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ŠTÁTNU SLUŽBU

REPORT
ON THE CURRENT SITUATION AND
DEVELOPMENT OF CIVIL SERVICE
IN THE YEAR 2018

April 2019

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LIST OF ABBREVIATIONS

CE	Code of Ethics of a civil servant
Civil Service	Act No. 55/2017 Coll. on Civil Service and on Act Amendments and Supplements to Certain Acts, as amended
COLSWF	Central Office of Labour, Social Welfare Affairs and Family
CS	Civil Service
CSAA	Central State Administration Authority
CSE	Civil Service Employment
CSC, Council	Civil Service Council
CSP	Civil Servant Position
CSt(s)	Civil Servant(s)
FD SR	Financial Directorate of the Slovak Republic
GO SR	Government Office of the Slovak Republic
HRM	Human Resources Management
ICP	interdepartmental comment procedure
IPA	Institute of Public Administration
IT	Information Technology
LI	Labour Inspectorate
MF SR	Ministry of Finance Ministry of Finance of the Slovak Republic
NC SR	National Council of the Slovak Republic
PA	personal allowance
PS	personal salary
RPHO	Regional Public Health Office
RVFA	Regional Veterinary and Food Administration
CSt(s)MP	Civil Servant(s) in a managerial position
SO(s)	Service Office(s)
SO SG	Service Office Secretary General
SP	Selection Procedure
SR	Slovak Republic

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1. MAIN FINDINGS AND RECOMMENDATIONS

The Civil Service Council hereby presents the Report on the current situation and development of civil service in the year 2018 pursuant to Section 14 of Act No. 55/2017 Coll. on Civil Service and on Amendments and Supplements to Certain Acts. As this is the first such report, mapping of the current situation of the Slovak civil service and its key areas is an important starting point.

There are currently no centralized civil service data available in the SR. The Civil Service Act in its Section 25 regulates the central information system, but with some of its provisions postponed. For this reason, it was not possible to draw any data from it, therefore the CSC carried out two questionnaire surveys and two data collections from the service offices, drawing the data also from other available sources. The first questionnaire survey focused on ethics and the other generally on the perception of civil service by civil servants, in areas such as motivation, recruitment, evaluation, education, retirement, capacity building and career development, perception of superiors, colleagues, and problems perceived.

Comparison and evaluation by relevant institutions is important for the evaluation of the civil service situation in the Slovak Republic, therefore this report also tries to indicate this aspect.

The report presents a general characterization of the civil service, identifies problems in the CS, analyses human resources management in greater detail (e.g. motivation, CSts recruitment, career development, capacity building, education, remuneration, performance appraisal, perception of colleagues and superiors). In the next section, it provides information on the CSC's supervision over compliance with the civil service principles as well as on the activity of the CSC in the year 2018. Each chapter contains draft recommendations based on the analysis of the data and knowledge obtained.

GENERAL CHARACTERIZATION OF CIVIL SERVICE IN THE SR

The civil service law is based on the **Civil Service Act**, which entered into force on 1 June 2017. The data from the Ministry of Finance of the Slovak Republic for the year 2017 show that there are **38,838** civil service positions registered in Slovakia.

The State as employer differs from the private sector in many respects. Compared to the private sector, the State provides, for example, higher job and income security, the CSts have a shorter working time agreed, higher entitlement to paid leave and the right to continuous education. On the other hand, there are specific limitations applicable for civil servants, e.g. they cannot engage in business and they file asset declarations.

The Chapter *Characteristics and Problems of CS in the SR* describes in greater detail the issues of the CS attractiveness, professionalization, politicization, trust and fluctuation rate.

Civil service is a less attractive sector compared to the private sector, especially in some of the professions and regions. Based on the *data collection from the SOs*, the CSC has found out that in selection procedures for the positions in the CS prevailing are those where the number of candidates is lower than 3 or where there had been no interest, suggesting smaller attractiveness. According to the *Revision of Expenditures*, salaries of young employees are less lagging behind, but then they are growing slower than those in the private sector. Employees in some professions, e.g. lawyers and IT professionals, earn significantly less than those in the private sector. International comparisons show that CSts in the SR earn slightly less than is the EU average. The lower attractiveness of the CS can cause a problem with the high-quality of service provision, and if older workers are predominant in the age structure, this may indicate problems in attracting and retaining younger employees.

Based on the problems identified, priorities and reform steps need to be identified for the future development of the CS. *The 2019 CSC Survey* shows that the CSts perceive politicization, instability, mistrust of the public, motivation of the CSts, formalism, bureaucracy, nepotism, corruption, low professionalism, preferential treatment by sectors, lack of credible leaders and human resources management as the **biggest problems in the civil service in the SR**.

Politicization of the civil service in the SR is also considered to be one of the main problems according to various international organizations and institutions (OECD, the European Commission, etc.) or academics and non-governmental sector. The CSC survey has also found out that respondents are strongly inclined to the claim that de-politicization of the CS has a significant impact on the acquisition and stabilization of high-quality CSts. For this reason, it will be necessary to devote more attention to politicization, its various forms, manifestations and impacts, to clarify the borderlines between political influence and the autonomy of the CS, to open up discussions on this issue. It is important to evaluate the effectiveness of the relevant instruments introduced by the Civil Service Act to eliminate politicization.

The CSC survey has identified some elements that may characterize **professionalization**. The CSts consider professionalization to be a serious issue of the CS in the SR and a factor that influences the acquisition and stabilization of high-quality employees in the CS. According to the data obtained, there is room for improvement even in the handling of information, the exchange of information within the SOs, but also among the SOs. **Sufficient amount and exchange of information** for work is critically evaluated by employees. The value of information and the ability to work with it effectively is and in the future will be crucial for delivering high-quality outputs, so dealing with them must be done at both central and SOs levels. It is also necessary to deal with the exchange, sharing of information among the SOs, cooperation among the SOs, i.e.

preferential treatment by sectors, and the completion of the central databases and registers of the SOs must be understood as a priority. The results of the survey and the data obtained from the SOs suggest that the great potential for improvement, but also the more attractive work in the CS, is in **rationalization of internal processes** and in reducing bureaucracy. These areas also need to be reflected in the education of the CSts and also to apply ethical rules and translate ethical principles into all areas of management.

Survey results¹ suggest that civil servants perceive a **higher level of distrust of the public** than the citizens themselves. It would therefore be advisable to strengthen the status of officials, self-confidence of the estate, its presentation, presentation of best practice and devote attention to active providing of information and to communication.

HUMAN RESOURCES MANAGEMENT

Strategic thinking and setting the mechanisms of accountability - actively disseminating information - is also important for State administration bodies. The **vision** defines an idea of the future thrust and position of the organization, allowing the employees to understand what their work should be heading for in their day-to-day work. However, only 34% of respondents stated in the survey that their SO had a vision and it also was published.

Basic information on the bodies and organizations are included in **annual reports**, most of which are published by other CS central authorities (almost 90%), somewhat less by organizations with regional competence (83%) and ministries (77%). In order to assess the expertise, integrity and potential conflict of interest, as well as to assess the high-quality and transparency of the CStsMP selection process, it is important to **disclose information from what environment senior managers have come to their positions**. Under the Civil Service Act, senior positions may be filled on the basis of political nominations or selection procedures. Although the Civil Service Act does not directly refer to the so-called political nominations, selection procedures are a criterion on the basis of which it is possible to distinguish between such employees. Thus, political nominees may be considered to be those civil servants who perform civil service on the basis of selection procedure or appointment. The basis of the professional civil service is with those civil servants who will start the civil service positions on the basis of selection procedures. Disclosure of information is important for both of these CStsMP categories. It follows from the CSC survey that the SOs only publish the CVs of their representatives in some cases and, as a general rule, only those at the highest positions, i.e. the political nominees (e.g. the minister, CEO, Chairman, Vice-President, SG) or only disclose some information. CVs of the CStsMP who have passed the selection procedure and serve in senior management positions are not published, with some exceptions.

Only few of the SOs have developed and published their top management vision and

¹ CSC Survey, 2019 and the FOCUS agency survey for the Good Civil Servant Initiative, 2018.

CVs. Therefore, it would be appropriate to focus the educational training, in particular at the level of central State administration, on strategic management issues, including the vision and tools of accountability of State administration and analyse the content of annual reports.

MOTIVATION

The CSC Survey of 2019 results confirm the findings reflected in the theories of motivation that financial motivation may not be the main motivator, but may be a factor in demotivation.

It follows from the questionnaire that as many as **89% of respondents** hold a view that **the work they do is meaningful for them, and thus the protection of the public interest satisfies them**. The answers to the open-ended questions also show that, in addition to financial motivation, employees perceive motivation factors in wider contexts. It is important for them to have a job that makes sense and meets the public interest, so that they can learn and develop their respective careers in a challenging team. They also appreciate the stability of employment and various employee benefits, but on the other hand they would also be motivated by the removal of some problems.

Findings on what is **important for CSts in recruiting and stabilizing high-quality persons in civil service** are also of interest. Respondents consider high-quality management and professionalism of CSts as important as financial valuation. They also attach great importance to de-politicization of civil service, flexible forms of work and the provision of employee benefits, removing of formalism and administrative barriers. Significant agreement also prevailed with respect to the fact that compliance with ethical principles and the protection of whistleblowers are an important factor.

In the opinion of CSts, the motivation to deliver high-quality results is very strongly influenced, in particular, by the meaningfulness of work, appreciation by their superior and the formers' inner motivation to deliver good results. Employees' motivation also includes remuneration and other benefits, but it is not possible to label these as primary.

Employee statements show that only 53% of them are very satisfied or rather satisfied with the **manifestations of appreciation for their work**.

