees' record determination and payment of salaries within the obligation of ministries and administrative authorities (Article 20)
- inclusion of functions and working places of the employees into salary brackets (Article 16)
- determination of substitutes and other incomes of the employees (Article 18)
- execution of the inspection service (Article 22)
- leading the administrative disputes in connection with salaries of civil servants and state employees (Article 19)

IMPLICITLY

- keeping of the personnel records
- promotion of employees within the ministries and administrative authorities
- checking of the conditions for the promotion of employees within the ministries and administrative authorities
- preparation of the act on organization and systematization of working places within the ministries and administrative authorities
- classification of working places into tariff groups and salary brackets
- responsibility for legality, justification, and appropriate purpose for spending the budgetary means
- keeping the records and preparation of the financial reports to the Ministry of Finance
- knowledge of the law on execution of the state budget
- execution of the administrative procedures and knowledge of the General Administrative Procedure Act and regulations which determine special administrative procedures

Regulation on Office Work in State Administration Authorities

(Official Journal of the Republic of Montenegro, No. 61/92)

EXPLICITLY

- execution of office operation (general activities) – keeping of records, classification, taking care of terms, resolving the administrative matters and keeping archives of the documentary material within the administrative authorities, dealing with secret matters (Articles 2, 7-9, 11, 12, 16, 17)
- making documents concerning work within the administrative authorities (Articles 2, 7-9, 11)
- keeping of official records and files within the administrative authorities (Articles 2, 18, 19, 20, 21)
- acceptance, inscription of administrative matters and documents into the administrative record, arrangement of post and documents (Articles 2, 12-14)
- delivery of post (Article 15)
- protection items and documents (Articles 16, 17)
- protection of state, military, business/official secrets (Article 10)
- execution of disciplinary procedures within the administrative authorities (Article 53)

IMPLICITLY

- computer literacy
- knowledge of provisions of the executive regulations issued on the basis of the need for protection of the natural and cultural heritage

Regulation on Names of Groups of Tasks and Principles for Internal Organization of State Administration Authorities, Official Ranks, Professions and Promotion of Civil Servants

(Official Journal of the Republic of Montenegro,

No. 9/92, 26/96)

EXPLICITLY

- groups of tasks of state administration authorities: administrative-normative tasks – determine and define system measures and legislative procedures in policy implementation, problem solving, foresight consequences in policy implementation, strategic planning, preparation of laws and other regulations and general legal acts, preparation state budget (Articles 2, 3)
- execution tasks – execution and implementation of the laws and other regulations, monitoring and control, assessing and assuring condition for execution of law and other regulations; execution administrative procedure and decision making within the administrative procedure (Articles 2, 4)
- control tasks – control over general law and other regulations execution (Articles 2, 5)
- research and scientific tasks – different professional, technical and scientific knowledge, e.g. project management; automation, modernisation and implementation of information systems, archival tasks, librarianship, publishing, journalism, translating, read manuscripts for publisher, working out methodologies, instructions and standard setting; tasks in the fields of statistics, hydrometeorology, seismology and geology, geodetic tasks; collecting, testing, checking, arranging and processing the data (Articles 2, 6)
- office tasks – knowledge and execution of the procedures of office operation within the public administration; execution of tasks of the main office within an authority of the public administration; acceptance of the documents and requests, invitations to the parties of an administrative procedure; classification of the material and administrative;

- keeping the lists and overviews; arranging of the archives and documentary material;
- keeping a record and delivery of post; archiving the documentary material; keeping a record of the administrative matters, financial operations (Articles 2, 7)
- steno typist and typist tasks (Articles 2, 8)
- official ranks of civil servants, education and work experiences (Articles 20-22)
- professions of civil servants (Articles 23-25)
- promotion of civil servants, appraisal of civil servants, salaries of civil servants, salary grades (Articles 28-38)

**Regulation on Recognitions of Civil Servants
in State Administration Authorities**
(Official Journal of the Republic of Montenegro, No. 21/96)

EXPLICITLY

- types of recognitions in civil service (Articles 2, 3)
- requirements for awarding of recognitions – professional, effective and efficient work (Article 4)
- decision-making and procedure of awarding recognition to civil servants (Article 5)
- personnel record (Article 5)

IMPLICITLY

- monitoring and evaluation of the civil servants' performance
- performance standards and criteria
- leadership
- negotiation skills
- international co-operation within the working functions of an authority of the state administration
- execution of the personnel function within the authorities of the state administration

**Regulation on the Government of the
Republic of Montenegro**
(Official Journal of the Republic of Montenegro,
No. 15/94, and 4/97)

EXPLICITLY

- initiation and preparation of laws, regulations and other general legal acts (Articles 7, 12)
- obligation of the ministries to informing (providing information) the Government of the Republic of Montenegro concerning questions that are important for determining and executing of governmental policy (Article 7)
- policy execution and execution of laws and other regulations as well as general legal acts – executed by ministries and other administrative authorities (Articles 12, 21, 22, 23)
- issuing of accordances concerning contents of acceptance of regulations and other measures (Articles 12, 16, 17)
- preparation of opinions concerning laws and other regulations which were not prepared by the Government of the Republic of Montenegro (Articles 16, 17)
- preparation of positions concerning initiatives and proposals of the Parliament of the Republic of Montenegro from the sphere of competencies of the Government of the Republic of Montenegro (Article 14)
- preparation of answers to the questions of the Members of the Parliament (Article 14)

IMPLICITLY

- preparation of reports on execution of laws, other regulations and general legal acts, and about other measures from its sphere of competencies and about effects of such measures
- co-operation in the work of the Parliament of the Republic of Montenegro and its working bodies in passing laws or other regulations,

which have been proposed by the Government of the Republic of Montenegro

- acceptance of organizational measures
- acceptance of personnel and other measures
- guidance of the work of holders of the public authorizations within the working field of a ministry
- leadership within the administrative authorities

Regulation on the Organization and Method of Operation of the State Administration

(Official Journal of the Republic of Montenegro,
No. 8/93, 33/01, 09/03, 19/03)

EXPLICITLY

- execution of public functions (tasks) on behalf of the state (in the field in which an authority is active) (Article 38a)
- execution of professional, technical, organizational, developmental, and promotional tasks in the field of competence of an administrative authority (Article 38i)
- co-operation and co-ordination of work within the administrative/state authorities (Articles 36, 37)
- providing information and data to the parliament, other authorities, general public, and citizens about the work of the authority – »Public Relations« function (Article 35, 36)
- operation of the administrative authorities according to provisions of General Administrative Procedure Act and other regulations which regulate some special administrative procedures (Articles 2, 38v)
- execution and implementation of constitution, laws (e.g. general administrative procedures) and other legal acts (Articles 2, 38a, 38v, 38g, 38u, 38f)
- execution of an inspection function – supervision of the execution and implementation of constitution, laws and other legal acts (Articles 38d, 38đ, 38e, 38f, 38j, 38u, 38ž)

- execution of supervision of the professional and effective work of the whole state administration and/or individual authorities (Article 2)
- execution of supervision of the functioning and work of the local government, public institutes and other public services (Article 2)
- preparation of legal and other analyses (Article 38b)
- apprehension for keeping administrative statistics within the administrative authorities (Article 38i)
- record keeping, development of informatics and information systems of administrative authorities (Article 38i)
- preparation of annual and medium – term working reports and programs (Article 38b)
- training of civil servants within the authorities of the public administration (Article 2)
- preparation for proficiency exams and its execution within the authorities of the public administration (Article 2)
- international co-operation (Articles 6, 6a)
- co-operation with the European Integration (accession of the Republic of Montenegro into the European Integration Processes – the so called »European Affairs«) (Article 6a)
- preparation of internal legal acts concerning the internal organization and systematization of working places within the administrative authorities (Article 2)
- settlement of the organization and work of an administrative authority, heading and co-ordinating of work within the administrative authority (Articles 2, 36, 37)

IMPLICITLY

- personnel management function within the state administration – so called »Human Resources Management« function
- preparation of analyses, system solutions, concepts, strategies, and other measures for successful operation of a state authority(so called “policy – making” function)

Rules of Procedure of the Parliament of the Republic of Montenegro

(Official Journal of the Republic of Montenegro, No. 45/01)

EXPLICITLY

- methods of work of the working bodies of the Parliament of the Republic of Montenegro (Articles 12-27)
- preparation of the reports and proposals (Article 25)
- determination of the relationship of the Parliament of the Republic of Montenegro with the Government of the Republic of Montenegro and with other state authorities
- information and explanations which the authorities of the state administration and authorities of the local self-governing communities have to provide to the Members of the Parliament
- cooperation among working bodies of the Parliament of the Republic of Montenegro (Article 20)
- obligation to co-operate at the meetings of the Parliament of the Republic of Montenegro and its working bodies (Articles 20-26)
- co-operation at the public presentations of opinions organized by the Parliament of the Republic of Montenegro (Article 184)
- preparation of reports on execution of laws, other regulations and general legal acts, and about other measures from its sphere of competencies and about effects of such measures (Article 72)
- preparation of laws and the knowledge of the procedure of their acceptance (Articles 72-91)
- preparation of other general legal acts and the knowledge of the procedure of their acceptance (Articles 72-91)
- preparation of state budget and the final report on execution of the state budget (Articles 72, 92)
- obligation of providing information concerning questions that are important for determining and executing of governmental policy (Article 69)
- knowledge of the procedure of authentic exposition of the laws (Articles 93-95)
- knowledge of the procedure of decision-making (Articles 60, 61)

- preparation of other general legal acts and the procedure of their acceptance (Article 92)
- knowledge and use of the ratification procedure for ratification of the international treaties (Articles 96, 97)
- knowledge and execution of the procedure of office operation (Articles 28, 67, 68, 184)

IMPLICITLY

- knowledge and use of the legislative procedure
- knowledge and use of the procedure of approval of the state budget
- knowledge and use of the procedures of approval of other legal acts of the Parliament of the Republic of Montenegro
- knowledge of the relationship of the Parliament of the Republic of Montenegro to the Government of the Republic of Montenegro
- reporting of the Government of the Republic of Montenegro to the Parliament of the Republic of Montenegro
- providing data to the working bodies of the Parliament of the Republic of Montenegro (data which are important for policy making and drafting of legislation)

Rules of Procedure of the Government of the Republic of Montenegro

(Official Journal of the Republic of Montenegro, No. 45/01)

EXPLICITLY

- preparation of annual working plans (Articles 37 – 41)
- preparation of laws, other regulations and general legal acts which are proposed by the Government of the Republic of Montenegro for acceptance by the Parliament of the Republic of Montenegro (Articles 43, 45)
- preparation of opinions about laws and other regulations of the Parliament of the Republic of Montenegro that were not proposed

by the Government of the Republic of Montenegro (Articles 43, 46, 49)

- preparation of material concerning policy determination in individual spheres in which the Government of the Republic of Montenegro proposes the measures to the Parliament of the Republic of Montenegro (Articles 43, 45, 53, 54)
- preparation of material from the sphere of competence of the Government of the Republic of Montenegro concerning which the Parliament of the Republic of Montenegro should take a position (Articles 43, 45, 48)
- execution international contacts and negotiations (Article 48)
- preparation of governmental regulations and their obligatory interpretation, and preparation of decisions and decrees (Articles 79, 80)
- co-operation in the work of committees, commissions and other working bodies of the Parliament of the Republic of Montenegro (Article 83)
- co-operation in professional councils, which have been founded by the Government of the Republic of Montenegro in function of its advisory bodies (Articles 17-36)
- preparation of material for the governmental sessions and for sessions of its working bodies (Articles 80, 85)
- reconciliation of material with other administrative authorities – reconciliation of legal and other acts (Article 85)
- preparation of analyses of financial, organizational and other executive measures (Article 53)
- assuring the publicity of work of administrative authorities (Article 82)
- knowledge and execution of procedure of office operation (Articles 47, 56, 57, 79)

IMPLICITLY

- execution of administrative jobs for individual working bodies
- co-operation in the preparation of the working programme of the Government of the Republic of Montenegro

- knowledge and application of provisions of the Standing Orders of the Government of the Republic of Montenegro, and the same regarding the Parliament's Standing Orders (which means knowledge of the legislative procedure and procedural rules of both bodies)
- chairing of working sessions i.e. meetings in different working bodies

Rule Book on the Principles and Procedure of Completion and Assessment of Civil Servants' Probationary Work (Official Journal of the Republic of Montenegro, No. 18/96)

EXPLICITLY

- probationary work as a precondition for entering employment (Article 2)
- organization of the probationary work (Article 3)
- knowledge, interdisciplinary skills and abilities (Articles 3, 4)
- assessment criteria (Articles 3, 4)

IMPLICITLY

- human resource management (HRM) functions

Rules Concerning the Acting of State Administration Authorities toward Citizens

(Official Journal of the Republic of Montenegro, No.1/93)

EXPLICITLY

- knowledge of the rules concerning work of the state authorities and administrative authorities with the citizens as the clients/customers (Articles 1, 2, 7, 8)
- providing instructions and explanations to citizens and other persons and organizations concerning questions which are important for enforcement of their rights (Article 2)

- assuring optimal work organisation (Article 2)
- respecting administrative procedures (Article 2)
- protection of the citizens' rights (Article 2)
- correct use of language in the administrative operation of the state authorities and administrative authorities (Article 2)
- respecting rules and regulations on office procedures (Article 3)
- knowledge of the rules concerning work time and office hours within the state authorities and administrative authorities, preparation of the disposition of working time within the administrative authorities (Article 6)
- meetings (Article 7)
- citizens' reception records and annual schedule of the civil servants, responsible for reception (Article 7)
- respecting security measures concerning documents, premises etc. (Article 10).

Rule Book on Training of Trainees, Professional Exam and Additional Training of Civil Servants

(Official Journal of the Republic of Montenegro,
No. 18/93, 31/95, 53/01)

EXPLICITLY

Training of trainees

- provision of training of the trainees (organization and execution of trainees' training) (Article 1)
- organisation of the training for trainees (Articles 2, 3)
- preparation of the curriculum for training of trainees (Article 2)
- trainees' obligation to prepare daily reports (*journal*) during the training period (Article 3)

Professional exam

- professional exam – application requirements (Articles 6-8)
- general and specific programme/contents of the professional exam (Articles 2, 7-16, Appendix)

- two categories of civil servants according to education (Article 9)
- general programme – knowledge of the following areas (Article 9):
- candidates with higher education and university degree
 - constitutional regulation of the state
 - administrative law
 - labour law
 - business law
 - finances with basic knowledge of statistics
- candidates with secondary education
 - basic elements of the constitutional regulation of the state
 - basic elements of the organization and functions of the state executive power and local self-government
 - basic elements of the general administrative procedure
 - basic elements of finances and statistics
 - office management
- obligation to pass the professional exam after completed training period (Article 6)
- execution of the professional exam (Articles 17-33)
- the function of the mentor within authorities of the state administration (Article 3)
- provision of permanent and organized training of civil servants and, on the other hand, obligation of civil servants to take training continuously (Articles 1, 37, 38)
- drafting and implementation of a civil service training curriculum (Article 37)
- obligation to draft annual and individual training programmes for civil servants (Articles 34, 38)
- curriculum and subject matter of training (Article 34, 35)
- training methods and approaches (individual work and study, professional lectures, courses, seminars, practical work, formal education) (Article 36)
- organization of horizontal/common programmes (Article 37)
- cooperation between different institutions in implementing the programmes (Article 37)
- examinations (Article 38)

IMPLICITLY

- obligation to provide training of trainees within state administration authorities
- obligation to take the professional exam
- obligation to provide additional training in state administration authorities
- functional training
- training needs assessment within the public administration (the “Training Needs Analysis” function)
- drafting of civil service training curricula, their implementation and evaluation of effectiveness
- obligation to draft civil service training programmes – semi-annual and annual programmes
- obligation to assess (verify) the results of the training and the methods applied (evaluation function)

Instruction on the Uniform Principle for Internal Organization and Systematization of State Administration Authorities

(Official Journal of the Republic of Montenegro, No. 11/92)

IMPLICITLY

General activities:

- preparation of the internal organization within authorities of the state administration and decision-making on matters from the sphere of the competencies of an administrative authority or an internal organizational unit; heading (leadership) of the internal organizational units within the authorities of the state administration and planning, organizing, coordinating, professional steering, and the control of the work of these units
- assuring the publicity of work of an administrative authority through conducting press – conferences and releasing official notices