It follows for the HRM in the Slovak civil service that it is necessary to **intensively observe and reinforce the internal motivation of employees** by their being focused on meaningful activities, explaining and communicating to them the anticipated results and their impacts on them. Another finding is that senior managers in the CS must be well-versed in managerial skills, including providing them a feedback, appreciating their work results, and being an example not only professionally but also ethically for the employees. The focus of their education should, of course, correspond to this.

The CSC requested information from the **SOs** on the **tools they use to obtain and maintain high-quality CSts**. Their answers have shown that the SOs mainly use the possibility of education, financial motivation, providing various benefits, rotation of

employees, good working conditions, improving the interpersonal relations, friendly approach, good communication, individual approach, internships, entrusting demanding tasks, participation in various projects, multi-sectional teams or talent management. The negative fact is that a **large group of the SOs do not use any incentive instruments**, or they just focus on the financial possibilities of recruiting and retaining their employees.

It is necessary to purposefully work on promoting the State sector as an attractive employer and promoting the benefits it can provide. Although the SOs presented insufficient remuneration as the main problem of non-attractiveness, the results indicate that the attractiveness of the CS can be ensured not just by financial valuation, but also by improving the management, by increasing professionalization, by adhering to ethical rules, by de-politicization of the CS and flexible forms of work, by awarding employee benefits and setting a red tape reduction targets.

RECRUITING OF CIVIL SERVANTS AND THEIR LEAVING THE SERVICE

In general, we recognize two systems of occupying the civil service positions: one based on **patronage** (occupying positions in the CS by members and sympathizers of the political party that won the elections) and the other based on **meritocracy** (the process of recruiting and promoting civil servants based on their capabilities rather than political affiliations). In the meritocratic system, it can be a **career or positioning system**, while the human resources management system in the CS in Slovakia is perceived as rather positional.

According to information obtained from the SOs in 2018, a total of 3,388 new CSts were recruited.

The mass **selection procedure** is a novelty in the Civil Service Act. Out of the total number of newly admitted CSts, only three graduates were recruited through the mass SP, which shows that this mechanism has hardly ever been used so far.

Although the survey respondents tend to claim that SPs are objective and professional, they perceive that in some cases, candidates are favoured by friendly or other contacts, or if the SP is only formal and a pre-agreed candidate has been selected or some candidates had had previous knowledge of the questions of the written part of the selection procedure. The CStsMP believe more in the objectivity and professionalism of the SP than the standard civil servants.

The civil servants in a managerial position have expressed their slight agreement with the statement that the selection process leads to the selection of the best candidates and that the content of the test is appropriate. Their comments also included insufficient possibilities to examine practical skills and the fact that there is formalism, cronyism in the SP and candidates of political parties or pre-agreed candidates are recruited. They see the obligation to execute the SP during the substitution of the CSts on maternity leave, posting and so on as a problem.

The CSts also expressed their slight agreement with the fact that they have **sufficient number of trainings and guidance on the SP**, they would welcome having more trainings and briefings on how to conduct a personal interview and how to arrange the administrative requirements of the SP (in particular the drawing up of the minutes, protection of personal data). They would welcome the possibility of telephone consultations in the event of problem situations, more guidance on emerging practical issues and the publication of guidelines already provided so that they are available to all the civil service offices.

CSts are also inclined to the **usefulness of conducting an internal SP rather than the external one**. The CSOs perceived positively a chance to occupy the post quickly, they negatively perceive that this obligation unnecessarily prolongs the process and burdens them in cases where it is evident from the circumstances that it will not be possible to fill the post via the internal SP. As a solution, they suggested leaving the choice of whether or not the internal SP will be carried out to be decided by the SOs.

It is very important to know the reasons **why employees leave the civil service**. The respondents are most likely to see the reasons for their employees leave in reaching the retirement age and in obtaining a more attractive offer, which are factors that cannot be significantly influenced by the SOs. They indicate that dissatisfaction with the superior and dissatisfaction with their work may in some cases be included among the reasons for leaving.

According to the CSC, a number of steps would have to be taken concerning the process and content of selection procedures, e.g. the use of various forms of publishing information on vacancies in the CS, review the administrative burden associated with the SP, in the selection procedure it would be appropriate to include in the point evaluation also the wording of their allocation by individual members of the Commission and to publish the opinions given by the Government Office of the SR on the basis of applications to be available to all of the SOs. From the point of view of content, it would be appropriate to reassess the demandingness of the test of mastering the Slovak language, depending on the description of the civil servant position, to increase the scope for practical testing of applicants and to provide the members of selection committees with the necessary training. It would also be appropriate to examine ethics in the SP and provide selection committee members with the necessary training in this field.

CAREER DEVELOPMENT AND CAPACITY BUILDING

The CSC *surveyed* the view of the CSts on **career development**. The results of the survey suggest that some of the elements of career development are not considered objective by the CSts, e.g. the career path at the workplace is not always based on the civil servant's high-quality competence and skills. Therefore, these phenomena need to be monitored and evaluated.

The responses by the CSts and the information from the SOs show that they rather agree with the claim that they have **sufficient capacities**. They lack the professional capacities most (specific to the needs of the SO concerned), legal, technical and IT capacities. Both the international institutions and the national experts appreciate the formation of **analytical units** and the establishment of the **Value for Money Unit at the Ministry of Finance of the SR**, which prepares analytical data to make decision-making in the formation of public policies based on data and their impact. According to the CSC, it is necessary to continue to build **analytical units** in accordance with the *National Reform Programme of the Slovak Republic 2018*. These analytical units may help to make decisions on the basis of knowledge of facts and possible impacts, which knowledge contributes to professionalization of public service outputs.

EDUCATION AND MENTORING

CSts evaluate the education offered by the SOs rather positively in all the areas examined: its quality, quantity, choice of topics and the use of knowledge learned at work. The CSts working in the local state administration are the least appreciative to the organization and venues of the trainings.

Even among the **civil servants in a managerial position**, positive evaluation of trainings and instruction sessions prevails. They perceive the improvement in the high-quality of outputs as moderately positive, but in some **open-ended questions** they raised some critical observations, such as implementation of trainings in the capital, their general focus, lecturers from the private sector do not know the specifics of the CS, lack of trainings on specific professional topics, lack of financial resources for education or high administrative burden in education.

As regards the adoption of the new Civil Service Act, the GO of the SR established the **Centre for Education and Evaluation**, which is part of the Civil Service and Public Service Section. The courses of this Centre are generally evaluated as positive.

Professional ventures in the SR and abroad are another possibility of education and these may take various **forms**; in addition to educational training courses, they may include e.g. workshops, seminars, conferences, study visits, debates, consultations with experts, etc. However, up to 66% of respondents in the *CSC survey* said they did not take part in such professional ventures. The main reason for this is that they do not consider it important for their work, they do not have enough information on them, their participation in professional ventures is not allowed to them by their respective service office, or there are no funds available for that activity. According to the questionnaire survey, the majority of the CSts do not have any **contacts with institutions abroad** (e.g. partner offices, the EU, OECD, Council of Europe, EUPAN) which are relevant to their work area. This is particularly a problem in the case of employees of ministries, employees of other central bodies of the State administration and other bodies with nationwide competence. The results of the survey indicate that the Slovak CSts are

quite **isolated from the knowledge base** and best practice both at home and abroad. In a global environment, it is equally important to know the trends and future challenges facing the civil service. The CSC proposes to increase the awareness of the CSts on professional ventures in the SR and abroad, to make available the materials and outputs of international organizations dealing with the state administration, to map best practice in the relevant areas, to centrally collect and disseminate information, to share knowledge from business trips and to make available the latest knowledge regarding civil service and their professional specialization to the CSts.

The CSC also examined *in the survey* how the CSts perceive **mentoring** as a newly introduced institute. Respondents perceive this tool quite positively, most respondents consider mentoring a **useful or rather useful** tool. A slightly less favourable evaluation concerns the quality of the mentors, but even there a slight prevalence may be seen in that they are at a rather sufficient level. The respondents, in their evaluation of whether mentoring is merely formal, slightly inclined to a positive opinion, and are of the opinion that optimal conditions are not created for mentoring.

The setting of the education system is perceived by CSts, CStsMP and SOs quite positively. Opinions from the *CSC survey* provide good feedback on how to improve the education system in terms of content and implementation. Its content should reflect the needs of the SOs, but should also include new trends and problem areas, e.g. training in the Education and Evaluation Centre should be extended to ethics, motivation, strategic thinking and accountability mechanisms. The CSC proposes the following in the field of education:

- reviewing formal requirements and bureaucracy associated with education,
- using the information that is even being collected and evaluated about education at present,
- coordinating the evaluation of education by service offices, consider setting up an information system to facilitate the work with evaluation questionnaires; coordinating and methodically modifying the evaluation of education in the form of evaluation reports by the SOs,
- sharing best practice among service offices and using the evaluation report tool as part of the strategic management and development of human resources,
- developing closer cooperation between the SOs and universities or educational institutions, which will make it possible to benefit from the theoretical knowledge of academic institutions and will also help in career development and increasing the expertise of the CSts during employment; on the other hand, making more use of the expertise of high-quality CSts to transfer knowledge and practical knowledge to the academic environment and the process of educating the prospective CSts.

REMUNERATION

There are several problems perceived in the system of remuneration in the Slovak Republic, e.g. complexity and unpredictability, low vertical salary compression, which is offset by a high number of allowances, in most cases it does not fulfil its purpose (high-quality of service tasks) but compensates for the low level of salary grades.

In terms of **salary grades**, based on information from the SOs, there is a maximum (20%) of the CSts included within the 5th grade, the least of them (3%) are in the lowest, 1st grade, and the in highest grade there are 9 of them (3%). Most of the highest-ranking employees have other CSOAs (6%), slightly less ministries (3%).

*The 2019 CSC survey suggests that 40% of the respondents consider providing an **optional component of position salary** rather fair, 26% rather unfair, and a high percentage of 33% are unable to assess it. Interestingly, the CSts operating in the CS for a shorter period of time consider the optional component to be fairer than the CSts who have been in the CS for a longer time period. The comparison with the 2013 results suggests a positive trend, as the perception of employees in the evaluation the system of providing optional salary components has improved. Nevertheless, the 2019 results suggest that a high percentage of civil servants perceive the provision of an optional salary component as unfair and the civil servants still lack sufficient information and justification to provide non-claimable salary components. It is prevalingly believed that the results of the performance appraisal are very little reflected in the financial reward.*

It has been found out from the findings of the CSC according to the data provided by 173 SOs, that the **personal salary** in 2018 was used by 25 SOs, 289 CSts were granted it, out of whom 194 were the CStsMP. The CSC also investigated the reasons for granting a personal salary; a general claim of most of the SOs is that it was granted for performing extremely demanding tasks. Those SOs that have provided more specific reasoning have conceptual or managing activities, implementation and drawing of the EU funds, public procurement, communication and marketing, nationwide competence of the institution, impossibility of recruiting the necessary expert for the tariff salary. In three cases, the SOs stated that it was in the case of the SO Secretary-General.

The data provided by the CSS indicate that the **average remuneration** is less than 12% of the staff salary budget.

Based on the above remuneration findings, an **analysis and reform of the remuneration system appears necessary** according to the CSC. For a good set-up of the reward system, **data** on motivation and reward **is needed**, which is little available in the SR. The data is also unavailable in several other categories monitored by the OECD.

At present, the GO SR is working on the **Concept of Remuneration in the CS** and will carry out the data collection, analysis of remuneration, application of non-financial elements of motivation in practice and analysis of remuneration in the selected EU countries.

PERFORMANCE APPRAISAL

The 2019 CSC survey suggests that respondents rather **agreed to the statements** that they had known what they should have expected from the performance appraisal; it would be advisable to carry out an evaluation of superiors by the CSts, the supervisors were prepared for the appraisal interview, that the appraisal was objective and received feedback on the work. The CSts did not incline either to agree or disagree with the notions that the performance appraisal allowed them to better understand their strengths and weaknesses, to know what to improve and was merely formal.

The performance appraisal is also linked to the CSts salary conditions. *In the CSC 2019 survey* they **rather disagreed** with the statement that the **results of the evaluation had had an impact on their financial reward** and on the setting of their development and education.

The respondents agreed with the view that it would be advisable to make the performance appraisal of the superiors by the subordinates. A closer sorting shows that the CSts would more welcome the performance appraisal of the CStsMP, less so the CStsMP themselves.

The majority of the CSts believe that performance appraisal was for them **inefficient or little beneficial**. The data suggests that the new system is not fully accepted by the CSts, it will need to be further developed and the reasons for its introduction and the expectations associated with it should be communicated in a better way.

An interesting finding is that even in the case of the **CStsMP**, the opinion is only slightly prevalent (40%) that performance appraisals are beneficial, 30% of them consider them ineffective, and 30% are neutral. Rather, the CStsMP rather agreed to be able to conduct an performance appraisal interview, give feedback to the employees, performance appraisal rules and the related forms were understandable and they themselves have been trained appropriately. They rather disagreed that they had been afraid to give negative appraisals, had to take into account the financial resources of the respective SO, were receiving guidance from their supervisors on what kind of appraisal to award.

The basic prerequisite for success in performance appraisal is the belief of both managers and the CSts being appraised that it was a **beneficial, meaningful and functional tool**. As it is a newly introduced method of performance appraisal, it is important to believe in the benefits and functionality of this tool. On the other hand, a negative appraisal may indicate a disagreement with its implementation or a mistrust of change.

The data mapping the level of satisfaction of evaluators and those being evaluated as obtained by the CSC may be useful in evaluating the newly introduced method of performance appraisal and its improvement. However, the evaluation system will need to be analysed in greater detail.

The **CSC proposes** to add in the performance appraisal, in addition to the score, the verbal reasoning of the points awarded within each area evaluated, and in a written evaluation of the performance appraisal to inform the civil servant of the possibility to

comment on the performance appraisal result. In the evaluation of professional knowledge, it recommends to build on the high-quality and professionalism of the performance of the service tasks according to the description of the civil service post and the service tasks assigned and not to focus on compliance with laws, internal regulations and the like.

PERCEPTION OF WORK AND THE ENVIRONMENT BY THE CSts

The 2019 CSC survey shows that the majority of respondents regard workplace **relationships at the workplace and teamwork as good**. The results suggest a rather **positive perception of colleagues** in terms of friendliness, interest in education or expertise. The low level of consent was cited by the CSts in the statement that their colleagues were moral models for them.

There is a **slightly positive evaluation of superiors**, but the results show that there are margins in improving the management and leadership of the public administration staff. Employees perceive less favourably their superiors as moral authorities and as natural authorities. This suggests a need for more attention to leadership and ethics issues. In this context, it is positive that the GO SR is currently developing a **Concept of Leadership Implementation and Development**, in which it will collect the data and analyse the data.

Only 59% of respondents believe that the level of honesty, integrity and impartiality of senior civil servants is high. A comparison of the results with the 2013 survey suggests a slight improvement in the perception of this aspect, but the results also indicate that the level of integrity, honesty and impartiality needs to be further increased and that much more attention needs to be paid to issues of integrity and ethics.

Several results from the *CSC survey* in the year 2019 and their comparison with the 2013 survey results show that there emerges a **positive shift in the HR management** (e.g. in education, developing analytical capacities, perception of workplace relationships and teamwork).

Although a moderately positive evaluation of superiors prevails, the results show that there are margins in improving management and leadership of people in civil service. There will be a need to further professionalize the HR management, address motivation, career development, assess work quality, reward, and provide a feedback.

According to the perception of the CSts, who expressed themselves in the 2019 survey, there are occasional cases of patronage, corruption and rarer cases of discrimination, sexual harassment and bullying in the service offices. It is important, therefore, that the CSts know exactly who they should contact in such cases and how they should proceed.

It is also necessary to systematically address formalism and bureaucracy, to assess whether all the formal requirements are still needed and to use best practice.

2. METHODOLOGY

METHODOLOGICAL NOTES

In drafting the 2018 situation and development of the civil service in the SR report, the Council relied on **its own data and those from external sources**, with available older data used in the absence of the current data related to 2018.² In carrying out research and use of the data it has been shown how important it is to build a central database of civil service data for the future.

OUR OWN SOURCES OF DATA

Our own sources included two **questionnaire surveys**, one carried out in 2018 and the other one in 2019, as well as **collections of data from the service offices**.

The questionnaire collection for the Code of Ethics of the Civil Servant was carried out in May and June 2018 and was completed by 5,828 respondents, representing 15% of all the civil servants in the SR. Due to the voluntary nature of the questionnaire, the sample may have been distorted by the fact that the questionnaire was usually filled by more active and willing employees.

In 2018, data was collected from the Service Offices³ which provided basic information on their previous experience in the field of ethics.

The questionnaire survey of the Civil Service Council was again carried out in January and February 2019. 6,218 respondents provided their answers. This represents 16% of all the civil servants in the Slovak Republic, while the questionnaire results in the same distortion as the 2018 questionnaire.

The second collection of data from the Service Offices took place in February 2019, with 173 out of the 216 Service Offices responding (80%). It should therefore be borne in mind that the Council was unable to work with full data and this should also be taken into account when interpreting the results.

QUESTIONNAIRE COLLECTION AND DISTRIBUTION METHODS

The Council used the *Google Forms* platform for all the data collections. Its advantage was in its being free of charge, the ability to export the data to Excel files and intuitive use. Both questionnaires for civil servants (2018 and 2019) were distributed through Service Offices.

The Council also used informal sources (e.g., **professional associations** such as the Civil servant of Good Will, Good civil servant) and other organisations or trade networks

² Provided that these data were considered relevant.

³ Replies to the Council were provided by 50 Service Offices.

(trade unions, personal contact networks) to distributing the questionnaire, and it was also distributed via subscribers to the Council Newsletter.

Subsequently, the Council contacted all the SOs by telephone and verified whether the questionnaire was distributed among the CSts. In cases where this was not the case, it provided for the re-sending of the questionnaire to the Service Office and its further distribution.

The advantage was that if the SO had a contact network (e.g. an email for all the employees) through which it addressed all its civil servants if necessary. This method was more effective and less demanding on the human resources used than the transmission through the relevant management levels.

FILLING IN THE QUESTIONNAIRES AND QUALITY OF THE DATA OBTAINED

Questionnaires for civil servants were anonymous, the Council only had the time stamp for sending their responses for each respondent as the sole identifier.

In the case of the questionnaire for the SOs, the so-called "Hotline", i.e. the appointment of an employee of the Office of the Council after sending out a questionnaire by resolving the methodology, trouble shooting and answering questions and uncertainties by the SO.

EVALUATION OF DATA FROM QUESTIONNAIRES

In the case of the questions whose answers were graded according to the Likert Scale,⁴ the central tendency measures were used as indicators, specifically the **arithmetic mean of the question** and **the median**. The median was used as indicator because, unlike the arithmetic mean, it is not subject to skewness. Likewise, the median is less affected by extreme values at one or the other end of the scale. The advantage of the arithmetic mean is that, with respect to decimal precision, it allows one to rank responses to multi-level questions by importance, such as the degree of agreement with multiple statements pertaining to the same subject.

In the case of demographic characteristics, under which we understand the differences between the individual demographic groups that the Council identified in the questionnaire (service office, sex, region, status, duration of experience in the CS, age), a non-parametric one-factor analysis of variance was performed (Kruskal-Wallis Test⁵). The hypothesis tested was that there were no statistically significant differences in the responses to the question within the demographic groups, which means that respondents from different demographic groups commented on the subject matter in the approximately same way.

⁴ This is a numerical axis, on which the figures show different views from the overall consent to total disagreement.