- preparation of systematisation of working places within the administrative authorities
- co-ordination of the execution of administrative tasks
- execution of project tasks within the administrative authorities and leadership of the project groups
- the nomenclature of typical working places within the state administration
- execution of the internal supervision of the performance of administrative tasks
- responsibility for lawful, timely and effective enforcement of the rights and obligations of the parties within administrative procedures
- performance of supportive, organizational and other auxiliary tasks within an administrative authority
- performance of tasks of the main office of an administrative authority i.e. execution of the function of office operation
- performance of the activities within the administrative procedure, execution of the administrative procedure, issuing of the administrative decisions
- assistance to the minister in heading a ministry; (the nomenclature of typical working places within the state administration
- providing the development of organization and working methods within the administrative authorities; (the nomenclature of typical working places within the state administration,
- execution of the personnel policy of an administrative authority
- designing of the most demanding system solutions concerning work of an administrative authority
- execution of specialized developmental and promotional tasks within an administrative authority
- preparation of materials for work of an administrative authority
- preparation of analyses, developmental projects, information, reports, and other materials;
- execution of the inspection tasks
- collecting, arranging and preparation of data for designing the materials

- keeping the records and preparation of information on the basis of the mentioned records;
- issuing of the attestations based on the records of an administrative authority
- execution of office operation – heading of a registration office and making classification of administrative matters
- collecting and analysing of data on financial operation of an administrative authority
- processing of the book-keeping data
- organisational and technical tasks for the execution of the electronic data processing
- financial and accounting tasks, and a cash box operation
- sorting and classification of files
- arrangement of archives and documentary material within an administrative authority, keeping of lists and overviews
- administrative – technical tasks, less demanding computer work, typewriting tasks, computer data input
- keeping records and delivery of mail, maintaining of internal records, executing simple office operation
- preparation and signing of concrete administrative acts within the administrative authorities
- selection and organization of civil servants within an administrative authority (Human Resources Management function)
- systematic operation and strategic planning

4.2. GENERAL TASKS AND PROCEDURAL LEGISLATION

The Law on General Administrative Procedure

(Official Journal of the Federal Republic of Yugoslavia,
No. 33/97, 31/01)

EXPLICITLY

- proceeding in accordance with the General Administrative Procedure Act at deciding in administrative procedures on rights, obligations and legal interests of physical or legal persons (Article 1)
- proceeding in accordance with the special administrative procedure in the case of certain categories of administrative matters or civil servants (Articles 2, 3)
- deciding in administrative matters on the basis of the principle of constitutionality and legality (Article 5)
- correct usage of language in an administrative procedure (Article 16)

The Law on Administrative Dispute

(Official Journal of the Federal Republic of Yugoslavia,
No. 46/96)

EXPLICITLY

- knowledge of judicial protection of rights of parties to a procedure against decisions of administrative authorities and holders of public authority (judicial control of legality of administrative decisions) (Article 1)
- knowledge of the system of judicial protection within the administrative dispute (Article 2, Chapter 2)
- competency of the courts (Article 17)
- procedure of conducting an administrative dispute and legal remedies within an administrative dispute (Chapter 4)
- execution of judgments (Chapter 5)

The Law on Inspection Control

(Official Journal of the Republic of Montenegro, No. 39/03)

EXPLICITLY

- knowledge of principles of inspection control (Articles 1, 6-12)
- responsibilities for the execution of the inspection control (Article 2)
- tasks and obligations of the inspectors (Articles 13, 15)
- inspectors' authorities (Article 14)
- knowledge of the implementation of the Law on General Administrative procedure and other regulations in different spheres of administrative work (Articles 15, 16)
- knowledge of the implementation of the inspection control procedure (Articles 26-42)
- knowledge of the implementation of special procedures in the framework of inspection control (Articles 43-56)
- execution of judgments (Articles 57-63)

The Law on the Budget of the Republic of Montenegro

(Official Journal of the Republic of Montenegro,
No. 40/01 and 44/01)

EXPLICITLY

- knowledge of the regulations from the sphere of the execution of budget of the Republic of Montenegro (Articles 1, 3)
- obligations and responsibilities of the Minister for Finance (Article 2)
- knowledge of the notion on concepts in the field of public finance (Article 3)
- state budget and current fiscal period (Articles 4-8)
- definition of the revenues of the state budget (Article 9)
- definition of the expenditures of the state budget (Article 10)
- knowledge of the procedure of preparation and planning of the state budget (Articles 19-29)

- opening the bank account by the Minister of Finance (Article 12)
- knowledge of the procedure of preparation and planning of the municipalities' budget (Article 26, 27)
- knowledge of the procedure of execution of the budget (Articles 30-37)
- internal control, budgetary supervision and internal/external audit of book-keeping (Articles 44-53, 55-57)
- responsibilities and tasks of state treasury (Article 54)
- knowledge of the state budget (Article 55)
- development of the planning process for state budget (Article 55)

IMPLICITLY

- opening and closing of accounts by the beneficiaries of the budget resources
- keeping accountancy
- preparation of monthly disbursement plans for the Ministry of Finance
- knowledge of the method of financing the functions and tasks which are performed by the administrative authorities of the Republic of Montenegro
- knowledge of the revenues for financing the public expenditures
- temporary financing in case of non – acceptance of the state budget
- the principle of usage of the budget resources for previously known purposes
- creation of budget reserves
- public debt
- supervision over the creation and utilization of the budget resources
- accountancy function of the budget beneficiaries

The Law on the Constitutional Court

(Official Journal of the Republic of Montenegro, No. 21/93)

EXPLICITLY

- obligation of enforcement of decisions of the Constitutional Court (Article 1)
- obligation to provide data to the Constitutional Court and grant access to documents (Article 18)

IMPLICITLY

- knowledge of the competencies of the Constitutional Court
- knowledge of the procedure of assessment of constitutionality and legality of laws and other regulations
- knowledge of the constitutional appeal procedure
- knowledge of other procedures that are regulated by the Law on the Constitutional Court.

The Law on the Protector of Human Rights and Freedoms

(Official Journal of the Republic of Montenegro, No. 41/03)

IMPLICITLY

- obligation to provide data to the Protector of Human Rights and Freedoms and obligation to grant access to documents
- obligation to consider opinions, proposals, recommendations, and critical observations prepared by the Protector of Human Rights and Freedoms and addressed to the state authorities
- obligation to provide explanations and information to the Protector of Human Rights and Freedoms
- obligation to provide assistance to the Protector of Human Rights and Freedoms relating to procedures s/he conducts
- obligation of the state authorities to inform the Protector of Human Rights and Freedoms on measures they have enforced on the basis of

the opinions, proposals, recommendations, and critical observations made by the Protector of Human Rights and Freedoms (obligation to submit a report about the measures taken)

- knowledge of the functions and competencies of the Protector of Human Rights and Freedoms
- knowledge of the working procedure applied by the Protector of Human Rights and Freedoms

Instruction on the Work of the State Treasury

(Official Journal of the Republic of Montenegro, No. 64/01)

EXPLICITLY

- knowledge of execution of the state budget, control of financial transaction, assurance of liquidity of the state treasury account (Article 1)
- knowledge of administration internal and external debts (Article 1)
- responsibilities of the employees who are competent for public finance (Articles 19-23)
- knowledge of the methodology of internal financial control and expenditures (Articles 36-53)
- knowledge of the procedure of payments from the state budget (Articles 45-49)
- knowledge of the public procurement procedure (Articles 42-43)

IMPLICITLY

- informing the Ministry of Finance on (financial) obligations taken
- obtaining of conformities by the Ministry of Finance concerning possibilities of spending the budget resources
- keeping of the public accountancy within financial departments of the users of the budgetary means
- preparation of documentation for the payments from the state budget

- preparation of the contracts with which the obligations concerning the budgetary means have been taken by the so called users of the budget resources
- conclusion of employment contracts, copyright contracts, and other contracts

4.3. CLASSIFICATION OF HORIZONTAL TASKS INTO MAIN GROUPS

Systemic-legal tasks of state authorities and management in state administration

Systemic-legal issues

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- knowledge of the constitutional regulation of the state;
- knowledge of the system of the protection of human rights and fundamental freedoms;
- the principle of constitutionality and legality of work of the executive branch of state powers and of the state administration;
- the principle of the separation of powers – the relationship among the Parliament of the Republic of Montenegro, the Government of the Republic of Montenegro, and the ministries and administrative authorities;
- other constitutional principles and their application in the work of the executive branch and state administration;
- acts of the Parliament of the Republic of Montenegro, the Government of the Republic of Montenegro, and ministries, relationship among the legal acts – the hierarchy among the legal acts;
- conclusion of the international treaties and application of such treaties in the Republic of Montenegro;

- knowledge of the constitutional position of the executive branch of the state government and of the state administration;
- constitutional law;
- system of the public administration in Montenegro;
- knowledge of competencies and a position of:
 - o the Constitutional Court of the Republic of Montenegro,
 - o the Protector of Human Rights and Freedoms,
- the legal system and legal acts of the European Union;
- knowledge of the contents of different general international multi-lateral and bilateral treaties and their application within the public administration.

Management in State Administration

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- management and representation of an authority of the public administration, by using the contemporary leadership methods;
- leadership and guidance of work of the subordinated employees;
- management of the internal organizational units of an authority of the public administration – assistance to minister i.e. to superior in leading the authority (leadership principles, leadership methods, leadership styles, etc.);
- guiding of the sessions and meetings within the ministries and administrative authorities and at the level of inter – ministerial working groups (application of the presentation techniques and rhetoric);
- leadership of the project and other groups (project management and leadership);
- representation of the public interests;
- strategic planning of work within the administrative authorities of the public administration;
- responsibility for rational and effective organization of an administrative authorities and for the improvement of the organization and working methods;

- co-ordination of work among the organizational units of the ministries and the administrative authorities;
- co-ordination of work with other authorities of the public administration;
- co-operation in the work of the Government of the Republic of Montenegro and its working bodies, and co-operation in the work of the Parliament of the Republic of Montenegro and its working bodies;
- co-operation in the work of other state authorities and their working bodies (the Parliament of the Republic of Montenegro, and similar);
- co-operation in the professional councils, commissions and other working bodies;
- overview of the execution of the accepted decisions;
- negotiation skills.

Preparation of Materials in State Administration

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- preparation of information, analyses, systematic solutions, concepts, strategies and other material for the work of the Government of the Republic of Montenegro and other administrative authorities (the function of "policy-making");
- preparation of periodical working programs within the ministries and administrative authorities;
- preparation of the answers to the initiatives and positions of the Parliament of the Republic of Montenegro and other the ministries and administrative authorities;
- preparation of the answers to the constitutional complaints;
- preparation of the answers to the initiatives and the questions of the Members of Parliament;
- preparation of opinions about material (laws etc.) which were not prepared by the Government of the Republic of Montenegro.

Normative Activity and the Legislative Procedure

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- drafting of laws in accordance with the legislative procedure which is determined by the Standing Orders of the Parliament of the Republic of Montenegro (working methods of the working bodies of the Parliament of the Republic of Montenegro, relationship among the Government of the Republic of Montenegro and the Parliament of the Republic of Montenegro, within the legislative procedure, phases of the legislative procedure and role of individual institutions, etc.);
- drafting of other regulations and general legal acts in accordance with provisions of the Standing Orders of the Government of the Republic of Montenegro (regulations, ordinances, decrees, instructions);
- implementation of the principle of the constitutionality and legality,
- knowledge and application of the rules of legal techniques (nomo-techniques) in the process of the preparation of laws and other legal regulations.
- preparation of comparative analyses concerning foreign regulations in certain sphere of the legal standardization;
- linguistic and stylistic arrangement of material and an appropriate nomo-technique;
- co-operation with the Ministry of Foreign Affairs within the procedure of ratification of the internal treaties and agreements;
- co-operation with the Ministry of Finance within the procedure of the approval of the state budget;
- knowledge of the judiciary and judicial system.

The Administrative Procedure and Control Mechanisms in State Administration

Functions and tasks of the public administration authorities that may be derived from the analysed regulations (explicitly or implicitly) are the following:

- operation in accordance with the General Administrative Procedure Act and regulations determining special administrative procedures;
- execution i.e. implementation of laws and other regulations;
- issuing the administrative orders;
- execution of factual activities;
- decision-making about complaints within the administrative procedure;
- execution of the internal stages of appeal supervision within the administrative procedure;
- preparation of the obligatory instructions for the work at the different levels of state administration;
- inspection and the administrative supervision – control of the execution of laws and other regulations;
- interpretation of legal regulations in the process of decision-making on the administrative matters;
- issuing the attestations based on the official records;
- work with the parties within the administrative procedure (relationship with the parties, communication methods, etc.);
- application of the rules concerning working time and office hours within the ministries and administrative authorities;
- knowledge of the judicial control of the legality of the administrative decisions (the administrative dispute).

Human Resources Management in State Administration Authorities

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- training needs assessment in the sphere of the state administration;
- planning of training for the personnel within the state administration;
- assuring training for trainees within the state administration and preparation of employed trainees for the proficiency exams;

- execution of the mentor’s function within the state administration;
- assuring permanent professional training for the personnel within the state administration;
- conclusion of contracts on additional functional training within the state administration;
- assessment of impact of the training on the employees’ effectiveness and efficiency of work in the state administration;
- co-operation in the preparation of programmes for the specific part of the state proficiency exam within the state administration;
- co-operation with the ministry responsible for execution of the professional exams within the state administration;
- execution of the human resources management function and human resources policy within the state administration;
- execution of public announcements/competitions for employment within the state administration;
- recruitment within the state administration (execution of the procedure for concluding employment contracts within the state administration);
- conclusion of employment contracts, copyright and other contracts;
- transfer of personnel within the state administration authorities;
- providing data about the personnel needs;
- keeping of the personnel records;
- conducting disciplinary procedures within the state administration authorities;
- drafting of acts concerning the internal organization and systematization of work posts within the state administration authorities;
- drafting general legal acts concerning the employment relations;
- drafting of employment plans within the state administration;
- management of the employment relations of civil servants;
- drafting organizational measures within the state administration authorities;
- knowledge of the payment system within the state administration;
- execution of performance assessment of the personnel within the state administration;

- execution of the procedures for verification of conditions for promotion of personnel within the state administration;
- classification of the work posts into tariff groups and salary grades;
- execution of personnel rationalization within the authorities of the state administration;
- drafting of written analyses of the extent of a working sphere from the aspect of needs in personnel;
- conducting of administrative disputes with respect to employment relations within the state administration;
- scholarships within the state administration.

International Cooperation and the so-called “European Affairs”

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- international co-operation of the administrative authorities with the administrative authorities of other countries and international organizations;
- procedure of preparation and conclusion of international treaties and agreements;
- implementation of international agreements;
- management of the funds concerning foreign technical assistance;
- preparation of accession of the Republic of Montenegro to the European Union and other international integrations and organizations;
- knowledge of the role of some institutions of the European Union (Commission, Council, Parliament, Court of Justice, etc.) and relationships among these institutions and relationships among the institutions and the Member States of the European Union;
- negotiations and negotiation skills;
- protocol-related tasks, etc.

Financial and Budgetary Aspects of the Public Administration Work

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- collection and analysis of data on the financial operation of the ministries and administrative authorities;
- processing of the bookkeeping data;
- execution of the cash operations;
- execution of the financial – accountancy operations within the ministries and administrative authorities:
 - o keeping of prescribed and unique records,
 - o determination of the annual levels of the writing off of material and non-material investments,
 - o division of the annual levels of writing off,
 - o writing off of the financial investments,
 - o permanent writing off concerning short – term obligations,
 - o settling of interests and exchange rates differences from the executed claims and obligations.
- knowledge of the public finances system and the state budget:
 - o public finances,
 - o the state budget,
 - o preparation of the proposals for the budgetary expenditures,
 - o period of temporarily financing,
 - o the principle of the determined purposes of the public expenditures,
 - o usage of the basic analytical apparatus.
- execution of public procurement procedures:
- knowledge of the mechanisms of public expenditures control:

- o knowledge of the method of financing the public expenditures at the different levels of state administration,
 - o knowledge of the principles of execution of the budget of the Republic of Montenegro,
 - o knowledge of the tasks, procedure, working methods, and competencies of the Ministry of Finance in the control process of the public expenditures.
- knowledge of the regulations concerning the execution of the state budget;
 - knowledge of the applicative methods of the state budget revenues;
 - drafting of financial reports;
 - knowledge of the method of financing of salaries of the employees within ministries and administrative authorities, financing of resources allocated for performance motivation, and financing of other needs;
 - knowledge of the methods of opening and closing of accounts for the beneficiaries of the budget resources;
 - knowledge of the procedures for payments from the state budget;
 - preparation of the documentation and obtaining the agreements by the Ministry of Finance concerning the payments from the state budget;
 - knowledge of revision and inspection procedures with respect to the beneficiaries of the budget resources;
 - drafting and conclusion of contracts.