⁵ This is an extension of the Mann-Whitney U-test to more than two independent selections, a nonparametric H0 hypothesis test: "*All selections come from the same distribution, or from distributions with identical distribution functions.*"

Kruskal-Wallis test procedure:

All of the answers to the question are sorted from the smallest to the largest ones, assigned to the order, divided into different demographic groups, and the average ranked for each demographic group is calculated. Assuming the validity of the H0, the average of the order of each demographic group should not differ significantly. From the test results (at a significance level of $\alpha = 0.05$), these differences between the mean values⁶ are considered statistically significant:

- **office** - difference in average values of 400 or more,
- **region** - difference in average values of 400 or more,
- **gender** - the difference in average values is 250 or more,
- **status** - difference in average values of 250 or more,
- **duration of experience** - difference in average values of 500 or more,
- **age** - the difference in average values is 400 or more.

EXTERNAL RESOURCES DATA IN THE SR

The Council also based its information on previous surveys and materials, such as: the document Civil Service in 2013 of the Government Office of the SR and Strategy for Human Resources Management in the civil service for 2015-2020 of the Government Office of the SR. The audit at the Ministry of Finance of the Slovak Republic is also a valuable source of data on the CS in which the number of CSts is surveyed periodically for budget purposes. The latest available inventory comes from May 2017 and until the start of personnel information systems at the central level, the data is the main source of information on staffing levels in the State administration.

EXTERNAL RESOURCES DATA FROM ABROAD

The CSC drew on the data and publications from international institutions, such as the OECD and the European Commission.

⁶ The 2019 Civil Servant Questionnaire, questions No. 1.1, 1.3, 1.6, 1.5, 1.4, 1.7. Available online:: https://docs.google.com/forms/d/e/1FAIpQLSd-3UYZ66e3-OJqNd-UU5j-k55xOdL9ckpqlcp54C73djr3Hg/viewform?usp=sf_link

3. CHARACTERISTICS AND PROBLEMS OF CIVIL SERVICE IN THE SR

3.1 LEGAL FRAMEWORK

Civil service is an indispensable and essential part of the State organization of society. Its social function is determined by the functions and tasks of the State provided by its civil servants. The Civil Service as a legal institute is a summary of legal regulations governing the status of civil servants - the establishment, course and termination of legal relationships in the civil service, the rights, duties and responsibilities of civil servants. Civil servants are involved in providing functions and tasks of the State, i.e. acting on behalf or in charge of the State, performing executive and decision-making activities.

The **Civil Service Act** is the basis of the civil service legislation which entered into force on 1 June 2017 (some of its provisions came into force at a later date), the legislation is also based on the Strategy for Human Resources Management in the civil service for 2015-2020 approved by the Resolution of the Government of the Slovak Republic.⁷

The civil service is built on the principles that govern civil servants in the performance of civil service and service offices in the decision-making in civil servant relations. The principles of the CS create a value framework and bases for the application of specific provisions of the Civil Service Act. This law is built on the **principles of political neutrality, legality, transparent employment, effective governance, impartiality, professionalism, transparent and equal pay, stability and equal treatment.**

The Civil Service Act introduced a number of new measures in order to increase the independence of the civil service in the Slovak Republic as well as to fulfil the recommendations of the European Commission regarding the public administration reform.

The relations that arise in the execution of the civil service by civil servants are described as civil service relations. Their content consists of the rights and obligations of the civil service aimed at fulfilling the tasks of the State authority in the execution of the State administration or to fulfil the tasks of another State authority in the execution of State affairs. The State represented by the service office is the employer in both of these cases.

The civil service relationships are not only governed by the Civil Service Act, but in cases where the Civil Service Act provides for it, the *Labour Code* and the servants perform the CS exclusively under the Civil Service Act. Due to the special status of the exercise of State power in a certain area, there are civil servants on whom the Civil Service Act applies only if a special regulation does not provide otherwise. Thus, in the present case, the Civil Service Act is subsidiary.⁸ In the case of another group of civil servants, any

⁷ Strategy for Human Resources Management in the civil service for 2015-2020. Government Office of the Slovak Republic, adopted by Resolution of the Government of the Slovak Republic No. 548/2015 of 7 October 2015.

⁸ Such CSs are court clerks, foreign service officers, candidate prosecutors' lawyers and prosecutors' assistants.

scope of the Civil Service Act is completely excluded, as their legal status is governed by specific legal rules.⁹

3.2 BASIC INFORMATION ON THE CIVIL SERVICE

According to data from the **Ministry of Finance of the SR** (2017), **38,838 civil-service jobs are registered in the SR**¹⁰ In 2014, there were 37,441 civil servants in the CSAA of the Slovak Republic, including subordinate organizations.¹¹

In the SR, **there exist no basic data** that would characterize the CS in greater detail, e.g. the composition of civil servants by age, sex and education. According to the *Strategy for Human Resources Management in the civil service for 2015-2020*, these data are not processed in personnel information systems and must therefore be handled separately by the Personnel Offices. The result is a lack of uniform registration practice and a non-existent centralized overview of employee age structure. The central information system is gradually being built, but some of the key registers will not be created until 2020.¹² Therefore, we will at least try to indicate these characteristics from the available resources, or the data for the public sector and those available earlier.

The State as an employer differs from the private sector in many respects. The former provides e.g. higher job security and income, shorter working hours and higher entitlement to paid leave than private sector employees. On the other hand, employees in the CS have restrictions, e.g. they are not allowed to do business, to carry out gainful activities identical or similar to the description of their CS positions and they file asset declarations.

The public sector in the SR employs a slightly smaller number of employees than the EU average. In 2017, 413 thousand employees worked for the State, including the self-governing bodies. One-third of them work in education, one-tenth in health care, one-tenth are civil servants employed in the CS.¹³

The public sector is aging faster than the private sector, with almost a third of public employees will be at retirement age in 10 years. The public sector has a problem of attracting and retaining young employees.¹⁴ A small proportion of young employees is a risk factor because it limits the possibilities to ensure continuity and recovery, it may

⁹ This is the performance of the CS by members of the Police Force, the Slovak Information Service, the National Security Office, the Prison and Judicial Corps, the Fire and Rescue Service, the Mountain Rescue Service, customs and professional soldiers.

¹⁰ Number of CSts according to the Pay Inventory of the Ministry of Finance of the Slovak Republic (5/2017, Appendix šs-4), without employees carrying out CS in foreign countries.

¹¹ Strategy for Human Resources Management in the civil service for 2015-2020, adopted by the Government Resolution No. 548/2015 of 7 October 2015, p. 15.

¹² Act No. 55/2017 establishes the Central Information System, but the various registers that are part of it have different effectiveness - e.g. Register of Civil Servants and Register of Civil Servant Positions as late as in January 2020.

¹³ Revision of Employment and Remuneration Expenditure in Public Administration, Interim Report. Ministry of Finance, December 2018, p. 12

¹⁴ Revision of Employment and Remuneration Expenditure in Public Administration, Interim Report. Ministry of Finance, December 2018, p. 37

also be a sign of the low attractiveness of the public sector as an employer.¹⁵ The OECD countries, for which data is available, have on average a higher number of over 55 year-old employees than those under 34 years of age. This can also be illustrated by the example of neighbouring countries: 31.7% of employees in Poland are over 50 years old¹⁶ and in the Czech Republic there are 53% of employees older than 45 years.¹⁷

Women account for more than two thirds of employees in the public sector.¹⁸ The Slovak Republic has the third highest share of them (68%), preceded by Poland (69%) and Hungary (72%) among OECD countries. A higher proportion of women may be due to better conditions for women to work. In the central State administration, 16 OECD countries offer more childcare and family benefits than the private sector.¹⁹

3.3 ATTRACTIVENESS OF THE CIVIL SERVICE

In order to assess the attractiveness of the CS, we will try to use the results of the CSC 2019 survey and the findings in relation to the public sector to which the civil service is part.

CSC SURVEY 2019

The figure that may indicate lower attractiveness of the civil service is the vacancy of budgeted positions. The reason for this may be, besides the unattractiveness of the work, the exaggerated need for the number of employees. Therefore, the CSC has determined the interest in participating in selection procedures. Table No. 1 provides information that the CSC obtained from the SOs in 2019:

Table No. 1 (distribution of SP according to the number of applicants. Source: Collection of the CSC Data from the Service Offices)

	To the CSt position	To the CStMP position
Total number of SPs	5 833	415
Number of SPs with over 10 applicants	170 (2.9%)	2 (0.5 %)
Number of SPs with less than three applicants	3,272 (56%)	376 (90.6%)
Number of SPs without applicants	2,391 (40.9%)	37 (8%)

¹⁵ Government at a Glance 2017. OECD, 2017, p. 94. Available online: https://read.oecd-ilibrary.org/governance/government-at-a-glance-2017_gov_glance-2017-en#page117

¹⁶ Civil Service in Numbers. Kancelaria Prezesa Rady Ministrów RP, 2013. Available online: https://dsc.kprm.gov.pl/sites/default/files/pliki/civil_service_in_numbers_draft.pdf

¹⁷ Annual Report on the Civil Service for 2017. Ministry of the Interior of the Czech Republic, 2017. Available online: <https://www.mvcr.cz/sluzba/clanek/statni-sluzba.aspx>

¹⁸ Revision of Employment and Remuneration Expenditures in Public Administration, Interim Report, Ministry of Finance of the Slovak Republic, December 2018, p. 41.

¹⁹ Government at a Glance 2017. OECD, 2017. Available online: https://read.oecd-ilibrary.org/governance/government-at-a-glance-2017_gov_glance-2017-en#page1

The data obtained from the SOs indicate that the selection procedures involving more than 10 candidates are the smallest in number, less than 3%. On the contrary, those SPs prevail, where the number of candidates was lower than 3, or where there was no interest shown in the positions in the CS at all. When applying for the positions of SCSs, the selection procedures with less than 3 candidates prevail.

In their comments passed on the selection procedures, **civil servants in a managerial position** have often reported a **low number of candidates** and a statement that pretty often not make a selection but rather recruitment is made to obtain any CS at all, especially for specialized positions like IT expert or lawyer. As a reason they see the fact that the offer cannot compete with the private sector or that there is no interest in working in the CS at the regional level for a salary offered and it is difficult to attract young people.

MF SR FINDINGS IN THE EXPENDITURE REVISION

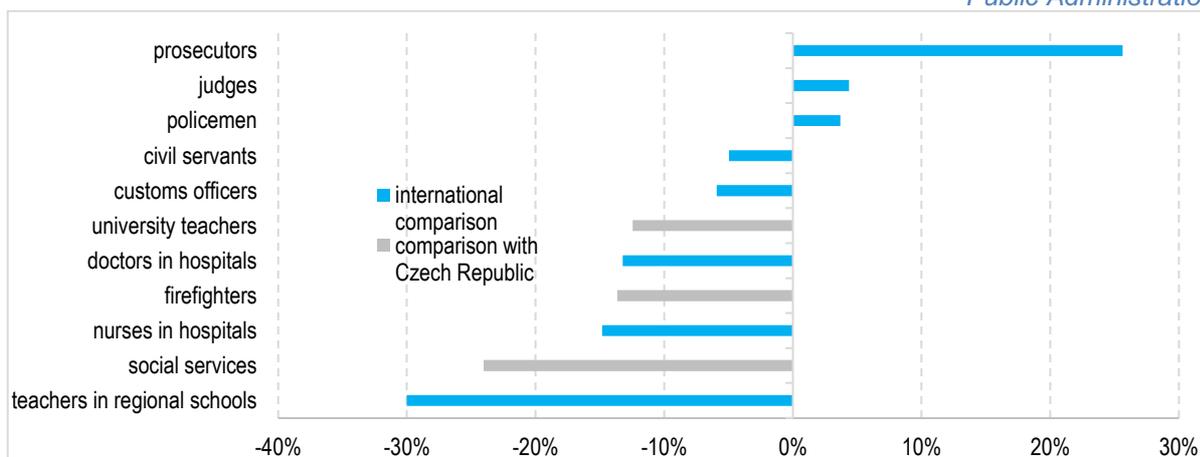
The revision of expenditure²⁰ has produced interesting findings, which speak of the attractiveness of the public sector in the SR. Although not specifically specified for the civil service, they are similar to those revealed by the CSC. The differences in remuneration are noticeable in terms of relevant professions, especially the salaries of public sector employees in expensive professions (e.g. lawyers, finance and IT employees) are considerably lagging behind. The public sector is financially unattractive to employees during most of their productive age.

The relatively egalitarian system of remuneration in public administration, combined with large regional disparities in the Slovak economy, creates large disparities in income between the private and public sectors in some regions. The lower attractiveness is also evidenced by the fact that employees earn more than otherwise when switching from the public to the private sector.

The international comparison shows that, according to the Chart data, **civil servants earn slightly less than is the EU average:**

²⁰ Revision of Employment and Remuneration Expenditure in Public Administration, Interim Report. Ministry of Finance, 2018.

Chart No. 1 (Framework International Wage Comparison, 2014-2016, Percentage Difference. Source: Revision of Employment and Remuneration Expenditure in Public Administration)



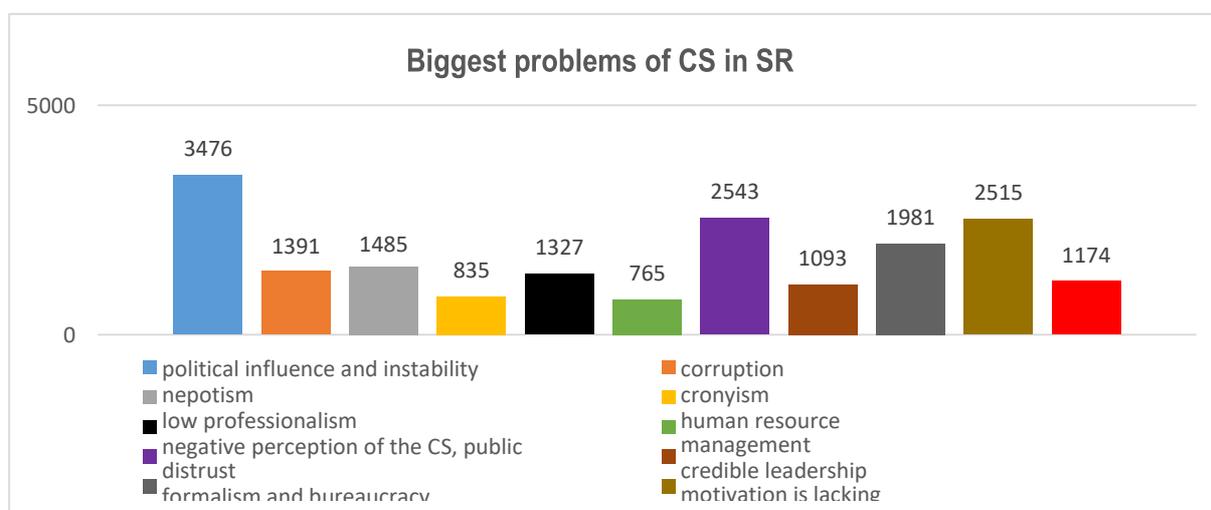
If the work in the civil service is less attractive, it can cause a problem with high-quality service delivery. If older workers predominate in the age structure, this may indicate difficulties in attracting and retaining younger employees. The low proportion of young employees may also be associated with less flexible remuneration rules.

3.4 PROBLEMS OF CIVIL SERVICE IN THE SR

It is important to know the current state of affairs and problems of the CS in the SR and how it is perceived by the CSs themselves and what the position of the SR is compared to other countries.

In the 2019 survey, the Council investigated what the civil servants consider **the biggest problems of the CS in Slovakia**; the respondents could choose a maximum of 3 options:

Chart No. 2 (Source: CSC Questionnaire for Civil Servants, 2019)



Therefore, the respondents consider the following to be the biggest problems in the civil service in the SR:

Table No. 2 (Source: CSC Questionnaire for Civil Servants)

Problem	Percentage of respondents
politicization and instability	56%
negative perception of the CS, distrust of the public	41%
motivation of the CSts	40%
formalism and bureaucracy	32%
nepotism	24%
corruption	22%
low professionalism	21%
preferential treatment by sectors	19%
lack of trusted leaders	18%
cronyism	13%
human resources management	12%

For more information on motivation, HRM, formalism, bureaucracy and leadership, see Chapter 4.

INTERNATIONAL COMPARISONS²¹

The European Commission has for long been critical about the low efficiency of public institutions in the SR, and the improvement of public administration was a part of its recommendations for the SR every year in the period of 2011-2018. As **positive**, the European Commission perceives **legislation, including the Civil Service Act**, however, **insufficient implementation and weak institutions** remains its problem. In its recommendations for the SR, it also criticizes insufficient management of human resources in public administration, nepotism and the lack of cooperation among the ministries, and also political nominations, especially in the regulatory authorities. In its 2019 Report, the European Commission notes that improvements have been made to human resources management and lack of analytical capacity in the public service.²²

The international institutions (the European Commission, OECD, IMF) perceive the **establishment of analytical institutes**, e.g. the **Value for Money** unit as a positive trait.²³

²¹ As a rule, there is no distinction between civil service and public service in international comparisons.

²² Report on Slovakia 2019. European Commission, 2019. Available online: https://ec.europa.eu/slovakia/sites/slovakia/files/sprava_o_slovensku_2019_1.pdf

²³ Report. Seminar: How do international organizations evaluate Slovakia? Available online: https://www.szz.sk/images/dokumenty/Sprava_Seminar-Ako_medzinarodne_organizacie_hodnotia_Slovensko.pdf

3.5 POLITICIZATION

Politicization is often identified as one of the main obstacles to the professionalization of civil service.²⁴ In this context, politicization of the CS is understood to be a service office decision based on political grounds.²⁵ G. Peters defines politicization as replacing the merit criteria (merit system) by political criteria in the CS management positions, such as selection, career advancement, remuneration, sanctioning and termination of the CS.²⁶ According to L. Rouban, politicization "means that it is not just a civil servant's activity, but also that his/her career depends more on political than on professional norms and standards."²⁷

The impacts of politicization may mean that those who have party connections get their jobs in CS at the expense of those who do not have them even though they are experts.

However, it is necessary to distinguish types of politicization and their different impacts on the high-quality of state administration. G. Peters distinguishes politicization:

- **Functional**, professional, where the posts are occupied by professionals who share with political leaders similar values;
- **Legal**, in which public sector posts are occupied by politicians without formalized selection procedures, this being a legal procedure;
- **Patronage**, where the posts are occupied on the basis of party affiliation with no guarantee of expertise;
- **Anticipatory**, where the decision of the civil servants to leave the post after the government is replaced by another one is the case in point because they think the new government will be ideological.²⁸

Therefore, it is not easy to say that any decision by politicians to fill a post in the CS is negative, e.g. in functional politicization.

A survey of the Government Office of the SR of 2013²⁹ identified some politicization factors through several questions. Approximately the equal number of respondents agreed (41%) and disagreed (42%) claiming that their workplace is able to transparently recruit the fittest candidates. An opinion prevailed among the respondents (43%) that jobseekers with connections to government coalition political parties have unfair benefits (19% no, rather not, 40% don't know). The 2013 results indicate a **very high level of perceived politicization**.

²⁴ Professionalism and Ethics in Public Service: Issues and Practices in Selected Regions, United Nations Department of Economic and Social Affairs, ST/ESO/PAD/SER.E/5, 2000.