General and Related Contents of Work within the State Administration

Information Technology within State Administration

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- planning, setting-up and maintaining of the information systems within the ministries and administrative authorities;
- connection between the information systems and public databases within the ministries and administrative authorities;
- informatics and information systems within the ministries and administrative authorities (informatics in general, hardware, LAN – local networks, standard environment, e-mail, Internet, main frame processing within the state administration).
- introduction of the new technological solutions into the operation of the ministries and administrative authorities;
- designing and maintaining of an information system of an administrative authority;
- knowledge for work on a computer – utilization of different application programs (Word, Excel, PowerPoint, etc.);
- training of civil servants regarding the usage of the application programs and telecommunication equipment;
- development of the information systems for supporting the decision-making:
 - o business systems and their environment,
 - o contemporary management concepts,
 - o role of information within the management processes,
 - o information support to the management processes.
- electronic data processing.

Office Management

Functions and tasks of the public administration authorities which can be derived from the analysed regulations (explicitly or implicitly) are the following:

- knowledge and execution of the procedures of office operation within the ministries and administrative authorities;
- execution of administrative support for the working bodies and authorities within the ministries and administrative authorities;
- execution of tasks of the main office within the ministries and administrative authorities;

- acceptance of the documents and requests, invitations to the parties of an administrative procedure;
- classification of the material and administrative matters within the ministries and administrative authorities;
- over viewing the expiration of terms;
- arranging of the archives and documentary material;
- keeping a record and delivery of post;
- archiving the documentary material;
- keeping record of administrative matters;
- typewriting tasks, data entry, etc.

Data Protection and Data Security

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- determination of the secrecy of administrative matters and documents;
- knowledge of the regulations from the sphere of the personal data protection;
- data protection and data security within the ministries and administrative authorities;
- knowledge of the methods and techniques of the personal data security;
- protection of other secret data (state, military, official, and business data).

Administrative Statistics

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- collection, processing, arranging, and preparing of data and information within the ministries and administrative authorities;

- responsibility for maintaining the administrative statistics;
- keeping a unified record on administrative matters within the ministries and administrative authorities.

Tasks of Promotion and Development of the State Administration

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- promotion of the economic, social, environmental and overall social development;
- execution of professional, technical, organizational tasks and tasks promoting development.

Public Relations

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- preparation of press conferences and official announcements;
- providing information and data to the general public and citizens (assuring the publicity of the administrative authorities);
- training in public relations and training of PR advisors;
- organization and execution of media campaigns and promotion of projects of the individual ministries and administrative authorities;
- analytical – documentary activity.

Official Language at the Workplace

Functions and tasks of the public administration authorities which may be derived from the analysed regulations (explicitly or implicitly) are the following:

- correct use of language in the operation of the authorities of the ministries and administrative authorities (communication with the parties, preparation of regulations, and similar);
- proofreading;
- use of correct official language at the workplace;
- linguistic and stylistic arrangement of material which has to be sent to the Government of the Republic of Montenegro, the Parliament of the Republic of Montenegro, and other authorities of the public administration.

4.4. CONCLUSIONS

This analysis, comprising 22 laws and other legal regulations, represents in fact a catalogue of necessary knowledge and skills that civil servants should possess in order to perform their tasks effectively i.e. a catalogue of the existing tasks and functions that are performed or should be performed by the ministries and administrative authorities through the civil servants and state employees.

The analysis comprises those tasks and functions of state authorities that are determined by the regulations explicitly or at least implicitly.

Within the analysis, our attention was focused only to the so-called “horizontal” tasks i.e. functions of state administration authorities, respectively civil servants. The purpose of the analysis was to identify exactly the general tasks of civil servants i.e. state authorities because of the strategic necessity for the competent sector of the Human Resources Management Authority to develop a programme for professional and functional training of civil servants in those areas that are most relevant for effective work of the state authorities and the civil servants. After that it is necessary to implement professional and functional training programmes within the Human Resources Management Authority which will be responsible for this “horizontal” programme, while the various “vertical” training areas should be taken care of by the state authorities independently.

The analysis does however not include a number of necessary contents that are part of the sphere of the so-called “New Public Management”, due to the fact that they are not comprised in the current legislation. The content relating to the “new management of the public sector” has been defined within the “implicit” parts of the analysis. Thus the future “curriculum” of the sector of the Human Resources Management Authority competent for preparation and implementation of functional training programme will have to be extended so as to comprise as well elements of the “New Public Management”.

Eventually, the emphasis should be put on the purpose of this legal analysis: its purpose is above all to facilitate the preparation of a quality civil service training programme in the Montenegrin public administration. This means that this analysis should define the content that is to be included in this programme, which should become the basic tool to further broaden and deepen the knowledge in order to promote the effectiveness and efficiency of the public administration work. The other element of the factual basis for the preparation of this programme is a previously conducted analysis of questionnaires prepared by the PARiM-1 Project Team during 2004 (annex to this text).

The synthesis of these two materials (analysis of the questionnaires and this legal analysis) should generate a quality training programme for civil servants. Of course, the content of this programme should consequently be reviewed frequently by means of additional regular and ad hoc TNAs in order to determine additional training needs. Beside the mentioned ones, the programme should include some additional contents, such as those relating to New Public Management, as well as some additional general contents (foreign languages, computer skills, communication skills etc.).

**COMPLEMENTARY TRAINING NEEDS
ASSESSMENT FOR PERSONNEL IN
STATE ADMINISTRATION**

(Factual material collected in 2005)

5. COMPLEMENTARY TRAINING NEEDS ASSESSMENT FOR PERSONNEL IN STATE ADMINISTRATION³⁹

(Factual material collected in 2005)

In accordance with current legislation, the HRMA conducted in August 2005 a needs analysis for training of personnel in state administration. The analysis comprises as well «horizontal tasks» which are common in the operation of all state administration authorities, i.e. administrative tasks which civil servants/state employees, as well as executive personnel, must perform in discharging their duties in state administration authorities, in accordance with administrative legislation.

The research was conducted on a representative sample of (6 respectively 12) employees in 103 administrative authorities.

The method applied for conducting the TNA was by means of questionnaires, which consisted of a number of questions, some of which included standardized answers, while some questions offered the possibility to express the respondents' own ideas. Depending on the size of the state authority, the questionnaires were distributed in the following way: 3 (respectively 6) to managing personnel, 2 (respectively 4) to civil servants and 1 (respectively 2) to state employees.

Out of 103 state authorities, 69 of them (being 67 % of the total number surveyed) answered the questionnaires within the given period:

1. Ministry of Justice
2. Ministry of International Economic Relations and European Integrations
3. Ministry of Economy

³⁹ This analysis was conducted by the Human Resources Management Authority during 2005.

4. Ministry of Finance
5. Ministry of Foreign Affairs
6. Ministry of Culture and Media
7. Ministry of Agriculture, Forestry and Water Management
8. Ministry of Maritime and Traffic
9. Ministry of Education and Science
10. Ministry of Labour and Social Welfare
11. Ministry of Tourism
12. Ministry of Protection of Rights of Minority and Ethnic Groups
13. Ministry of Environmental Protection and Spatial Planning
14. Bureau of Seismology
15. Secretariat for Development
16. Secretariat for Legislation
17. General Service of the President of the RoM
18. General Service of the Government of the RoM
19. Protector of Human Rights and Freedoms
20. Tax Administration
21. Customs Administration
22. Maritime Safety Agency
23. Authority for Anticorruption Initiative
24. Real Estate Authority
25. Authority for Sports and Youth Affairs
26. Anti Money Laundering Authority
27. Forest Management Agency
28. Bureau of Hydrology and Meteorology
29. Veterinary Administration
30. Penitentiary Institution/Bureau for Enforcement of Criminal Sanctions
31. Bureau for International Scientific, Educational, Cultural and Technical Cooperation
32. Bureau for Educational Services
33. Statistics Bureau
34. National Security Agency
35. Directorate of Public Works
36. Directorate for Public Roads

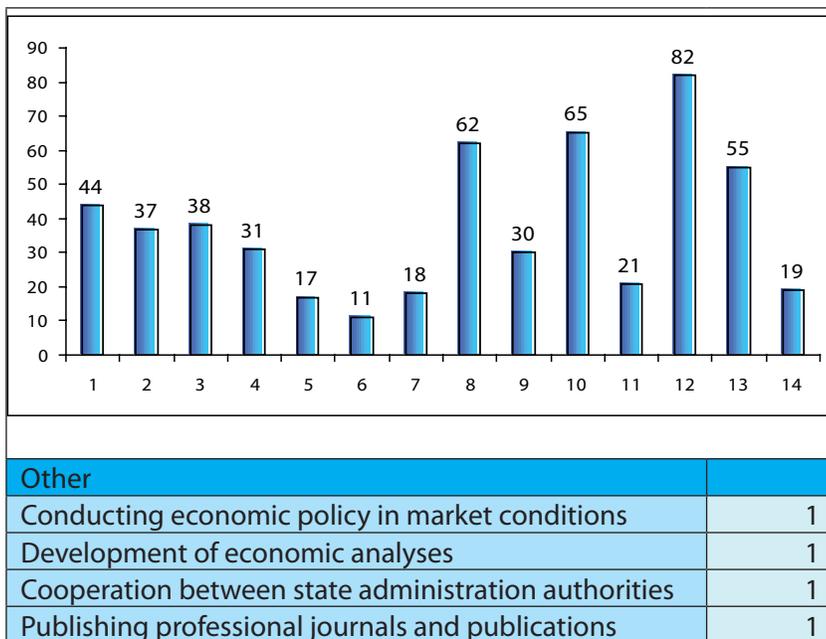
37. Directorate for Procurement of the Republic
38. Directorate for Development of Small and Medium Enterprises
39. State Auditing Institution
40. Administrative Court
41. Administrative Court of the Republic of Montenegro
42. Constitutional Court
43. Basic State Prosecutor
44. Basic Court Bijelo Polje
45. Basic Court Herceg Novi
46. Basic Court Kolasin
47. Basic Court Pljevlja
48. Basic Court Bar
49. Basic Prosecutor
50. Basic Prosecutor Berane
51. Basic Prosecutor Herceg Novi
52. Basic Prosecutor Kolasin
53. Basic Prosecutor Plav
54. Regional Misdemeanor Authority Bar
55. Regional Misdemeanor Authority Berane
56. Regional Misdemeanor Authority Bijelo Polje
57. Regional Misdemeanor Authority Budva
58. Regional Misdemeanor Authority Cetinje
59. Regional Misdemeanor Authority Danilovgrad
60. Regional Misdemeanor Authority Kolasin
61. Regional Misdemeanor Authority Plav
62. Regional Misdemeanor Authority Pljevlja
63. Higher Court Bijelo Polje
64. Higher Court Podgorica
65. Higher Prosecutor Bijelo Polje
66. Supreme State Prosecutor of the Republic of Montenegro
67. Commission for Establishment of Conflicts of Interest

a) The aim of this research was to complement the previous analysis, conducted in 2003 by the PARiM II Project Team, and to obtain new information on the needs for further education and training of personnel

in the Montenegrin state administration. The analysis of the obtained data will contribute to the drafting of the Training Programme for Civil Servants and State Employees for the year 2006. To this end, the majority of questions was of a combined type, giving the respondents the possibility, beside circling the offered answers, to express their interests in a certain field not comprised by the questionnaire.

b) The preliminary analysis revealed that out of 486 respondents from 69 state administration authorities (ministries, directorates, administrations, institutes, agencies, commissions) and other state authorities (courts, regional misdemeanour authorities, prosecutors), the majority was interested in the following areas:

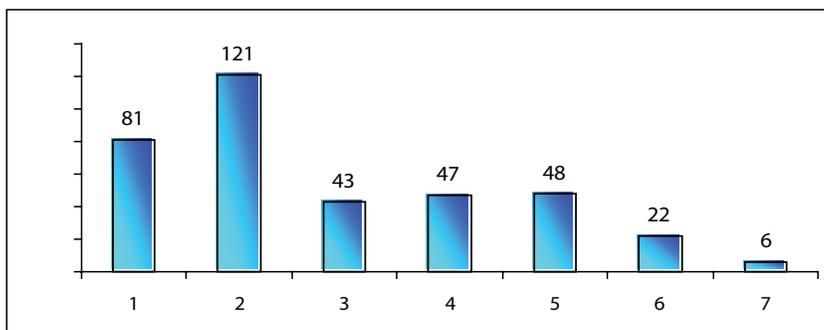
Systemic-legal tasks of state authorities	
TOPIC	NUMBER
1. Basic concepts and principles of constitutional and administrative legislation of Montenegro	44
2. General administrative procedure	37
3. Work and communication of state authorities and parties in a general administrative procedure	38
4. First and second instance proceeding upon appeal	31
5. Enforcement of administrative decisions/acts	17
6. Conducting administrative dispute	11
7. Inspection control procedure	18
8. The new civil service system	62
9. Entering employment in state administration authorities	30
10. Performance appraisal of personnel in state administration	65
11. The Law on the Protector of Human Rights and Freedoms	21
12. Civil Service Code of Ethics	82
13. Comparative analyses of international legislation	55
14. Nomotechnique in the process of drafting laws and other legal acts	19



The following thematic unit was considered as particularly interesting:

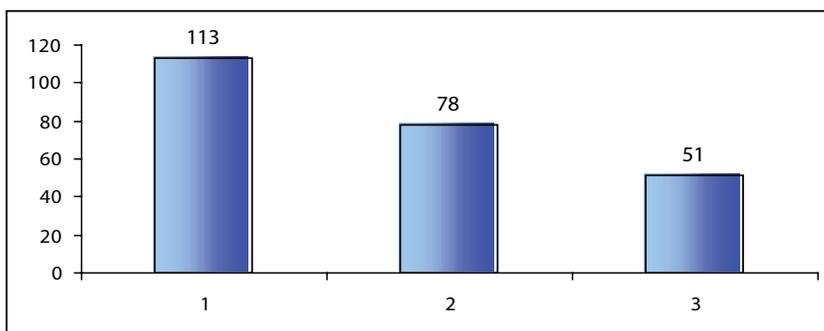
TOPIC	NUMBER
1. Strategy of work planning in state administration authorities	81
2. Planning of personnel training in state administration	121
3. Negotiations and negotiating skills	43
4. Management of organizational units within state administration	47
5. Human resources management and development	48
6. Central personnel record	22
7. Internal labour market record	6
TOTAL:	368

Almost 50% respondents were interested in the following area:



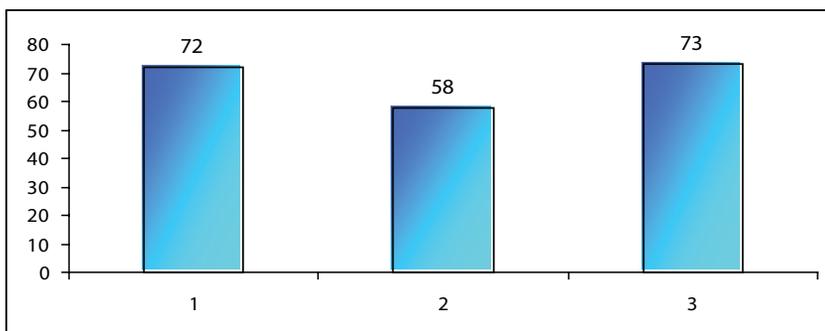
Drafting of project proposals in state administration