²⁵ Strategy for Human Resources Management in the civil service for 2015-2020. Government Office of the Slovak Republic, 2015.

²⁶ In: Staroňová K., Staňová Ľ., Sičáková-Beblavá E. : Public Service Systems. Concepts and trends. Comenius University in Bratislava, 2014.

²⁷ Rouban L.: Politicization of the Public Service, 2003. In: Peters G., Pierre J. (eds.): Handbook of Public Administration. London, SOGE Publications Ltd., p. 313. In: Prachárová V., Kačur, J. : Employee Fluctuation rate and New Civil Service Act in the Context of State Administration. SGI, 2018, p. 3.

²⁸ Peters G.: The Politics of Bureaucracy. London, 2010.

²⁹ Civil Service in 2013. Government Office of the Slovak Republic, 2013.

The SR Act on Civil Service was a response to the findings on perceived politicization of the civil service, which enshrined **political neutrality and stability** among the principles of the civil service, it introduced important changes, abolishing, inter alia, the possibility of dismissing the senior civil servant without stating a reason, setting the criteria and processes for selection procedures and establishing the CSC. These measures will need to be evaluated and their application monitored and results delivered. Among other things, it is necessary to monitor whether the organizational changes that would artificially increase the number of CStsMP posts in an attempt to fix them in the positions after the change of government will not be implemented in the SOs before the elections.

The ECS 2019 survey examined some aspects of politicization or the related areas:

- When evaluating what the respondents consider to be **the biggest problem of civil service in the SR, most of them (56%) reported political influence and instability.**
- A significant number of respondents consider de-politicizing the civil service to be a factor that would **attract and stabilize high-quality people in the CS** (4,431 yes, 1,095 rather yes). At the centre of Likert's scale 3, the average value of the statement was 4.6, which indicates a strong consensus of CSts on this claim.
- Indications of non-meritocratic practices are shown by the results of the recruitment questionnaire **in the evaluation of employees recruitment.**³⁰

The results of the 2019 questionnaire survey suggest that politicization still remains a problem for the Slovak civil service and will need to be further addressed.

Professionalization of civil service requires a clear distinction between political and apolitical positions.³¹

Politicization of civil service in the SR is considered **one of the major problems**, not just by various international organizations and institutions (OECD, the European Commission, etc.) but also by expert studies.³²

In the SR, especially after the replacement of minister exchanges occur in managerial positions; the likelihood that the CStsMP will be replaced at this stage is 4.5 times higher than in the later period.³³ The main reason for the replacement of CStsMP is not so much political ties as rather mistrust of the new minister in the ability and integrity of the CStsMP.³⁴

³⁰ For details see chapter 4.3, *Recruitment of civil servants*.

³¹ Staroňová K., Staňová Ľ., Jajcayová Z. : Innovative Elements in Civil Service Reform. In: Slovakia, Research Paper 5/2013, Association for International Affairs and Pontis Foundation, 2013, p. 20.

³² E.g.: A Comparative Overview of Public Administration Characteristics and Performance in EU28, 2017, p.28. Prachárová V., Kačur J.: Employee Fluctuation Rate and New Civil Service Act in the Context of State Administration. SGI, 2018. Staroňová K., Staňová Ľ., Sičáková-Beblavá E. : Civil service Systems. Concepts and trends. Comenius University in Bratislava, 2014.

³³ Staroňová K., Rybař, M.: Ministerial or Party Roots of Civil Service Patronage? Evidence from a Parliamentary Democracy, 2019.

³⁴ Staroňová K., Rybař M. : Ministerial or Party Roots of Civil Service Patronage? Evidence from a Parliamentary Democracy, 2019.

According to several authors, the system of political nomination of the secretaries-general of the service offices in the SR, who are in charge of managing human resources and at the same time being politically nominated, means that they may pursue the political interests in the CS hierarchy.³⁵

Politicization may also manifest itself in the end of civil service by organizational changes, especially after the replacement of government after elections. In such cases, objective and politically unbiased investigation through an independent institution, which is the Council in the Slovak Republic, is of particular importance.

3.6 PUBLIC TRUST

Civil servants represent the fulfilment of public interest for citizens, so it is very important for citizens to trust that this is really happening.

The CSC 2019 survey investigated what the CSts considered the biggest problems in the civil service in the SR. Up to **41%** of respondents considered the **negative perception of the CS and the public mistrust** as the most serious problem.

In September 2018, a representative opinion poll for the *Good Officer* was carried out by FOCUS agency on a sample of 1,015 respondents. The results show that **over half of the respondents (60%) in general trust officials**, of whom 6% fully and 54% rather trust. Those who trust officials have indicated their desire to help, willingness to advise, professionalism and positive experience as the main reasons for trust. In general, 37% of respondents have a distrust of officials (27% rather do not trust, 10% do not trust at all). The most frequent reasons for mistrust included reluctance, lack of interest (24%), arrogance (18%), corruption and nepotism (15%) and unprofessionalism (14%). Respondents from large cities over 50,000 people declared above-average distrust of officials.

The survey also examined citizens' opinion on the impact of State and public officials on the lives of respondents. About a half of them said **officials had a rather large or very large impact on their lives**. It is interesting to note that the residents of big cities have very often said that officials have a relatively large impact on their own lives.

The survey results indicate that civil servants perceive a higher level of distrust of the public in the public service than the citizens themselves.

3.7 PROFESSIONALIZATION

Professionalism of the civil service is associated with professional or meritocratic elements; according to some authors, **meritocratic is synonymous with professionalism**.³⁶ According to Van der Meer, professionalism is most often used to

³⁵ For details see Staroňová K., Staňová E., Sičáková-Beblavá E. : Civil Service Systems. Concepts and trends. Comenius University in Bratislava, 2014. p.125.

³⁶ E.g. Van de Meer, F. M. In: Staroňová K., Staňová E., Sičáková-Beblavá E.: Public Service Systems. Concepts

mean that a civil servant performs his/her tasks in an appropriate way.³⁷ Therefore, we should describe the anticipated behaviour by ethical codes and codes of conduct. Professionalism of civil servants also depends on the values and principles that are reflected in the principles of civil service, and in this respect the politicization of the CS is often referred to as a counterpart.

In any event, the CSTs should render professional performance, or as Van der Meer states, to perform their tasks appropriately. Professionalization itself is not based solely on the training of civil servants, but also on a clear definition of rights and responsibilities, accountability tools, and improving standards and overall human resource management.³⁸

According to the Strategy for Human Resources Management in the civil service for 2015-2020,³⁹ *"The basic mission of the CS is creating an estate of professional officials, educated and trained with the appropriate knowledge, moral qualities and skills that they could transform into the good management skills, who will ensure sustainable social-welfare security for individuals, communities and the State."*

The CS vision is defined as *"Creating a professional civil service that will ensure the ability of human capital to adapt to any changes arising from new economic and social conditions in the 21st century to serve citizens in a sound and credible way."*⁴⁰

It is a good basis for the SR that strategic documents and legislation emphasize the need for professionalization. However, international comparisons and several analyses indicate that Slovakia is lagging behind in this area. This is also reflected in the **European Commission** evaluation, which, using the Professionalization Index⁴¹, measures to what extent the state administration is more professional than political. In 2015, the SR ranked last in the index of state administration professionalism, which represents a significant deterioration of the evaluation compared to 2012.⁴²

The 2019 CSC Survey surveyed some of the parameters that may characterize professionalization:

- Respondents were asked to give a maximum of three issues that they consider to be **the biggest problem in their SO**, while 17% of respondents reported low professionalism. 41% considered the most serious problem to be formalism and

and Trends. Comenius University in Bratislava, 2014.

³⁷ Van der Meer, F.M. (Ed.): Civil Service Systems in Western Europe. Edward Elgar Publishing, Cheltenham, 2011. In: Prachárová V., Kačur J.: Employee Fluctuation rate and New Civil Service Act in the State Administration Context. SGI, 2018, p. 3.

³⁸ Service Act in the Context of State news. SGI, 2018.

³⁹ Strategy for Human Resources Management in the civil service for 2015-2020. Government Office of the Slovak Republic, 2015.

⁴⁰ Strategy for Human Resources Management in the civil service for 2015-2020. Government Office of the Slovak Republic, 2015.

⁴¹ A Comparative Overview of Public Administration Characteristics and Performance in EU28. European Commission, 2017, p. 43-44. Higher values indicate more professional performance. The value for each country is calculated as the average of expert ratings.

⁴² A Comparative Overview of Public Administration Characteristics and Performance in EU28. European Commission, 2017.

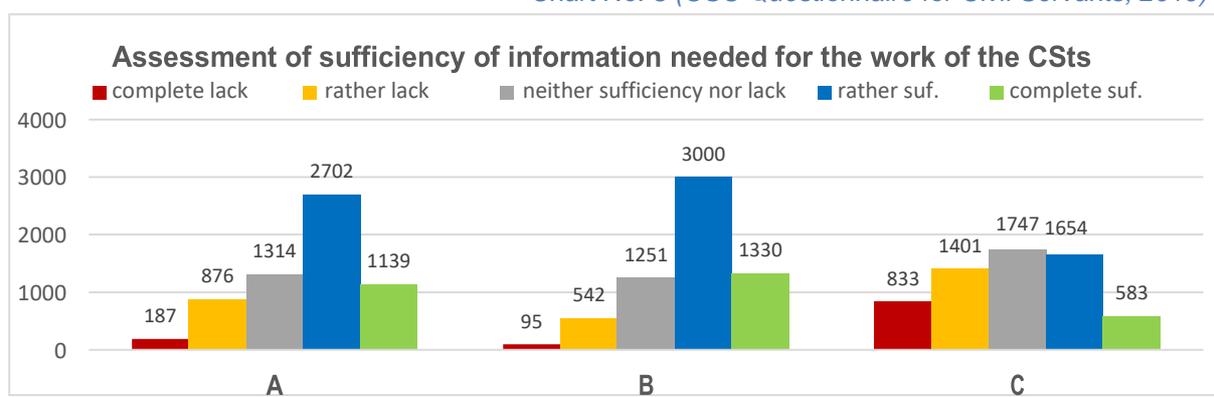
bureaucracy, 31% of political instability, as well as other issues reported by the respondents as cronyism, nepotism and corruption.

- In the survey, 32% of respondents considered formalism and bureaucracy **the most serious problem of the civil service** in the SR.

To gain and stabilize high-quality people in the CS, the respondents attach great importance to **professionalization**. On a scale of 1-5, where 1 = no, 5 = yes and mid = 3, the average response value was very high, up to 4.8.

Organizational management systems are also important for professional performance. The 2019 survey of the CSC investigated whether the CSTs had sufficient information for their work:

Chart No. 3 (CSC Questionnaire for Civil Servants, 2019)



A: I have the information on the functioning of the organization and decisions at the highest level that relate to my work and status, B: I have the information from superiors, subordinates and colleagues needed for my work
C: I have the information on the trends in my area, how it works abroad

The following Table gives an evaluation of the sufficient information needed for the work of the CSTs on the scale of 1-5, where 1 = complete deficiency and 5 = complete sufficiency.

Table No. 3 (Source: CSC Questionnaire for Civil Servants, 2019)

Statement – (I have) sufficient information for my work:	Average value
from superiors, subordinates, and colleagues needed for my work	3.8
on the functioning of the organization and decisions at the highest level concerning my work and status	3.6
the information on the trends in my area, how it works abroad	2.96

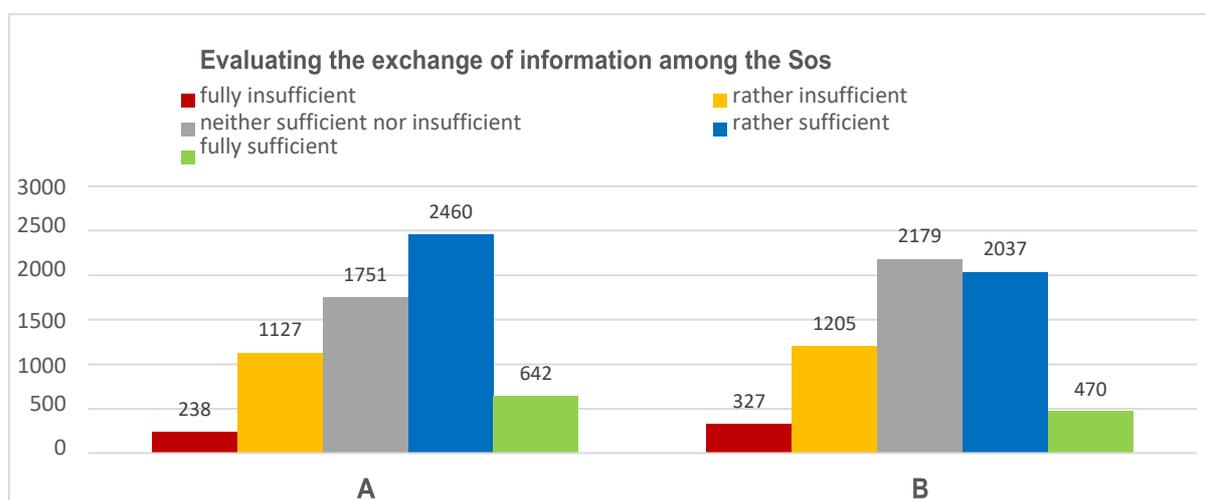
They consider the information on the trends in their area and how it works abroad to be slightly inadequate. There is a slight consensus prevailing that employees have sufficient information from their superiors, subordinates and colleagues, and are less inclined to claim that they have sufficient information on the operation of the SOs and the highest level decisions regarding their work.

Sufficient information for work is evaluated rather critically by employees. The value of information and the ability to work with them effectively is and will be of key importance to delivering high-quality outputs in the future, so working with the information needs to be addressed at both central and SO levels.

In the next question, employees were to evaluate the **exchange of information** on a scale of 1-5, where 1 = completely inadequate and 5 = completely sufficient exchange. The results show that:

- they do not consider the exchange of information **among the organizational units** within the SOs sufficient,
- nor do they consider the exchange of information **among the SOs** to be sufficient.

Chart. No. 4 (Source: CSC Questionnaire for Civil Servants, 2019)

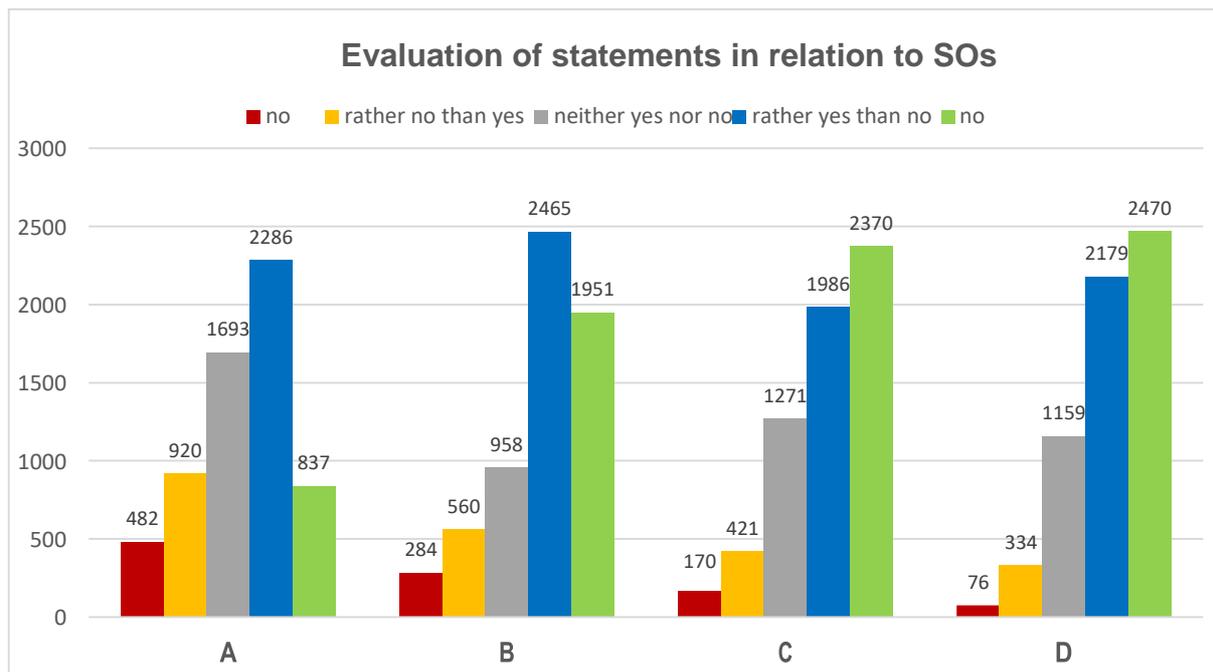


A: I consider the exchange of information among organizational units as
 B: I consider the exchange of information among SOs/sectors as

These results indicate the need to address the exchange, sharing information among the SOs and the cooperation among the SOs, that is, to address **resortism**. The European Commission in its 2019 Report also points to this problem in the SR.

In the questionnaire, we also examined whether the procedures and processes in the SOs **are set up effectively**.

Chart. No. 5 (Source: CSC Questionnaire for Civil Servants, 2019)



A: Management procedures and processes are set up effectively at my SO
 B: Jobs are clearly split (everyone knows what to do)
 C: there is too much bureaucracy
 D: Management procedures and processes at my SO could be simplified

The average values on the 1-5 scale, where the higher the value, the higher the acceptance rate, are listed in the following Table:

Table No. 4 (Source: CSC Questionnaire for Civil Servants, 2019)

Statement	Average value
Management procedures and processes at my SO could be simplified	4.1
There is too much bureaucracy	4.0
Tasks are allocated clearly	3.8
Management procedures and processes are set effectively at my SO	3.3

The results show that the highest level of consent is with claims that the **procedures and processes in the SO could be simplified and that there is too much bureaucracy in the SO**. The lower level of consent is that the tasks are clearly divided and everyone knows what to do and the lowest rate is with the statement that procedures and processes are set up effectively. The results suggest that the rationalization of internal processes and the dismantling of bureaucracy have great potential for improvement, as well as making work in the CS more attractive.

3.8 FLUCTUATION

Professionalization, politicization and motivation are related to fluctuation of civil servants. Staff fluctuation rate generally maps the departure of employees from the enterprise or organization and is expressed as a percentage of the number of completed employment contracts to the average number of employees per unit of time. A certain degree of fluctuation is not necessarily a negative phenomenon - it can address the departure of unproductive employees, people who have not joined the collective, who have had difficulty acquiring the culture or values of the organization. It can help to recruit employees of new, necessary competencies, contribute to the transfer of new experiences and opinions, uncover unproductive practices, bring new employees' innovative approach to work assignments, create internal competition among employees.

However, **higher fluctuation rates** may also have **negative impacts**. They can, e.g. increase the cost of recruiting and selection of the staff, time of their adaptation, ensuring the necessary qualifications and skills, leading to the loss of know-how, knowledge, loss of organization's reputation. It can affect demotivation of the remaining employees, reducing the overall credibility of the organization as employer.

International comparisons indicate that there is a **relatively high fluctuation rate in the SR**:

- The European Commission includes the SR among countries with a high rate of fluctuation.⁴³
- OECD reports in 2014 that the SR marks one of the highest fluctuation rates among the OECD countries.⁴⁴
- Fluctuation is linked to politicization, as is also confirmed by the OECD in its 2017 Report, stating that in the SR (as well as in Spain and Hungary), unlike most of the EU-OECD Member States, changes of governments are associated with changes in the highest-level civil servants.⁴⁵

It is also related to whether the country has a positioning or career system of the civil service,⁴⁶ while it is assumed that higher fluctuation rate will be in the positioning system, to which the EC also ranks Slovakia.