TOPIC	NUMBER
1. Drafting of project proposals in state administration	113
2. Planning of financial requirements for the realization of projects/budgeting	78
3. Project management in state administration	51
Other	
Drafting of project proposals relating to human and minority rights	1
Implementation of projects and impact analysis	1
Comparative impact analysis	1
TOTAL:	244



d) Financial and budgetary aspects of the state administration work

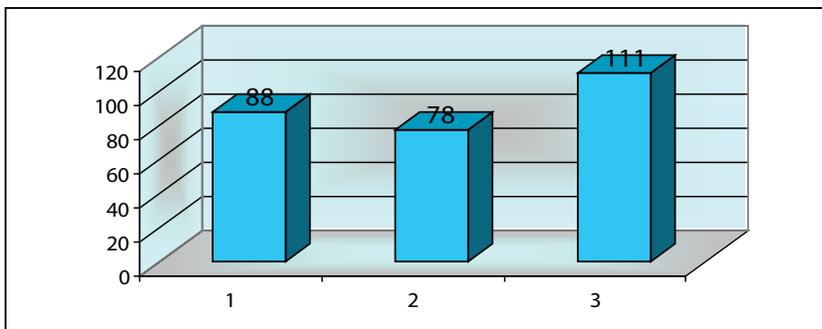
TOPIC	NUMBER
1. Financial-accounting tasks in state administration authorities	144
2. Public financing system and the state budget	112
3. The state budget and its execution	159



Other	Number
Defining some untypical aspects of spatial planning	1
Monitoring of international standards	1
Possibility of introducing commercial affairs within the administration for the development of services and financial assistance to human resources	1

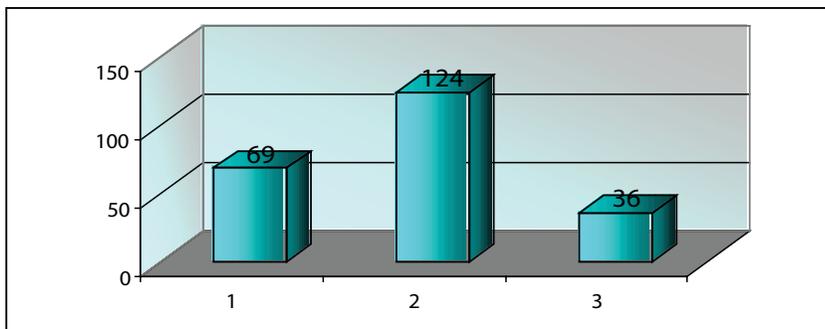
f) General and related tasks in state administration

TOPIC	NUMBER
1. Office management	173
2. Public relations	161
3. The role of the IT system in state administration – e-governance	232



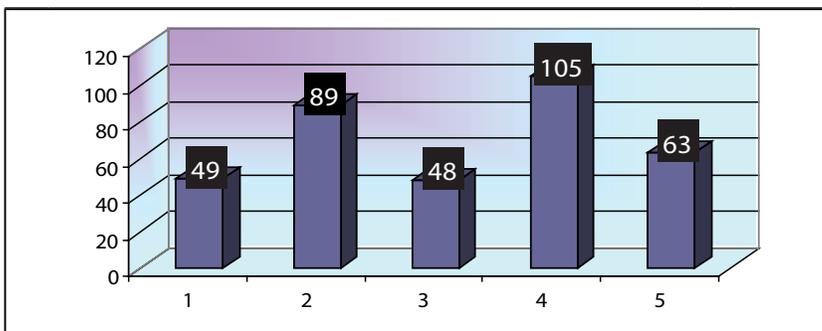
Other	Number
Civil service relations	1
Cooperation with NGO and commissions	1

Communication in state administration		
	TOPIC	NUMBER
1	1. Resolving of conflict situations	69
2	2. Skills in communication with clients	124
3	3. Business communication and protocol for technical secretaries	36
Other		
4	Communication at the relation Superior Officer – Civil Servant and State Employee and vice versa	1
5	Skills in communication with other state administration authorities	1
6	Internal communication between administrative authorities	1
TOTAL:		232

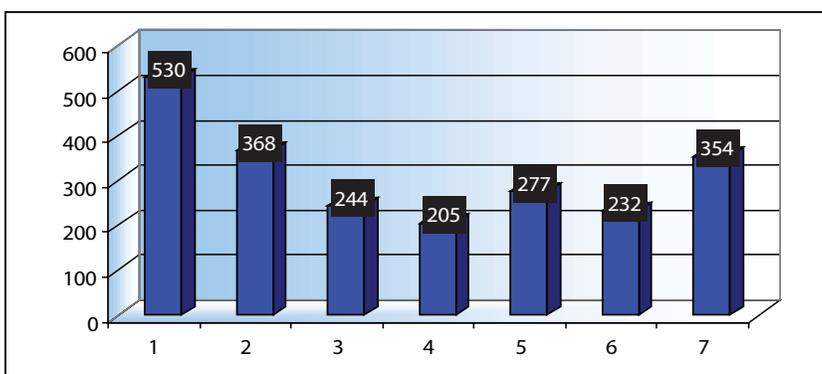


Other	Num.
Communication at the relation Superior Officer – Civil Servant and State Employee and vice versa	1
Skills in communication with other state administration authorities	1
Internal communication between administrative authorities	1
Official communication and communication with colleagues	1

g) International cooperation and «European Affairs»	
TOPIC	NUM.
1. the European Union	116
2. the legal system and legal acts of the EU	166
3. Institutions and method of decision-making of the EU	101
4. Preparation of accession of the Republic of Montenegro to the EU	216
5. Management of resources obtained through international technical support	150
TOTAL:	749



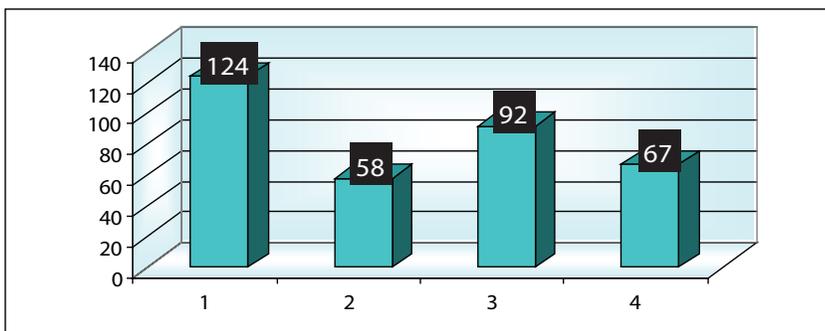
TOPIC	NUMBER
1 Systemic-legal affairs of state administration authorities	530
2 Leadership/management in state authorities	368
3 Drafting of project proposals in state administration	244
4 Financial and budgetary aspects of the state administration work	205
5 General and related tasks in state administration	277
6 Communication within the state administration	232
7 International cooperation and «European Affairs»	354



The question as to which forms of further functional education and training would be of greatest use in the performance of everyday work tasks was answered by the respondents in the following way:

2. The most effective forms of additional functional education and training

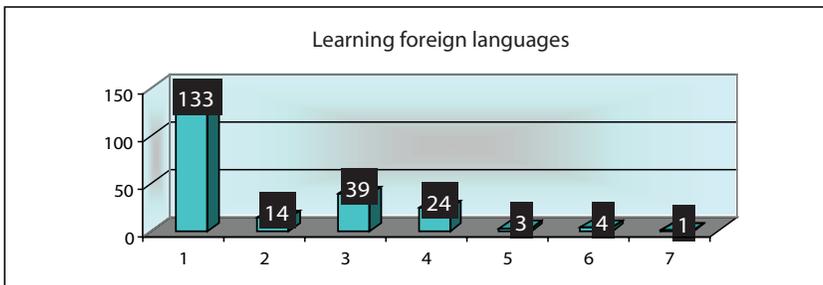
Seminars	273
Workshops	149
In-service training	172
Study visits for training within institutions outside RoM	154



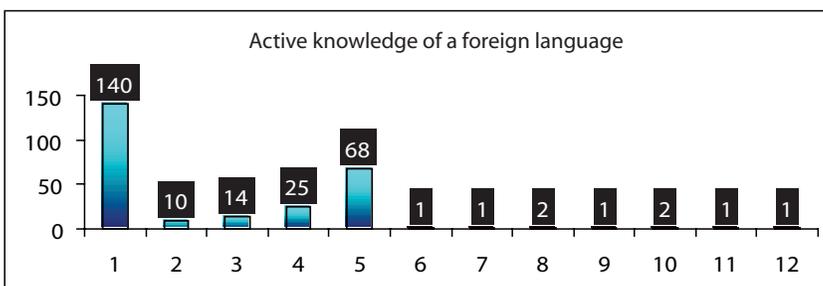
The analysis revealed that the majority of the respondents was interested in learning the English language.

Learning foreign languages

Language	Number
English	126
French	21
Italian	49
German	22
Russian	2
Spanish	9
Greek	2



Foreign language skills			
	Language	Knowledge	
		Active	Passive
1	English	140	132
2	German	10	24
3	French	14	33
4	Italian	25	40
5	Russian	68	88
6	Slovene	1	1
7	Macedonian	1	0
8	Albanian	2	0
9	Czech	1	0
10	Spanish	2	1
11	Portuguese	1	0
12	Dutch	1	0

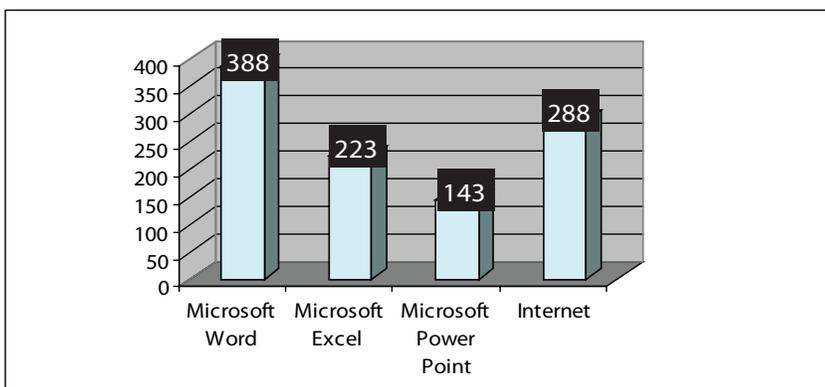


The respondents demonstrated as well an interest in acquiring or upgrading their computer skills:

Training in computer literacy	
Microsoft Word	53
Microsoft Excel	55
Microsoft Power Point	51
Internet	59

The current level of computer skills:

Computer skills		
	YES	NO
	396	76
Microsoft Word	388	
Microsoft Excel	223	
Microsoft Power Point	143	
Internet	288	



**ANALYSIS OF FACTUAL MATERIAL
COLLECTED DURING 2003 -2005**

6. ANALYSIS OF FACTUAL MATERIAL COLLECTED DURING 2003 -2005

BACKGROUND

The development of this document was grounded on the necessity of providing specific comments and solutions related to the previous analyses of needs for professional education and training of employees in state administration authorities, and which are to serve as a proceeding point for the preparation and implementation of the Programme of Professional Training for Civil Servants and State Employees in the Montenegrin State Administration. Pursuant to Article 93 of the Law on Civil Servants and State Employees, the authority managing human resources (Human Resources Management Authority) is responsible for the preparation and implementation of the Programme of Professional Training for Civil Servants and State Employees. Comments given in this document relate to data compiled while relying exclusively on facts⁴⁰ and they are in the function of planning future activities to strengthen the civil service education and training system.

In the first part of this document, the focus has been placed on the Analysis of the Factual Materials „Education, Training and Professional Development in Central Administration“⁴¹ related to the situation in the Montenegrin system of professional training and education of civil servants and state employees in the period from 2002/2003. At this point, we must emphasize the fact that in the period of doing this analysis, we have worked intensively on the implementation of the new Law on Civil

40 While developing this document, the authors used the analyses and factual materials prepared and compiled by the project “Support to Public Administration Reform /PARiM II” and the Human Resources Management Authority.

41 The analysis of factual material “Education and Training in Public Administration - Central Government” was prepared under the project “Public Administration Reform in Montenegro /PARiM I”, which was funded by the EU and managed by the European Agency for Reconstruction in the period 01.07.2002 - 01.07.2004, with the situation in state administration in this field on 01.07.2003 inclusive.

Servants and State Employees (adopted in April 2004) during the drafting of which gaps of the existing civil service system have been taken into account in the part relating to the system of further education and training of civil service. As mentioned above, many comments regarding this analysis may appear to be overcome already by new solutions proposed in the said Law.

In the following part of this document, we have presented the results of additional analysis⁴² of factual materials compiled in the period from 01.08.2005 to 01.10.2005 by the Human Resources Management Authority, aimed at supplementing the analysis done previously by PARIM I Project by 2005 inclusive.

While drafting this document, comments and suggested solutions have been presented in the order the data was systematized and processed in the above mentioned analyses.

6.1. ANALYSIS OF FACTUAL MATERIAL «EDUCATION AND TRAINING IN CENTRAL ADMINISTRATION» 2003/2004

In the introductory part of the Analysis, the mentioned data show that the procedure of compiling data included 35 state authorities, and that the answers to the offered questionnaire were incomplete. Incomplete data are the reasons for lesser quality of processed data and results obtained, as well as for the fact that in the interpretation of certain data objectively there are certain limitations in the sense of extent of reliability of conclusions.

42 The complementary analysis of needs for civil service professional development and training implemented by the Human Resources Management Authority in the period from 01.08.2005 - 01.10.2005 was conducted with the aim of defining changes in priorities of civil service professional development arising in the period from mid 2004 until the end of 2005.

Solution:

As a way to overcome preventively such sort of incompleteness of data in future research, it is proposed to charge certain persons within each state authority to monitor directly the implementation of the procedure of filling out of the questionnaire by civil servants and state employees. For the civil servants and/or state employees charged with such task it is necessary to hold coordination or instruction meetings during which such persons would be acquainted in greater details with the contents of proposed questionnaires and the method of their completion. In this way, better coordination of civil servants and/or state employees charged for the filling out of the questionnaire and higher quality of data obtained i.e. completeness of the questionnaire would be ensured.

- Educational structure of personnel in the analyzed state administration authorities

When observing the existing situation related to the level of education of persons employed in the analyzed sample of state authorities (ministries, secretariats and other state authorities) data indicate that with the decline in the importance of the position the employees may occupy, lower level of education is registered. It is particularly important to accentuate the problem of lack of specific specialized knowledge and additional skills at all levels of work posts in state authorities.

Lack of specialized knowledge and additional skills may be the consequence of lack of planning of further professional education and training which is shown by the data that a special plan and programme of professional education existed in 17.4% of the cases i.e. state authorities which responded to the questionnaire. 21% of the questionnaires filled out indicate there is no need to define training plans, while 41% mention limiting financial situation as a reason for non-defining of plan and programme. In 38% of the cases, a specific reason for the lack of training plans has not been mentioned.

Solution:

With the aim of clear determination of specific specialized knowledge and additional skills at all levels of work posts, it is necessary to do a prior analysis of existing legislation and bylaws that specifically define general and special conditions that a person must meet in order to cover a certain work position. The scale with the obtained data must prescribe specifically which additional knowledge and skills enable an employee to perform his/her work tasks in a way as functional and as efficient as possible. Obtained results will indicate necessary programmes of further education and training. Next step would relate to the interim evaluation of work of civil servants, where a special accent should be placed on attending specific programmes necessary for acquiring of additional knowledge and skills.

Results of data compiled relating to the evaluation of performance of employees will show main segments for the preparation of a plan of professional education and training of personnel in a specific state authority. Resulting plans of professional education and training may be from time to time supplemented and updated at the end of each year for the following year. Thus it is possible to monitor the changes that may occur as a result of operation or requests for the innovation in work.

- Extension of the traineeship period

Data indicating to a high rate of trainees passing the professional examination when taking the exam for the first time is very satisfactory. This tendency may also be pointing at two different directions when considering such positive rate, that either:

1. there is a clearly specified and a high-quality training programme for trainees in state authorities, or
2. the criteria for passing the professional examination for the work in state authorities are not demanding, which may affect later negatively the very quality of the candidates' work.

Solution:

If the high rate of passing the examination is a result of low requirements and criteria at the professional examination, it is necessary to establish

whether there is a precise methodology specifying the examination procedure and criteria according to which the knowledge of the candidate is evaluated, or the evaluation of the candidate is performed by free assessment of the examiner.

If the evaluation of the candidates is done by free assessment of the examiner, it is necessary to specify the procedure and criteria for the evaluation of candidates and to acquaint the examiners with that.

- *Additional training of employees*

Data relating to further training show a very low frequency of employees that have undergone further training. When observing data relating to the hierarchical position of employees, it can be noted that if the position is less demanding a number of persons that are functionally trained is growing.

Solution:

In this case, it is necessary for the state authorities, when preparing clearly defined plans of education and training of their employees, to ensure equal participation of all employees in their further training and mastering of different skills. It is also useful for the information on the type of further education and training that may be offered and which are functional for the performance of certain jobs, to be clear and accessible to all interested persons (through special brochure, web page...).

- *Which areas and languages are the most important*

In the part of the Analysis relating to the areas of training, we may identify the tendency that the most necessary areas of training depend on the position a person occupies in a state authority. Only a tendency of need for computer literacy is present in a different percentage, where such need is the most prominent with the heads of authorities (as high as 46%). In the offered facts, other areas necessary for the work of employees at certain positions may also be registered. Data relating to training in the foreign languages show the need for further training in the English language particularly (in 100% of surveyed cases) for all work positions.

Solution:

Solution proposed in the part relating to **Structure of Level of Education of Employees in Analyzed State Administration Authorities**, may serve to overcome the situation of non-defined areas of further training, as well as in the precise planning of dynamics of the training for each employee. Here, we must stress the need to provide opportunities of equal access to the education and training programme by all employees.

- Funds allocated for education, training and professional development

Data in the factual analysis show a fact that substantially more of material resources are allocated to training and professional development of employees in state authorities than to their education. In the programmes of training and professional development of civil servants, the highest percentage of material resources is allocated to the category of the permanently employed. Also, it can be noticed that the percentage of senior staff and functionaries taking part in professional development is the lowest.

The above mentioned, *inter alia*, infers the following:

1. due to non-existence of clearly defined training plan there is no continuity of professional development and training of employees and they are not goal-oriented;
2. impossibility of reconciling working hours and work duties with the time schedule of implementing the programmes of professional development and training, and as a consequence, the impossibility to participate in programmes;
3. employees are not well informed of programmes of professional development and training offered;
4. non-existence of appropriate programmes of professional development for certain categories of employees;
5. professional development and training is left to the self-initiative of employees.

Solution:

It is necessary to establish adequate, continuous and available programmes of employee training, as well as to plan precisely the dynamics of individual training accessible to everyone through various forms of information (websites, brochures...). At this point, it should be noted that there is a need to make available for the managerial staff, professional development and training programmes tailored in terms of substance and timing according to their specific work duties.

- Permanent training institutions

With regard to the issue of the most important institutions providing services of permanent functional training of employees in state authorities, we may notice a tendency of organizing *ad hock* training and professional development by private institutions and international organizations, as well as non-existence of central public institution that would deal with such issues. Greater level of interest and participation of functionaries and the management in the programmes organized by private institutions and international organizations is also noticeable. On the other hand, in case of other employees (independent advisors, advisors and trainees), it has been noticed that they participate to a greater extent in organization and implementation of training by the units for human resources management of the state authorities themselves and other public institutions (faculties etc.).

Solution:

It is necessary to reconsider the possibility of equal participation of all institutions in the creation and implementation of training of all employees. In this way, equal availability of all programmes that may be offered to employees by such institutions would be provided.

The best way to coordinate the institutions dealing with programmes of professional development as well as compatibility of such programmes is to reconsider the possibilities for establishment and organization of central institution to deal with such matters.

- Existing civil service training system

In the part of this Analysis relating to the existing system of education and training of employees, it has been indicated to a lack of long-term and mid-term plans of professional education and training within state authorities that have been surveyed. Planning is performed at the level of internal organization unit of the state authority itself (in 65.2% cases) or within Central Office for Human Resources of the state authority (33.3) under short-term drafts.

The lack of mid-term and long-term plans, as well as incompatibility of short-term planning, may indicate to a need for further training of employees who are responsible for preparation of such plans in modalities, methodologies and stages of planning. Furthermore, one of the reasons may relate to a lack of uniform system of professional education and training (i.e. human resources policy) at the state level.

Solution:

It is necessary to identify a uniform methodology of conducting analyses of needs for the further training of civil service that would enable defining of goals of the education and training programme. After the uniform methodology of planning professional education and training has been identified, it is necessary to arrange for the training courses of employees in charge for human resources management through which they would be acquainted with the methodology of planning (e.g. conducting analysis of needs for further education, defining aims of further education, identifying dynamics of further education and training etc.) Training courses would be aimed at preparation of clearly defined short-term, mid-term and long-term plans of training for each state authority.

- Identifying needs for professional education and training of personnel

Data presented in the part of this Analysis relating to the identification of needs for professional education and training of employees indicate

to a low percentage of systemic and regular identifying of the said needs within state authorities. Reasons for such low percentage of regular assessment of needs for professional education and training of employees are mainly of material nature (the lack of financial resources) in majority of cases while other reasons are not mentioned.

Furthermore, it is noticeable that data showing the needs for additional professional training are compiled to the greatest extent by the senior staff themselves, whereas, on the other hand, system of surveying employees is used in a small number of cases. It is interesting to mention the fact that the percentage of self-initiative for further training of employees is substantially higher than the percentage of it being proposed by the management, human resources service or external organizations.

With reference to the above mentioned, it can be concluded that precisely for the reasons of non-existence of clearly defined system of identification of needs for further education and training of employees, there is no planned and continuous approach in the further education and training of employees. Self-initiative of employees in finding and attending necessary programmes of professional education and training shows that the employees are highly aware of the need to improve their knowledge and skills with the aim of facilitating and updating the realization of work tasks. However, the lack of clearly defined system of identification of needs for training may have as a consequence: attendance of non-adequate (or useless) programmes, recurrence of the same persons at programmes of professional education and training, certain number of employees not attending programmes of professional education and training (because of impossibility of equal access to information on realization of specific programme or the indifference of employees), etc.

Solution:

It is necessary to identify uniform system of identifying needs for further professional education and training of employees for the implementation and maintenance of which clearly specified entities should be responsible.

- ***Evaluation of successfulness of additional training and professional education of personnel***

In this part of the Analysis, data compiled show that the evaluation of effectiveness of implementation of further training and professional education of personnel has been done in a small percentage of cases. In cases when the evaluation has not been done, the reasons mentioned are mainly those of non-existence of established evaluation system or the answers obtained are vague. In cases when the evaluation of effectiveness of implementation of further training and professional education was done, it has been mainly the result of assessment of immediate superior, trainer or educator, or personnel service. The methodology of evaluation most frequently involves only: monitoring the effectiveness of the work of employee, interview with the employee who has undergone additional training and by means of questionnaires.

Solution:

One of the prerequisites for the effective future planning of additional education and training of employees is to undertake a prior evaluation of effectiveness of programmes of additional education and training implemented previously. Results of the evaluation may help suggest a quality of training and education completed, introduction of new programmes, directions for further planning of education, as well as the number of personnel that should undergo further education and training. In this sense, it is necessary to identify evaluation methodology, its continuity, qualitative and quantitative criteria of evaluation, person in charge for the evaluation, with clear indication that the offered training is provided for under legal obligations of the employee undertaking it. It is necessary to emphasize that acquiring new knowledge and skills is no longer an occasional obligation of the employee but material investment, which would considerably modify the perception and view that there are no material funds available for further education (fact stated under the Analysis as a main problem).

6.2. COMPLEMENTARY TRAINING NEEDS ANALYSIS FOR TRAINING OF PERSONNEL IN STATE ADMINISTRATION AUTHORITIES (2005 inclusive)

The aim of conducting an additional analysis was to determine the needs for additional civil service education and training required for more efficient and effective performance of so-called “horizontal affairs” existing in the operation of all state administration authorities, i.e. administrative affairs that must be performed by the civil servants, state employees and the management while performing their work duties in accordance with administrative legislation. Research was done on representative sample of (six and twelve, respectively) employees in 103 state administration authorities.

For the examination as to the needs, polling method was used. Questionnaires included open-ended and close-ended questions which enabled those polled to give standardized answers, but it also gave the respondents possibility to express freely their opinion. Depending on the size of a state authority, questionnaires were distributed as follows: 3 (or 6) to the members of the management, 2 (or 4) to civil servants, 1 (or 2) to state employees. Accordingly, the distribution of questionnaires included different levels of employees in state authorities. The mentioned method of formulating and distributing the questionnaire substantially contributed to recording of different views and interests of employees, as well as qualitative analysis in interpretation of data.

We must point out here that out of the data proposed, we may see that only 67% of state authorities answered to questionnaires proposed which affected considerably the objectivity of the analysis and comments on the very data.

- ***Horizontal areas of professional education and training of employees***

In this part of the analysis respondents have been proposed topics, systematized in seven thematic units related to horizontal areas of professional

education and training of employees, to circle the topics relevant in their opinion. Also, it was possible to complement this section of the questionnaire through the possibility for the respondents to add topics of further education and training which they consider to be relevant. As for the frequency of occurrence of certain answers, out of 486 of persons surveyed in 69 of state administration authorities, the following results were obtained ranking the answers by the number in which they were circled:

1 a) within the thematic unit: *Systemic and Legal Affairs of State Authorities*, topics:

Topic:	No. of answers
1 Civil Service Ethics	82
2 Performance Appraisal in Civil Service	65
3 New Civil Service System	62
4 Development of Comparative Analyses of Foreign Legislation	55
5 Main Concepts and Principles of Montenegrin Constitutional and Administrative Legislation	44
6 Work and Communication of Authorities and Parties within General Administrative Procedure	38
7 General Administrative Procedure	37
8 Ruling upon Appeal in the First and Second Instance	31
9 Starting Employment in State Administration Authorities	30
10 Law on the Protector of Human Rights and Freedoms	21
11 Nomotechnique in the Process of Preparation of Laws and Other Legal Instruments	19
12 Inspection Control Procedure	18
13 Enforcement of Administrative Acts	17
14 Conduct of Administrative Dispute	11

Other:		
15	Conducting Economic Policy in Market Conditions	1
16	Development of Economic Analyses	1
17	Cooperation between State Administration Authorities	1
18	Publishing Professional Journals and Publications	1

Such results show the expressed needs of civil service for the monitoring of reform activities, through better level of information in state administration (getting acquainted with new legislation) and modernization of work through getting acquainted with comparative solutions and acceptance of good practice, shown in particular by the first four topics in the table above.

1 b) within the thematic unit *Management in State Administration Authorities*, topics:

Topic:		No. of answers
1	Planning of Training in State Administration	121
2	Strategy of Work Planning in State Administration Authorities	81
3	Human Resources Management and Development	48
4	Management of Organizational Units within State Administration	47
5	Negotiations and Negotiation Skills	43
6	Central Personnel Records	22
7	Internal Labour Market Records	6

Presented data indicate to a very explicit need of employees for further training related to the planning of professional education of employees aimed at a more effective development of human resources. Remarkable interest has been shown also for the topics of strategic work planning in state administration authorities and management and development of human resources.

1 c) within the thematic unit *Drafting of Project Proposals in State Administration*, topics:

Topic:		No. of answers
1	Drafting of Project Proposals in State Administration	113
2	Planning Financial Costs of Project Implementation	78
3	Project Management in State Administration	51
Other:		
4	Drafting of Projects relating to Human and Minority Rights	1
5	Project Implementation and Result Analysis	1
6	Comparative Impact Analysis	1

The table above shows a significant importance of the need for acquiring knowledge and skills related to drafting of project proposals in state administration.

1 d) within the thematic unit *Financial and Budgetary Aspects of Work of State Administration*, topics:

Topic:		No. of answers
1	State Budget and Execution of the State Budget	159
2	Financial and Accounting Affairs in State Administration Authorities	144
3	System of Public Finances and the State Budget	112
Other:		
4	Defining Some Untypical Aspects of Spatial Planning	1
5	Monitoring of International Standards	1
6	Possibility of Introducing Commercial Affairs within the Administration for the Development of Services and Financial Assistance to Human Resources	1

The mentioned data show that persons employed in state authorities are very interested in all topics proposed within the thematic unit of *Financial and Budgetary Aspects of State Administration Operations*.

1 e) within the thematic unit of *General and Related Affairs in State Administration*, topics:

Topic:		No. of answers
1	Role of Information System in State Administration (e-governance)	232
2	Office Management	173
3	Public Relations	161
Other:		
4	Civil Service Relations	1
5	Cooperation with NGOs	1

Data show that further professional education and training related to the topic of role of the information system in state administration is evaluated as very significant by the greatest number of respondents.

1 f) within the thematic unit of *Communication in Administration*, topics:

Topic:		No. of answers
1	Skills of Communication with Parties	124
2	Resolving Conflict Situations	69
3	Business Communication and Protocol for Secretaries	36
Other:		
4	Communication at the relation Superior Officer – Civil Servant and State Employee and vice versa	1
5	Skills of Communication with other Administrative Authorities	1
6	Internal Communication between Administrative Authorities	1

Communication as a basis of functioning is separated as a topic that is to be accorded special attention and in particular

- Communication skills with parties
- Resolving conflict situations
- Business communication and protocol for secretaries
- Of course, areas relating to internal, inter-sector and external communication are no less important so that all areas are included

1 g) within the thematic unit *International Cooperation and «European Affairs»*, topics:

Topic:		No. of answers
1	Preparation for the Accession of RoM to the European Union	216
2	EU Legal System and Legislation	166
3	Managing Resources Obtained through International Technical Assistance	150
4	European Union	116
5	EU Institutions and Decision-making Method	101

- Forms of Additional Functional Education and Training

The question as to which forms of further functional education and training would be of the greatest use in the performance of everyday work tasks was answered by the respondents in the following way:

Most effective forms of further functional education and training		
1	Seminars	273
2	In-Service Training	172
3	Study visits for training within institutions outside RoM	154
4	Workshops	149
Total:		748

Seminars are mentioned as the most effective learning method, which indicates to a need of acquiring theoretical and practical knowledge through the possibility of exchange of information between greater numbers of attendees, which is provided by such form of training.

- Foreign Languages

Data obtained relating to the part of the questionnaire in connection with the issues concerning the foreign languages which are attached the highest priority and their improvement shows notable interest of employees for the improvement of the English language proficiency.

Foreign languages		
1	English	126
2	Italian	49
3	German	22
4	French	21
5	Spanish	9
6	Russian	2
7	Greek	2

- Computer Literacy

Data relating to work on the PC shows that the majority of the respondents (70%) successfully use Microsoft Word and Internet while further training is necessary in other programme languages such as PowerPoint and Excel.

Conclusion

With the aim of clear determination of specialized knowledge and additional skills at all levels of work positions, it is necessary to do a prior analysis of existing legislation and bylaws that specifically define general and special conditions that a person must meet in order to cover a certain work position. The scale with the obtained data must prescribe

specifically which additional knowledge and skills enable an employee to perform his/her work tasks in a way as functional and as efficient as possible. Obtained results will indicate necessary programmes of further education and training. Next step would relate to the interim evaluation of work of civil servants, where a special accent should be placed on attending specific programmes necessary for acquiring of additional knowledge and skills.

Results of data compiled relating to the evaluation of performance of employees will show main segments for the preparation of a plan of professional education and training of personnel in a specific state authority. Resulting plans of professional education and training may be from time to time supplemented and updated at the end of each year for the following year. Thus it is possible to monitor the changes that may occur as a result of operation or requests for the innovation in work.

As for the issue of traineeship period, it is necessary to establish whether there is a precise methodology specifying the examination procedure and criteria according to which the knowledge of the candidate is evaluated, or the evaluation of the candidate is performed by free assessment of the examiner. If the evaluation of the candidates is done by free assessment of the examiner, it is necessary to specify the procedure and criteria for the evaluation of candidates and to acquaint the examiners with that.

As for the further training of employees, it is necessary for the state authorities, when preparing clearly defined plans of education and training of their employees, to ensure equal participation of all employees in their further training and mastering of different skills. It is also useful for the information on the type of further education and training that may be offered and which are functional for the performance of certain jobs, to be clear and accessible to all interested persons (through special brochure, web page...).

It is necessary to establish adequate, continuous and available programmes of employee training, as well as to plan precisely the dynamics of individual training accessible to everyone through various forms of information

(websites, brochures...). At this point, it should be noted that there is a need to make available for the managerial staff, professional development and training programmes tailored in terms of substance and timing according to their specific work duties.

It is necessary to reconsider the possibility of equal participation of all institutions dealing with the programmes of professional education and training (private institutions, NGOs ...) in creation and implementation of civil service training. In this way, equal availability of all programmes that may be offered to employees by such institutions would be provided.

The best way to coordinate the institutions dealing with programmes of professional development as well as compatibility of such programmes is to reconsider the possibilities for establishment and organization of central institution to deal with such matters.

It is necessary to identify a uniform methodology of conducting analyses of needs for the further training of civil service that would enable defining of goals of the education and training programme, as well as planning of the dynamics of implementation of an adopted programme.

One of the important segments is also the methodology and the modality of evaluation of training programmes that have been implemented that may suggest: quality of training and development completed, introduction of new programmes, directions of further planning of development, as well as the number of personnel that should undergo further development and training.

Regarding the horizontal areas of training and development of employees, there is an indication of the needs of employees in state administration authorities for the monitoring of reform activities, through better level of information in state administration (getting acquainted with new legislation) and modernization of work through getting familiar with comparative solutions and acceptance of good practice. Presented data show a very explicit need of employees for further training related to the planning of professional education of employees aimed at a more effective development of human resources. Remarkable interest has been shown also for the topics such as: strategic work planning in state administra-

tion authorities; development of projects in administration; financial and budgetary aspects of state administration operation; role of the information system in state administration; communication skills with parties and resolving conflict situations; preparing for the accession of RoM to the European Union; EU legal system and legislation; managing funds provided through international technical assistance; EU institutions and decision-making method; the English language and computer literacy.

**CATALOGUE OF SEMINARS
FOR TRAINING OF CIVIL SERVANTS
AND STATE EMPLOYEES**

7. CATALOGUE OF SEMINARS AND OTHER FORMS OF TRAINING – THE TRAINING PROGRAMME (BASED ON ANALYSES)

PROGRAMME CONTENTS

7.1. PUBLIC ADMINISTRATION AND NOVELTIES IN THE SYSTEM OF FUNCTIONING OF STATE ADMINISTRATION AUTHORITIES

SYSTEMIC – LEGAL AFFAIRS OF STATE AUTHORITIES

- Basic concepts and principles in the field of constitutional and administrative legislation of Montenegro
- General administrative procedure
- Work and communication of state authorities and parties in an administrative procedure
- First instance and second instance deciding upon appeal
- Enforcement of administrative acts
- Judicial control of legality of administrative decisions – conducting an administrative dispute
- Inspection control procedure and rights and obligations of controlled entities
- The new civil service system
- Entering service in state administration authorities
- Performance appraisal of personnel in state administration
- The Law on the Protector of Human Rights and Freedoms
- Civil Service Code of Ethics as an element of modern public management
- Comparative analyses of international legislation
- Nomotechnique in the process of drafting laws and other legal acts

7.2. MANAGEMENT IN STATE ADMINISTRATION AUTHORITIES

MANAGEMENT IN STATE ADMINISTRATION

- Strategic planning of work in state administration authorities
- Planning of training of personnel in state administration
- Negotiation and negotiation skills
- Leadership and management of organizational units in state administration

HUMAN RESOURCES MANAGEMENT IN STATE AUTHORITIES

- Human resources management and development
- Execution of the HRM function and conducting human resources policy within the state administration
- Central personnel record
- Internal labour market record

7.3. DRAFTING OF PROJECT PROPOSALS IN STATE ADMINISTRATION

- Drafting of project proposals in state administration
- Planning of financial requirements for the realization of projects/budgeting
- Project management in state administration

7.4. FINANCIAL AND BUDGETARY ASPECTS OF THE PUBLIC ADMINISTRATION WORK

- Financial- accounting affairs in state administration authorities
- Public financing system and the state budget
- The state budget and its execution

7.5. GENERAL AND RELATED TASKS OF STATE ADMINISTRATION AUTHORITIES

- Office management
- Public relations
- The purpose of the information system in state administration
– e-governance

7.6. COMMUNICATION IN STATE ADMINISTRATION

- Conflict resolution
- Communication with clients/parties
- Business communication and protocol for technical secretaries

7.7. INTERNATIONAL COOPERATION AND “EUROPEAN AFFAIRS”

- The European Union
- The legal system and legal acts of the EU
- Institutions and method of decision-making of the EU
- Preparation of accession of the Republic of Montenegro to the
EU
- Management of resources obtained through international
technical support

7.8. OFFICIAL LANGUAGE AT THE WORKPLACE

7.9. FOREIGN LANGUAGES

V TRAINING APPLICATION FORM

INTRODUCTION

The Human Resources Management Authority is a new state authority established in accordance with Article 28 of the Regulation on Organization and Method of Operation of the State Administration (“Off. Journal of RoM”, No. 54/04). The main functions of this state authority are:

- Monitoring of implementation of legislation on civil servants and state employees;
- Issuing opinions on acts on internal organization and systematization of state authorities;
- Execution of public and internal announcements and public vacancy notices for filling vacancies in state authorities and services;
- Keeping record on the internal labour market (number of personnel in the state administration authorities, vacant posts, available human resources – e.g. a civil servant’s term of office has ended and s/he has not been assigned to another workpost yet etc.) and other tasks for the needs of development of this market;
- Keeping the Central Personnel Record (personal data of personnel in the state administration – age, marital status, educational level, current job description, promotion, rewards received for efficient performance, etc.);
- Performance of tasks related to reorganization of the state administration (cancellation of existing and establishment of new state administration authorities);
- Drafting proposals for appropriate training programmes and other programmes for the professional development of civil servants and state employees;
- Provision of professional assistance to the government related to human resources management issues;
- Assisting state authorities in the implementation of human resources policy, training and development of human resources.

It is anticipated that the Human Resources Management Authority, as can be seen from its functions, performs the most important tasks within the field of human resources management and, as such, represents the central body in the new civil service system. This authority is not only responsible for the maintenance of this system, but also for the development of the human resources system within the state administration. Its function extends horizontally across the entire state administration, and in the same way, the recurrent flow of information from the entire state administration is to be concentrated in this authority. The result of this flow will be the central personnel record which will be kept by this authority, and which represents the basis for the internal labour market and serve as an information base for all procedures relating to the status of civil servants and state employees.

Among other, a primary role of the HRMA is to conduct developmental policy and establish human resources management practice in the entire state administration. In accordance with the afore mentioned, this state authority will have a leading role in defining and meeting the needs of civil servants in training and professional development.

This catalogue represents a result of joint activities of the HRMA and the PARiM II⁴³ Project Team in identifying the training needs of civil servants and state employees, as well as in preparing the necessary training programmes.

The following documents have been used at defining the training programmes:

- The factual analysis „Education and Training in Central Administration” prepared by the PARiM-I⁴⁴ Project Team, with

43 PARiM II – » Support to Public Administration Reform – Central Government« – a support project to the public administration reform in Montenegro, which was funded by the EU and managed by the European Agency for Reconstruction in the period from September 2004 until March 2006.

44 PARiM I – »Public Administration Reform in Montenegro« project, funded by the EU and managed by the European Agency for Reconstruction in the period from July 2002 until July 2004

the status of the state administration in this field on July 1st, 2003 inclusive, and

- The analysis “Horizontal Administrative Functions and Tasks within the State Administration System of Montenegro”, also prepared by the PARiM I Project Team in 2004.

The factual analysis „Education and Training in Central Administration” has been conducted in cooperation with 34 state authorities, which had been submitted questionnaires in order to collect the information necessary for the preparation of a training needs analysis in civil service. Based on the mentioned analyses, the following priorities in training have been identified for different structures:

- for **ministers**: planning of work and strategic planning, organization and operation of the administration, quality and efficiency in state administration work, European affairs and computer literacy;
- for heads of state administration authorities: implementation of legislation, financial management, planning of work and strategic planning, quality and efficiency in state administration work, methodological skills for work in state administration and computer literacy;
- for other officials/functionaries: implementation of legislation, management in state administration, quality and efficiency in state administration work and computer literacy;
- for secretaries-general within ministries: project management, human resources management, organization of the state administration work, quality and efficiency in state administration work, communication and computer skills;
- for **deputy heads**: implementation of legislation, budget management, management in state administration, human resources management and planning of work, organization of the state administration work, quality and efficiency in state administration work, communication skills, methodological skills for work in state administration and computer literacy;
- for **other managing persons**: implementation of legislation, budget management, financial management and management

- in state administration, HR management and HR planning, organization of state administration work, quality and efficiency in state administration work, communication skills, methodological skills for work in state administration and computer literacy;
- for the category “**permanent employees**” in state administration: implementation of legislation, deciding in administrative procedure, budget management, financial management, planning of work, organization of the state administration, project management, quality and efficiency in state administration work, communication and IT for state administration authorities, methodological skills for work in state administration and computer literacy;
 - for the category “**temporary employees**” in state administration: organization of the state administration, quality and efficiency in state administration work, IT, methodological skills for work in state administration and computer literacy;
 - for trainees: implementation of legislation and organization of the state administration, quality and efficiency in state administration work, IT, methodological skills for work in state administration and computer literacy.

The analysis “Horizontal Administrative Functions and Tasks within the State Administration System of Montenegro” has been prepared on the basis of current legislation. This analysis helped us to identify all those administrative tasks, the so-called “horizontal tasks”, which are more or less present in the work of all state administration authorities. In other words, this analysis facilitated an overview of administrative tasks performed by civil servants or state employees at the same hierarchical level or of the same profession, at discharging their regular duties in state administration authorities in accordance with administrative legislation.

Based on the results of the mentioned analyses, the Human Resources Management Authority of Montenegro defined the priority training programmes for managing persons and civil servants and state employees for the year 2006, which are presented in the following catalogue.

7.1. PUBLIC ADMINISTRATION AND NOVELTIES IN THE SYSTEM OF FUNCTIONING OF STATE AUTHORITIES

SYSTEMIC-LEGAL TASKS OF STATE AUTHORITIES

- **BASIC CONCEPTS AND PRINCIPLES IN THE FIELD OF CONSTITUTIONAL AND ADMINISTRATIVE LEGISLATION OF MONTENEGRO**

PROGRAMME CODE:

Lecturer(s):

General objectives: training of civil servants and state employees, who have no legal background, in basic principles of the constitutional and administrative system of the Republic of Montenegro.

Specific objectives:

- Upgrading of knowledge of civil servants and state employees in the basic principles of the Constitutional Charter of the State Union of Serbia and Montenegro, as well as the constitutional structure of the Republic of Montenegro (constitutional structure of the state; system of protection of human rights and basic freedoms; the principle of constitutionality and legality of work of the executive power and the state administration; the principle of division of power - relation between the Parliament of the Republic of Montenegro, the Government of the Republic of Montenegro and ministries and administrative authorities);
- Upgrading of knowledge of civil servants and state employees in the constitutional position of the executive branch and the state administration (constitutional principles and their application in the work of the executive power and the state administration);

Target group: civil servants and state employees, who have no legal background, as well as trainees prepared for work in state administration authorities.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **GENERAL ADMINISTRATIVE PROCEDURE**

PROGRAMME CODE:

Lecturer(s):

General objective: upgrading of already acquired knowledge of civil servants and state employees in the method of conducting a general administrative procedure and deciding in administrative matters.

Specific objectives:

- Upgrading and extension of knowledge of civil servants and state employees in:
 1. basic principles of the general administrative procedure;
 2. efficient conducting of an administrative procedure until the final decision;
 3. presentation of evidence;
 4. constituent parts of a decision;
 5. repeat of an administrative procedure/retrial;
 6. execution of a decision; and
 7. legal remedies;

Target group: civil servants and state employees who apply the Law on General Administrative Procedure in performing their regular duties, as well as trainees prepared for work in state administration authorities.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **WORK AND COMMUNICATION OF STATE AUTHORITIES AND PARTIES IN A GENERAL ADMINISTRATIVE PROCEDURE**

PROGRAMME CODE:

Lecturer(s):

General objective: Informing on and upgrading of existing knowledge of civil servants and state employees on the novelties in the method of communication between state authorities and parties in administrative procedures.

Specific objectives:

- Upgrade and broaden the knowledge of civil servants and state employees in:
 1. rights and obligations of parties in an administrative procedure;
 2. rules on the reception of petitions submitted by parties to state authorities;
 3. rules on the delivery of documents to parties and specific cases of delivery;
- inform civil servants and state employees on:
 1. rules on summoning of parties,
 2. drawing up of records,
 3. proceeding on the occasion of reviewing of documents and notification of parties on the course of the procedure;
 4. consequences of errors in the delivery of documents to a party;
 5. rules on the maintenance of order in the work of state authorities.

Target group: civil servants and state employees who have direct contact with parties to a procedure in performing their regular work activities, and who apply the Law on General Administrative Procedure, as well as trainees being prepared for work in state administration authorities.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **FIRST INSTANCE AND SECOND INSTANCE DECIDING UPON APPEAL**

PROGRAMME CODE:

Lecturer(s):

General objective: Informing on and upgrading existing knowledge of civil servants on novelties in the first instance and second instance deciding upon appeals in administrative procedures.

Specific objectives:

- confirm and upgrade the knowledge of civil servants on:
 1. legal remedies in an administrative procedure,
 2. competencies of authorities in deciding on appeals,
 3. deadlines and reasons for disputing the decision on an appeal as well as on the contents of appeals;
 4. the proceeding of first instance authorities upon appeals;
 5. the proceeding of second instance authorities upon appeals;
 6. rules of proceeding in the case of repeat of an administrative procedure;

Target group: Civil servants and state employees who, in performing their work, proceed according to the Law on General Administrative Procedure, as well as trainees prepared to work in state administration authorities.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **ENFORCEMENT OF ADMINISTRATIVE ACTS**

PROGRAMME CODE:

Lecturer(s):

General objective: Informing on and upgrading existing knowledge of civil servants on novelties in the execution of administrative acts.

Specific objectives:

- confirm and upgrade the knowledge of civil servants on:
 1. enforceability of administrative acts;
 2. rules on the reception of petitions submitted by parties to state authorities;

3. rules on delivery of documents to parties and specific cases of delivery;
- inform civil servants and state employees on:
 1. consequences of errors in the delivery of documents to a party/client;
 2. rules on summoning parties,
 3. drawing up records on the proceeding on the occasion of reviewing documents and notification of parties on the course of the procedure;
 4. rules on the maintenance of order in the work of a state authority

Target group: Civil servants and state employees who, in performing their daily work, are in direct contact with clients and who proceed according to the Law on General Administrative Procedure, as well as trainees being prepared for work in state administration authorities.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **JUDICIAL CONTROL OF THE LEGALITY OF ADMINISTRATIVE DECISIONS – CONDUCTING AN ADMINISTRATIVE DISPUTE**

PROGRAMME CODE:

Lecturer(s):

General objective: Informing on and upgrading existing knowledge of civil servants and state employees on novelties in the conducting of an administrative dispute.

Specific objectives:

- confirm and upgrade the knowledge of civil servants and state employees on:
 1. judicial control over the legality of administrative decisions;
 2. the system of judicial protection within an administrative dispute and the competency of courts;
 3. the procedure of conducting an administrative dispute and legal remedies in the framework of an administrative dispute;
 4. the procedure of execution of court decisions;

Target group: Civil servants who decide in second instance administrative procedure, as well as trainees being prepared for work in state administrative authorities.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **INSPECTION CONTROL PROCEDURE AND RIGHTS AND OBLIGATIONS OF THE CONTROLLED ENTITIES**

PROGRAMME CODE:

Lecturer(s):

General objective: Informing on and upgrading existing knowledge of civil servants and state employees on novelties in the field of inspection control and rights and obligations of controlled entities.

Specific objectives:

- confirm and upgrade the knowledge of civil servants and state employees on:
 1. principles of inspection control and tasks, duties, authorities and responsibilities of inspectors;
 2. the procedure of conducting inspection control as well as specific actions pertaining to the inspection control procedure;
 3. the procedure of execution of inspection control;

Target group: Civil servants who decide in second instance administrative procedure, as well as trainees being prepared for work in state administrative authorities.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **NEW CIVIL SERVICE SYSTEM**

PROGRAMME CODE:

Lecturer(s):

General objective: Inform civil servants and state employees on the implementation of the new civil service system in Montenegro.

Specific objectives:

- inform civil servants and state employees on:
 1. new principles of the civil service system their rights, duties and responsibilities;
 2. procedures for entering service, as well as requirements stipulated for managing positions, how to acquire civil servants' and state employees' titles;
 3. reassignment procedure;
 4. appraisal, promotion, establishment of capability, conditions for termination of employment;

Target group: Civil servants and state employees, as well as trainees being prepared for work in state administration authorities;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **ENTERING SERVICE IN STATE ADMINISTRATION AUTHORITIES**

PROGRAMME CODE:

Lecturer(s):

General objective: Inform civil servants and state employees on the requirements and procedure for entering service in state administration authorities.

Specific objectives:

- inform civil servants and state employees on:
 1. requirements for entering employment in state authorities;
 2. procedures of the internal announcement, public announcement, public vacancy announcement;
 3. procedure of preliminary qualification assessment of candi-

- dates for work in state administration authorities;
4. procedure of conclusion of the employment contract and elements of the contract;

Target group: Civil servants and state employees, as well as trainees being prepared for work in state administration authorities.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **PERFORMANCE APPRAISAL OF PERSONNEL IN STATE ADMINISTRATION**

PROGRAMME CODE:

Lecturer(s):

General objective: Inform civil servants and state employees on the conditions and procedures of performance appraisal in state administration.

Specific objectives:

- inform civil servants and state employees on:
 1. rules and procedures of performance appraisal;
 2. conditions for promotion to higher titles, period of promotion and evaluation mark essential for promotion;
 3. procedure of promotion to higher salary grades and acknowledgments;
 4. procedure of establishment of capability for the performance of tasks, as well as of termination of employment/service on the grounds of incapability;
 5. work of the Appeals Commission proceeding upon appeal against a decision on rights and duties arising from work and based on work;

Target group: Civil servants and state employees, as well as trainees being prepared for work in state administration.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **THE LAW ON THE PROTECTOR OF HUMAN RIGHTS AND FREEDOMS**

PROGRAMME CODE:

Lecturer(s):

General objective: Inform civil servants and state employees on the function and competences of the Protector of Human Rights and Freedoms.

Specific objectives:

- inform civil servants and state employees on:
 1. the role of the Protector of Human Rights and Freedoms and basic principles and domains of his activity;
 2. competencies of the Protector and his special authorities in a judicial procedure;
 3. the participation of the Protector in legislative activities, his opinions on procedures before state authorities;
 4. obligation of state authorities to act upon the Protector's request and their obligation to cooperate;

Target group: Civil servants and state employees, as well as trainees being prepared for work in state administration

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **CIVIL SERVICE CODE OF ETHICS AS AN ELEMENT OF MODERN PUBLIC MANAGEMENT**

PROGRAMME CODE:

Lecturer(s):

General objective: Inform civil servants and state employees on the civil service code of ethics as an important element of modern public management.

Specific objectives:

- inform civil servants and state employees with the code of conduct of civil servants and state employees at work – the Code of Ethics of Civil Servants and State Employees

Target group: All state administration personnel

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **EXECUTION OF COMPARATIVE ANALYSES OF INTERNATIONAL LEGISLATION**

PROGRAMME CODE:

Lecturer(s):

General objective: Inform civil servants and state employees on methods and techniques of conducting comparative analyses of international legislation.

Specific objectives:

- inform civil servants and state employees on the methodology, activities, processes and instruments of conducting analyses of international legislation;

Target group: Civil servants and state employees working on drafting laws and secondary legislation.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **NOMOTECHNIQUE IN THE PROCESS OF DRAFTING LAWS AND OTHER LEGAL ACTS**

PROGRAMME CODE:

Lecturer(s):

General objective: Inform civil servants and state employees on the methods and techniques of drafting legislation.

Specific objectives:

- inform civil servants and state employees on:
 1. principles of drafting legislation (principle of clarity, quality and quantity of style of a legal regulation; principle of relation-

ship between linguistic expressions and logical meaning of a legal regulation; principle of comprehensiveness of content of a legal regulation);

2. linguistic and stylistic expression of legal regulations;
3. logical expression of legal regulations;
4. political expression of legal regulations;
5. drafting of the final text of a legal regulation;
6. form of the legal text.

Target group: Civil servants and state employees working on drafting laws and secondary legislation.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

7.2. MANAGEMENT IN STATE ADMINISTRATION AUTHORITIES

MANAGEMENT IN STATE ADMINISTRATION

- **STRATEGIC PLANNING OF WORK IN STATE
ADMINISTRATION AUTHORITIES**

PROGRAMME CODE:

Lecturer(s):

General objective: acquaint managing persons with methods and techniques of strategic planning.

Specific objectives:

- inform civil servants and state employees on:
 1. types of planning in state administration;
 2. purpose of organization in state administration and method of definition of short-term and long-term objectives;
 3. preparations for strategic planning and development of a strategic plan of an administrative organization;

4. method of allocation of resources and mechanisms for realization of objectives from the strategic plan;
5. techniques of definition of short-term and long-term action plans;
6. mobilization of funds;
7. basic principles and approaches in decision-making;
8. definition of mechanisms for measuring achieved results and objectives;
9. disbursement planning mechanisms - budgeting;

Target group: managing persons in state administration authorities

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **PLANNING OF TRAINING OF PERSONNEL IN STATE ADMINISTRATION**

PROGRAMME CODE:

Lecturer(s):

General objective: acquaint civil servants, state employees and managing personnel with methods and techniques of planning of training of personnel in state administration.

Specific objectives:

- inform civil servants and state employees on:
 1. methods of training needs assessment;
 2. planning of training;
 3. mechanisms for securing continuous professional training;
 4. methods of assessment of needs for additional functional training;
 5. mechanisms of impact assessment of personnel training on effectiveness and efficiency in their administrative work;

Target group: managing personnel, civil servants and state employees

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **NEGOTIATIONS AND NEGOTIATION SKILLS**

PROGRAMME CODE:

Lecturer(s):

General objective: acquaint managing persons with methods and techniques of negotiations and negotiation skills.

Specific objectives:

- Better understanding of managing persons of:
 1. the negotiation process
 2. methods and techniques of preparation for negotiations;
 3. strategic thinking;
 4. the significance of space and other conditions for conducting negotiations;
 5. conducting the negotiation process;
 6. mechanisms for achievement of the best solution of a negotiation;

Target group: managing persons in state administration authorities

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **MANAGEMENT OF ORGANIZATIONAL UNITS IN STATE ADMINISTRATION**

PROGRAMME CODE:

Lecturer(s):

General objective: acquainting with contemporary methods and techniques of management of organizational units.

Specific objectives:

- Better understanding of contemporary methods and techniques of:
 1. management and representation of state administration authorities;
 2. management and directing of work of civil servants and state employees;

3. management of work of internal organizational units of state administration authorities – assistance to the minister i.e. superior in managing of an administrative authority (principles of management, methods of management, management styles etc.);
4. leading of sessions and meetings within ministries and administrative authorities and at the level of inter-ministerial working groups (application of presentation techniques and rhetoric);
5. coordination of work between organizational units of ministries and administrative authorities;
6. coordination of work with other state administration authorities;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

2 b. HUMAN RESOURCES MANAGEMENT IN STATE ADMINISTRATION AUTHORITIES

- ***HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT (HRM and HRD)***

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade the understanding of the process of HRM and HRD.

Specific objectives:

- Better understanding of:
 1. the process of preparation of organizational measures in state administration authorities;
 2. techniques of development of recruitment plans in state administration;
 3. method of performance appraisal of personnel in state administration;

4. execution of the procedure for evaluation of conditions for promotion of personnel in state administration;
5. execution of rationalization of personnel;
6. development of a written analysis of the scope of the work sphere from the aspect of needs in personnel;

Target group: managing persons, civil servants and state employees working in administrative units in charge of human resources policy;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **PERFORMANCE OF THE HRM FUNCTION AND CONDUCTING HRM POLICY IN THE STATE ADMINISTRATION**

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade the understanding of the functions and methods of conducting human resources policy in state administration authorities.

Specific objectives:

- Better understanding of:
 1. management of civil service relationships;
 2. the process of development of a written analysis of the scope of the work sphere from the aspect of needs in personnel;
 3. the procedure of concluding employment contracts within state administration;
 4. the procedure of transfer of personnel within the state administration authorities;
 5. issuing information on needs in personnel;
 6. keeping personnel records;
 7. the payment system within state administration;
 8. classification of work posts into tariff groups and salary grades;

Target group: managing persons, civil servants and state employees

working in administrative units in charge of human resources policy and general affairs;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **CENTRAL PERSONNEL RECORD**

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade the understanding of the functions and methods of keeping the Central Personnel Record within the Human Resources Management Authority.

Specific objectives:

- Better understanding of:
 1. keeping personnel records;
 2. issuing information on needs in personnel;
 3. utilization of data from the Central Personnel Record;

Target group: managing persons, civil servants and state employees working in administrative units in charge of human resources policy;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **INTERNAL LABOUR MARKET RECORD**

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade the understanding of the functions and methods of keeping the Internal Labour Market Record within the Human Resources Management Authority.

Specific objectives:

- Better understanding of:

1. keeping the internal labour market record;
 2. issuing information essential for updating the record;
 3. utilization of data from the Internal Labour Market Record;
- Target group:** managing persons, civil servants and state employees working in administrative units in charge of human resources policy;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

7.3. DRAFTING AND IMPLEMENTATION OF PROJECT PROPOSALS IN STATE ADMINISTRATION

• DRAFTING OF PROJECT PROPOSALS IN STATE ADMINISTRATION

PROGRAMME CODE:

Lecturer(s):

General objective: acquaint with and upgrade knowledge on methods and techniques of drafting project proposals in state administration.

Specific objectives:

- Acquaint the participants with:
 1. methods of definition of project elements;
 2. organization of the structure of project proposals;
 3. criteria for assessment of effectiveness of projects;
 4. procedures and methods of application for international donations;
 5. planning of the financial framework for the realization of the project objectives;
 6. project management techniques;

Target group: managing persons, civil servants and state employees working in administrative units in charge of project design;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **PLANNING OF FINANCIAL REQUIREMENTS FOR THE REALIZATION OF PROJECTS/BUDGETING**

PROGRAMME CODE:

Lecturer(s):

General objective: acquaint with and upgrade knowledge on planning of the budget for the implementation of projects in state administration.

Specific objectives:

- Acquaint the participants with:
 1. methods of definition of economic aspects of projects in state administration;
 2. project planning;
 3. conducting project benefit analyses;
 4. types of expenditures within a project;
 5. project budget planning;
 6. analysis of financial effectiveness of implementation of a project;

Target group: civil servants and state employees working in administrative units in charge of project design and financial analyses;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **PROJECT MANAGEMENT IN STATE ADMINISTRATION**

PROGRAMME CODE:

Lecturer(s):

General objective: acquaint with and upgrade theoretical knowledge on project management methods.

Specific objectives:

- Acquaint the participants with:
 1. basic concepts of the project structure;
 2. project implementation phases;
 3. project management;

Target group: managing persons, civil servants and state employees working in administrative units in charge of project design;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

7.4. FINANCIAL AND BUDGETARY ASPECTS OF THE OPERATION OF STATE ADMINISTRATION

• FINANCIAL – ACCOUNTING TASKS IN STATE ADMINISTRATION AUTHORITIES

PROGRAMME CODE:

Lecturer(s):

General objective: Upgrade knowledge on performance of financial-accounting tasks in state administration authorities.

Specific objectives:

- Upgrade knowledge relating to:
 1. keeping prescribed and uniform records,
 2. determination of annual writing-off rates of material and non-material investments,
 3. distribution of annual writing-off rates,
 4. writing off financial investments,
 5. permanent writing off of short-term obligations,
 6. definition of interest rates and differences in the exchange rate in relation to collected receivables and settled obligations.

Target group: civil servants and state employees working in administrative units in charge of financial and accounting tasks within a state authority;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• ***PUBLIC FINANCES SYSTEM AND THE STATE BUDGET***

PROGRAMME CODE:

Lecturer(s):

General objective: Upgrade knowledge on the public finances system and the state budget.

Specific objectives:

- Upgrade knowledge relating to:
 1. public finances,
 2. the state budget,
 3. drafting of proposals for budget disbursements,
 4. interim financing period,
 5. principle of purpose oriented public expenditures,
 6. application of the basic analytical apparatus.

Target group: civil servants and state employees working in administrative units in charge of financial and accounting tasks within a state authority;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• ***THE STATE BUDGET AND ITS EXECUTION***

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade knowledge on the public finances system and the state budget.

Specific objectives:

- Upgrade knowledge relating to:
 1. state budget,
 2. execution of the state budget,

3. application methods of the state budget revenues,
4. methods of financing the salaries of state administration personnel,
5. methods of opening and closing of accounts of budget beneficiaries,
6. procedures of payment from the state budget,
7. preparation of documentation and obtaining the approval from the Ministry of Finance for payments from the state budget,
8. audit and inspection control of budget beneficiaries.

Target group: civil servants and state employees working in administrative units in charge of financial and accounting tasks within a state authority as well as trainees;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

7.5. GENERAL AND RELATED TASKS IN STATE ADMINISTRATION

• OFFICE MANAGEMENT

PROGRAMME CODE:

Lecturer(s):

General objective: develop knowledge of state employees in office management in state administration authorities.

Specific objectives:

- Develop knowledge relating to:
 - procedures in office work;
 - receipt of documents and requests, summoning parties to an administrative procedure;
 - classification of materials and administrative matters within ministries and administrative authorities;
 - organization of the archive and documentation;

- keeping records and delivery of mail;
- archiving of documentation;

Target group: state employees and persons responsible for archiving documentation, as well as trainees being prepared for work in state administration authorities.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• PUBLIC RELATIONS

PROGRAMME CODE:

Lecturer(s):

General objective: upgrading knowledge and skills in public relation activities.

Specific objectives:

- upgrade knowledge and skills relating to:
 1. public appearances,
 2. conducting a presentation,
 3. preparation of press conferences and official announcements,
 4. informing the general public on the work of a state administration authority,
 5. organization and execution of media campaigns, promotion of activities of administrative authorities,
 6. archiving of material.

Target group: managing persons and civil servants in charge of public relations;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **THE PURPOSE OF THE INFORMATION SYSTEM IN STATE ADMINISTRATION – E-GOVERNANCE**

PROGRAMME CODE:

Lecturer(s):

General objective: acquaint with and upgrade knowledge on the role and purpose of the information system in state administration, the so-called e-governance.

Specific objectives:

- acquaint civil servants and state employees with:
 1. IT terminology in state administration,
 2. creation of an IT system for state authorities;
 3. the importance of the development of an IT system with the aim of supporting the decision making process:
 - a. business systems and their environments,
 - b. contemporary administrative terms,
 - c. role of information in the management process,
 - d. IT support in the management process.
 4. electronic data processing,
 5. validity of the electronic signature.

Target group: Managing personnel, civil servants and state employees;

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

7.6. COMMUNICATION IN STATE ADMINISTRATION

• RESOLUTION OF CONFLICT SITUATIONS

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade of civil servants' and state employees' skills in resolving conflict situations and communication techniques that enable the resolution of such situations.

Specific objectives:

- inform civil servants and state employees on:
 1. types of conflict situations,
 2. reasons for occurrence of conflict situations;
 3. importance and method of communication in conflict situations,
 4. techniques and methods of productive resolution of conflicts;

Target group: Managing personnel, civil servants and state employees.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation: this programme is particularly recommended to personnel in state authorities whose regular work involves direct contact with clients/parties.

• SKILLS IN COMMUNICATION WITH CLIENTS

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade civil servants' and state employees' skills in communicating with clients/parties.

Specific objectives:

- inform civil servants and state employees on:
 1. communication styles,
 2. significance of non-verbal communication,
 3. adjustment of communication to different styles,

4. how to show the client/party that we are interested in his/her issue,
5. what is feedback information and how to obtain it,
6. skills in posing questions,
7. skills in conducting interviews and meetings,
8. skills in public appearances.

Target group: Civil servants and state employees.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation: this programme is particularly recommended to personnel in state authorities whose regular work involves direct contact with clients/parties.

• **OFFICIAL COMMUNICATION AND PROTOCOL FOR TECHNICAL SECRETARIES**

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade technical secretaries' skills in communication with clients/parties and method of managing the protocol.

Specific objectives:

- Acquaint with:
 1. elements of business communication,
 2. rules of verbal, written and telephone communication,
 3. parties in communication and how to communicate with demanding clients/parties,
 4. how to politely express criticism and how to overcome unpleasant communication,
 5. overcoming of conflicts in communication with clients/parties,
 6. reception of clients/parties,
 7. elements of business protocol,
 8. basic rules of European etiquette,
 9. preparation of meetings.

Target group: Technical secretaries in state administration authorities.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

7.7. INTERNATIONAL COOPERATION AND THE SO-CALLED “EUROPEAN AFFAIRS”

• THE EUROPEAN UNION

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade theoretical knowledge of civil servants and state employees on the EU and its functioning.

Specific objectives:

- Acquaint with the functioning and operation of the EU, by presenting:
 1. the origins of the EU,
 2. the concept and significance of the EU integration process,
 3. EU legislation,
 4. institutions of the EU,
 5. various assistance programmes of the EU to the member states,
 6. various assistance programmes of the EU to countries preparing for EU accession,
 7. policies of the EU,
 8. EU enlargement.

Target group: Managing personnel, civil servants and state employees.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **THE LEGAL SYSTEM AND LEGAL ACTS OF THE EU**

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade knowledge of managing personnel, civil servants and state employees on the legal system and legal acts of the EU.

Specific objectives:

- Acquaint with:
 1. the legal system of the EU,
 2. basic principles of the Constitution of the EU,
 3. harmonization of national legislation with EU standards,
 4. unification of EU law;

Target group: Civil servants and state employees.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

• **INSTITUTIONS AND METHOD OF DECISION MAKING OF THE EUROPEAN UNION**

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade knowledge of civil servants and state employees on EU institutions, their functioning and methods of decision-making.

Specific objectives:

- Acquaint with the functioning and operation as well as cooperation among the following institutions:
 1. European parliaments,
 2. Council of the EU,
 3. EU commissions,
 4. European Court of Justice,
 5. European Financial Court,
 6. European Ombudsman,

7. European Council,
8. Economic and Social Council,
9. European Central Bank,
10. Regional Committee

Target group: Managing personnel, civil servants and state employees.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **PREPARATION OF ACCESSION OF MONTENEGRO TO THE EU**

PROGRAMME CODE:

Lecturer(s):

General objective: upgrade of civil servants' and state employees' knowledge on activities essential for the preparation of accession of Montenegro to the EU.

Specific objectives:

- Acquaint with:
 1. activities essential for preparation of accession of Montenegro to the EU,
 2. process of negotiations and preparation of legal acts essential for accession,
 3. legal system and its harmonization to EU legislation,
 4. organizational preparations,
 5. consequences of EU accession.

Target group: Managing personnel, civil servants and state employees.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

- **LEADERSHIP AND MANAGEMENT OF RESOURCES OBTAINED THROUGH INTERNATIONAL TECHNICAL SUPPORT**

PROGRAMME CODE:

Lecturer(s):

General objective: upgrading of knowledge of managing personnel, civil servants and state employees on methods of management of funds obtained through international technical support.

Specific objectives:

- Informing on:
 1. international technical support programmes,
 2. procedures and conditions for approval of international technical support,
 3. procedures of management of international technical support;

Target group: Managing personnel, civil servants and state employees.

Duration:

Period of realization:

Expenses of the programme per participant:

Annotation:

7.8. OFFICIAL LANGUAGE AT THE WORKPLACE

7.9. FOREIGN LANGUAGES

V TRAINING APPLICATION FORM

APPLICATION FOR PARTICIPATION IN A TRAINING PROGRAMME	
PROGRAMME: _____	
CODE: _____ PERIOD OF REALIZATION: _____	
Name and family name of the applicant:	Contact details: Tel.: _____ Address: _____ _____
Školska sprema: <input type="checkbox"/> SE <input type="checkbox"/> UNI <input type="checkbox"/> Postgrad <input type="checkbox"/> PhD	E-mail: _____
Current position:	<input type="checkbox"/> managing person <input type="checkbox"/> civil servant <input type="checkbox"/> state employee
Administrative authority:	Seat of the administrative authority: Tel.: _____ Address: _____ _____
E-mail: _____	
Expenses of the training will be borne by: <input type="checkbox"/> applicant personally <input type="checkbox"/> administrative authority <input type="checkbox"/> other (sponsor/donor): _____ <div style="text-align: right;">(title of institution)</div> Contact person: _____ Address: _____ Tel/fax: _____ E-pošta: _____	

We hereby confirm that the training programme is of importance for efficient and effective performance of tasks in the administrative authority.

Place _____ date _____

signature of the applicant

signature of the superior(stamp)

ANNEXES

8. ANNEX**B. EDUCATION, FUNCTIONAL AND ADVANCED TRAINING**

AUTHORITY: _____

B.1 EDUCATIONAL STRUCTURE OF THE PERSONNEL

1. What is the current situation in the field of education of personnel (the state authority including all its units)

<i>Educational level</i>	<i>a) officials/functionaries</i>			<i>b) managing persons</i>			<i>c) personnel</i>		<i>d) trainees</i>	<i>e) TOTAL</i>
	<i>a.1 minister</i>	<i>a.2 head of a state authority</i>	<i>a.3 other</i>	<i>b.1 secretary-general of an authority</i>	<i>b.2 deputy head</i>	<i>b.3 manager of an organ. unit</i>	<i>c.1 permanent</i>	<i>c.2 temporary</i>		
1. doctorate										
2. postgraduate degree										
3. specialization										
4. university degree										
5. higher education (2 years)										
6. secondary education										
7. secondary vocational education (qualified – highly qualified worker)										
8. elementary education										
9. other										
10. TOTAL										

2. How many employees do not meet the stipulated requirements for the post they cover according to the act on internal organization and systematization?

<i>Educational level</i>	<i>a) managing persons</i>			<i>b) personnel</i>		<i>d) TOTAL</i>
	<i>a.1 secretary-general of an authority</i>	<i>a.2 deputy head</i>	<i>a.3 manager of an organ. unit</i>	<i>b.1 permanent</i>	<i>b.2 temporary</i>	
1 doctorate						
2 postgraduate degree						
3 specialization						
4 university degree						
5 higher education (2 years)						
6 secondary education						
7 secondary vocational education (qualified – highly qualified worker)						
8 elementary education						
9 other						
10 TOTAL						

1. How many employees are currently taking education in order to achieve a higher educational level, the education being associated with the requirements of their work post while a) the administrative authority has concluded with the employee a contract on financing the education (+); b) the admin. authority has not concluded a contract on financing the education with the employee(-)?

Educational level	a) officials/functionaries			b) managing persons			c) personnel		d) TOTAL
	a.1 minister	a.2 head of a state authority	a.3 other	b.1 secretary-general of an authority	b.2 deputy head	b.3 manager of an organ. unit	c.1 permanent	c.2 temporary	
0 contract	+	+	+	+	+	+	+	+	+
1 doctorate									
2 postgraduate degree									
3 specialization									
4 university degree									
5 higher education (2 years)									
6 secondary education									
7 secondary vocational education (qualified – highly qualified worker)									
8 elementary education									
9 other									
10 TOTAL									

- 5 How many employees are currently taking education in order to achieve a higher educational level on their own initiative (the education is not associated with the requirements of the work post) while: a) the administrative authority has concluded with the employee a contract on financing the education (+); b) the admin. authority has not concluded a contract on financing the education with the employee(-)?

Educational level	a) officials/functionaries			b) managing persons			c) personnel			d) TOTAL	
	a.1 minister	a.2 head of a state authority	a.3 other	b.1 secretary-general of a state authority	b.2 deputy head	b.3 manager of an org. unit	c.1 permanent	c.2 temporary			
0 Contract	+	-	-	+	-	-	+	-			
1 doctorate											
2 postgraduate degree											
3 specialization											
4 university degree											
5 higher education (2 years)											
6 secondary education											
7 secondary vocational education (qualified – highly qualified worker)											
8 elementary education											
9 other											
10 TOTAL									+	-	

5. Is there a curriculum for additional training in the state authority which concluded a contract on financing the training for the personnel?
1 - YES 2 - NO

	YES	NO
a) there is no need	1	2
b) the authority has no resources to finance the education of the personnel	1	2
<i>Other</i>	1	2

Extension of the training period for trainees

7. What is the number of trainees whose training period had been extended in the period between January 1, 2000 and December 31, 2002 in accordance with the law, and how many trainees passed the professional exam in the first attempt?

<i>Educational level</i>	<i>a) number of all trainees</i>	<i>b) number of trainees with extended training period</i>	<i>c) number of trainees who passed the professional exam in the first attempt</i>
1 university degree			
2 higher education (2 years)			
3 secondary education			
4 secondary vocational education (qualified - highly qualified)			
5 other			
6 TOTAL			

B.2 Additional qualification of personnel

1. How many employees have passed a professional exam and which type of exam?

Type of professional exam	a) officials/functionaries			b) managing persons			c) personnel		e) TOTAL
	a.1 minister	a.2 head of a state authority	a.3 other official	b.1 secretary-general of a state authority	b.2 deputy head	b.3 manager of an org. unit	c.1 permanent	c.2 temporary	
1 judicial exam									
2 professional exam for work in state administration									
3 other									
4 TOTAL									

2. How many employees have not yet passed the professional exam stipulated as a condition for work on a specific work post, and which type of exam?

Type of professional exam	a) officials/functionaries			b) managing persons			c) personnel		e) TOTAL
	a.1 minister	a.2 head of a state authority	a.3 other official	b.1 secretary-general of a state authority	b.2 deputy head	b.3 manager of an org. unit	c.1 permanent	c.2 temporary	
1 judicial exam									
2 professional exam for work in state administration									
3 other									
4 TOTAL									

3. Which are the areas in which personnel of the state authority was additionally trained in the period from January 1, 2000 to December 31, 2002?

description of the training area	a) officials/functionaries			b) managing persons			c) personnel		d) trainees	e) TOTAL
	a.1 minister	a.2 head of a state authority	a.3 other official	b.1 secretary-general of a state authority	b.2 deputy head	b.3 manager of an org. unit	c.1 permanent	c.2 temporary		
A. HORIZONTAL TRAINING AREAS										
1 Drafting of legislation										
2 Deciding in administrative procedure										
3 Budget management										
4 Financial management										
5 Project management										
6 Management in state administration										
7 Human resources management										
8 Planning of work and strategic planning										
9 Organization and operation of the state administration										
10 Quality and efficiency										
11 Communication skills										
12 IT in admin. authorities										
13 European affairs										
14 Methodological skills										
15 Computer literacy										
B. FOREIGN LANGUAGES										
16 English										
17 German										
18 French										
19 Italian										
20 Spanish										
21 Russian										
22 TOTAL										

4. Which training areas and subjects are most important for efficient and effective operation of state authorities and their personnel?

Training contents	a) officials/functionaries		b) managing persons			c) personnel		d) trainees
	a.1 minister	a.2 head of a state authority	a.3 other official	b.1 secretary-general of a state authority	b.2 deputy head of an org. unit	b.3 manager of an org. unit	c.1 permanent	
A. HORIZONTAL TRAINING AREAS								
Drafting of legislation								
Deciding in administrative procedure								
Budget management								
Financial management								
Project management								
Management in state administration								
Human resources management								
Planning of work and strategic planning								
Organization and operation of the state administration								
Quality and efficiency								
Communication skills								
IT in admin. authorities								
European affairs								
Methodological skills								
Computer literacy								
B. FOREIGN LANGUAGES								
English	16	16	16	16	16	16	16	16
German	17	17	17	17	17	17	17	17
French	18	18	18	18	18	18	18	18
Italian	19	19	19	19	19	19	19	19
Spanish	20	20	20	20	20	20	20	20
Russian	21	21	21	21	21	21	21	21

Resources allocated for education and training of personnel

5. What is the amount of de facto allocated resources and necessary resources intended for education and training of personnel in the state authority?

Available resources	a) officials/functionaries			b) managing persons			c) personnel		d) trainees	e) TOTAL (in EUR)
	a.1 minister	a.2 head of a state authority	a.3 other official	b.1 secretary-general of a state authority	b.2 deputy head	b.3 manager of an org. unit	c.1 permanent	c.2 temporary		
A. SPENT IN 2002										
1 education										
2 training										
3 TOGETHER										
B. PLANNED FOR 2003										
1 education										
2 training										
3 TOGETHER										
C. DE FACTO NEEDS FOR 2003										
1 education										
2 training										
3 TOTAL										

6. Which permanent civil service training institutions i.e. organizations perform training for personnel and for which category of employees are their services most frequently used?

<i>organization</i>	<i>a) officials/functionaries</i>			<i>b) managing persons</i>			<i>c) personnel</i>		<i>d) trainees</i>
	<i>a.1 minister</i>	<i>a.2 head of a state authority</i>	<i>a.3 other official</i>	<i>b.1 secretary-general of a state authority</i>	<i>b.2 deputy head</i>	<i>b.3 manager of an org. unit</i>	<i>c.1 permanent</i>	<i>c.2 temporary</i>	
The state authority's own training unit									
International organizations									
Faculty of Law									
Faculty of Economy									
Other school, i.e. organization									
private organization									
other									

B.3 The current system of personnel training

Planning of training

1. How do you plan the training for personnel in the state authority?

<i>Planning method:</i>	YES	NO
a. Do you plan the personnel training?	1	2
b. Do you have a medium-term (3 - 5 yrs.) personnel training plan?	1	2
c. Do you have a short-term (annual) draft personnel training plan?	1	2
d. Do you have a responsible person in charge (permanently or predominantly) of only personnel training?	1	2
e. Is the training of personnel and their development planned by the heads of the internal organizational units?	1	2
f. Is the training of personnel and their development planned centrally in the personnel (or other) department of the state authority?	1	2

Personnel Training Needs Assessment

2. Do you systematically or regularly perform needs assessment for training of personnel?

1 YES → 4. question 2 NO → 3. question

3. Why is training needs assessment not performed?

There is no need	1
There are no resources available	2
other	3

4. How do you assess the training needs of your personnel?

<i>Method of personnel training needs assessment:</i>	YES	NO
a. By means of a regular annual questionnaire filled by all employees	1	2
b. The managers of internal organizational units collect data from employees who desire to attend additional training	1	2
c. The managers of internal organizational units determine which employees need additional training	1	2
d. Employees suggest the form and contents of additional training	1	2
e. The personnel department proposes to the managers of internal organizational units different possibilities of training of the personnel in their units	1	2
f. The training needs analysis is performed by external organizations specialized for it	1	2

5. Is there a catalogue of necessary knowledge and skills required for the performance of tasks of different work posts for different groups of employees, in the state authority if yes, for which?

1. 1 YES → 6. question. 2 NO → 7. question

6. For which work posts exists a catalogue of necessary knowledge and skills?

	YES	NO
Managing persons	1	2
Highest categories of civil servants	1	2
For all personnel	1	2

7. a) Why does such a catalogue not exist?

Not necessary	1
other	2

b) Other reason for the non-existence of the catalogue?

 Evaluation of effectiveness of performed additional training of personnel

8. Does the state authority have a system for evaluation of effectiveness of performed additional training of personnel?

1 YES → 10. question 2 NO → 9. question

9. a) Why does such a system not exist?

Not necessary	1
other	2

- b) Other reason for the non-existence of the above mentioned system?

10. Who is in charge of monitoring and determination of effectiveness of personnel training?

a) Options:

Managing person	1
Employee him/herself	2
Employee's colleagues	3
Personnel department	4
clients	5
Training provider	6
No one	7
other	8

11. How do you determine the effectiveness of the personnel training?

a)Options:

By means of a questionnaire after completion of the personnel training	1
By means of verbal information of the superior by his/her personnel after completion of the training	2
By means of monitoring of the employee's subsequent effectiveness on duty	3
By means of reports on the completed training by the employee	4
The employee verbally informs his/her colleagues on the novelties relating to the training	5
It is not determined at all	6

12. Which are the criteria by means of which you determine the effectiveness of personnel training?

a) Options:

YES

Quantitative criteria (number of resolved matters, appeals, complaints, errors etc.)	1
Qualitative criteria (clients' satisfaction, increased scope of functional knowledge, performance of more complex tasks etc.)	2
Passed exam or other type of test	3
There are no criteria	4

13. Do you undertake any measures in the case you ascertain that the training has not been effective?

1 YES → 13a)

2 NO → 14

13. a) Please state the measures you undertake? _____

14. How do you use the acquired knowledge?

	YES	NO
a) lectures/training for the other employees within the state authority	1	2
b) preparation of special written information for the other employees within the state authority	1	2

15. Are there any other ways in which you utilize the acquired knowledge?

16. For how long are employees having attended additional training obligated to stay in the state authority after completion of the training programme?

	YES	NO
a) period equivalent to the duration of the training programme	1	2
b) twice the period of duration of the training programme	1	2
c) other	1	2
d) there are no such obligations, as they are not included in the training contracts	1	2

Please, kindly convey us your opinions, proposals and suggestions on these issues!

We will consider them with due attention and include them in the final solutions, if possible.