There are **no centrally monitored data of the CS fluctuation rate** in the SR. The CSC tried to use at least approximate fluctuation figures for 2016, 2017 and 2018 using the data obtained from the SOs. The fluctuation was monitored as the number of terminated civil-servant employment positions in relation to the average number of CSts in the given

⁴³ A Comparative Overview of Public Administration Characteristics and Performance in EU28. European Commission, 2017, p. 2. *The European Commission measures the employee fluctuation rate, the ratio of employees who left for reasons other than retirement to the average number of employees.*

⁴⁴ Economic Review of the SR for 2014.45 OECD Government at a Glance 2017.

⁴⁵ OECD, 2017, p. 144. Available online:

https://read.oecd-ilibrary.org/governance/government-at-a-glance-2017_gov_glance-2017-en#page1

⁴⁶ For more details see Chapter 4.3 Recruitment of Civil Servants.

year.⁴⁷ Prior to distributing the SOs into groups, **the overall fluctuation rate in 2018** appeared at the level of **9.2%**, in **2017** at the level of **10%** and in **2016** at **10.6%**.

Table 5 shows the data obtained on the fluctuation rates of the CSts by the type of SO, the data only pertain to employees who work in the civil service:

Table No. 5 (Source: CSC Data Collection from Service Offices, 2019)

CSts organization groups	2018	2017	2016
1. RVFA, Labour Inspectorates	7.0	6.6	4.5
2. Public Prosecutor's Offices and Courts	9.8	12.1	13.6
3. Ministries. GO SR, FD SR, COLSWF	14.1	14.9	22.2
4. Other CSAA	10.2	10.2	10.1

The data indicate that the overall fluctuation rate was highest in 2016, i.e. after the parliamentary elections, it slightly decreased in 2017 and 2018.

Differences are significant if we look at fluctuation through groups of institutions in state administration. **The highest level** was noted in the third group (**ministries, Government Office of the SR, FD SR, COLSWF**), while the highest average fluctuation rate (21%) in this group was in 2016. There are also differences within this group, e.g. the highest fluctuation rate of up to 44% was at the Slovak Government Office in 2016.⁴⁸ In 2016, the Ministry of Health of the SR (31%), the Ministry of Agriculture and Rural Development (30%) and the Ministry of Economy of the SR (24%) also experienced high fluctuation. The lowest fluctuation rate was reported by the Financial Directorate of the SR at 6.71%.

In 2018, the Ministry of Justice (15%), the Ministry of Health (17%), the Slovak Government Office (15%) and the Ministry of Agriculture and Rural Development (13%) had the highest fluctuation rates.

Other CSAAs also have a **higher fluctuation rate** (around 10%), but it does not differ in the years under review, which may be one of the reasons why the management of the authorities does not change within the election cycles. The highest fluctuation rate in 2018 was noted by the Centre for International Protection of Children and Youth (44%), the Public Procurement Office (26%) and the Office of the Public Defender of Rights (25%). In 2018, the Public Debt Agency (0%), the Breeding Inspection (0%) and the Treasury (0.9%) had the lowest fluctuation rates in this group.

The first group - **regional organizations** - shows lower than average fluctuations from 4.5% in 2016 to 7% in 2018. These organizations also show the lowest values also in 2016, i.e. after the parliamentary elections (4.5%).

The 2018 SGI study attempted to map the fluctuations at local government level following the recent elections to the NC SR.⁴⁹ The 2018 SGI study attempted to map the fluctuations at local government level following the recent elections to the NC SR.

⁴⁷ Because some larger SOs, e.g. MoI SR, did not provide the information, the information has a limited notice value

⁴⁸ In 2016, fluctuation at the Government Office of the SR increased in view of the delimitation of employees who moved to the Office of the Deputy Prime Minister for Investments and Informatization in the number of 98 CSts (i.e. about 32% of the total fluctuation rate).

⁴⁹ Prachárová V., Kačur J.: Employee Fluctuation Rate and the New Civil Service Act in the Context of State

3.9 CORRUPTION, CRONYISM AND NEPOTISM

Regarding **nepotism, corruption and cronyism**, the survey confirmed that civil servants also perceive these phenomena as a problem. Approximately 41% of respondents included one or more of these phenomena among the three biggest problems of the civil service in the SR.

Only limited progress in addressing corruption is stated in the **EC Report 2019**, which states that corruption continues to be a problem, and that organizational and procedural shortcomings at the police and prosecution levels, as well as poor protection of whistleblowers hamper it.⁵⁰ Slovakia noted worse results in the **Corruption Perception Index** published by Transparency International. In 2018, it ranked 57th on the scale, three rungs lower than a year ago. This is the worst position of the SR since 2013. This area is therefore a major challenge also for the state administration and it will be necessary to evaluate the effectiveness of measures taken to reduce corruption and to address this area accordingly. **The Office for Prevention of Corruption** is established at the Government Office of the SR and participates in the UNCTAD, OECD, GRECO (Group of States against Corruption) and the Council of the European Union. It co-operates in the OECD project, *Improving the Integrity of Public Administration in the SR* and drafted the strategic document, *Anticorruption Policy of the SR for 2019-2023*.

Recommendations

- Addressing various forms, expressions and impacts of **politicization** and opening up discussions on this subject.
- Evaluating the **effectiveness of the tools** introduced by the Civil Service Act to eliminate politicization.
- Considering and re-evaluating **political nominations of the secretaries-general** of the SOs who are in charge of managing human resources, which creates room for political influence.
- Monitoring whether **organizational changes are being made** in the SOs before the elections, **which would artificially increase the number of CSt positions** in an attempt to fix them in their positions following the change of government.
- Focusing on improvement in **professionalization**. Continuing in educational activities and professional human resources management. The great potential for improvement, but also making the work in the CS more attractive, is in rationalization of internal processes and removing bureaucracy.
- Applying ethical principles and translating them into all the areas of management.
- **Working with information** both at the SOs and the CSCts and the GO. The value of information, the ability to working with them effectively, will be of key importance in the future to delivering high-quality outputs. **The completion of the databases and registers of CSts** must be considered a priority and it is also

Administration. SGI, 2018

⁵⁰ Report on Slovakia 2019, European Commission,

https://ec.europa.eu/slovakia/sites/slovakia/files/sprava_o_slovensku_2019_1.pdf

necessary to deal with the **exchange and sharing of information** among the SOs and cooperation among the SOs.

- **Strengthening the status of officials**, increasing self-confidence of their belonging to an estate, its presentation, presentation of good practice.

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4 HUMAN RESOURCES MANAGEMENT

Employees and the way they are managed represent the most valuable asset available to organizations. This also applies to the civil service. According to the UN, CSts play an irreplaceable role in the sustainability of development and good governance.⁵¹ Employees, their knowledge, competence, motivation, values and ethics, but also the way they are selected and managed (the HRM system), determine the high-quality and performance of public administration.⁵²

Human Resources Management is a **strategic personnel management** to improve the capabilities of employees in the CS, including the ways in which civil servants are paid, managed and motivated, selected and the way their capacities are developed.⁵³

HRM performs several functions:⁵⁴

- analysis of work,
- planning the numbers of employees,
- search,
- employee selection,
- performance evaluation,
- education,
- employee development and careers (including termination of employment),
- remuneration,
- motivation,
- employment relations (including occupational health and safety).

According to the OECD, selection, recruitment, remuneration, working conditions and dismissal of civil servants are functions of civil service management.⁵⁵

Effectiveness and efficiency of state administration largely depends on the motivation, commitment and competence of CSts. Through CSts, the State implements its policies and ensures operation of the institutions, so it is very important that due attention be paid to professionalism and integrity of CSts. Some of its aspects are discussed in separate chapters.

⁵¹ Professionalism and Ethics in the Public Service: Issues and Practices in Selected Regions. United Nations Department of Economic and Social, 2000. Affairs Division for Public Economics and Public Administration, ST/ESA/PAD/SER.E/5.

⁵² A Comparative overview of public administration characteristics and performance in EU28. European Commission, 2017, p. 22.

⁵³ A Comparative overview of public administration characteristics and performance in EU28. European Commission, 2017, p. 97.

⁵⁴ More details in Bajžíková, Ľ. a kol.: Manažment ľudských zdrojov. Fakulta manažmentu, Univerzita Komenského v Bratislave, 2006.

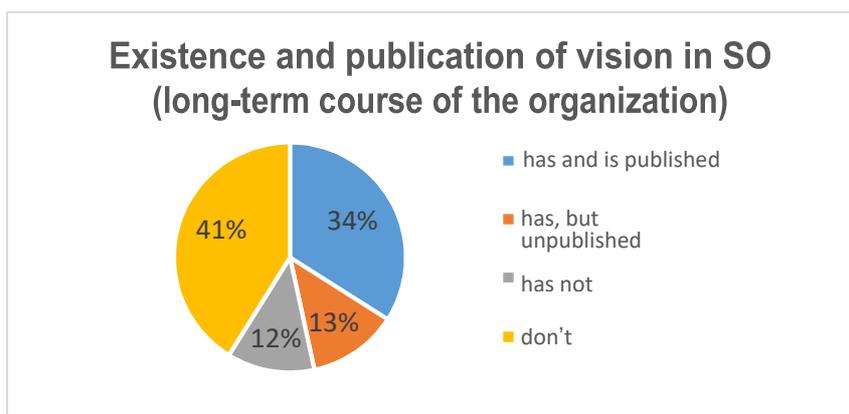
⁵⁵ Government at a Glance 2011. OECD, 2011.

4.1 ORGANIZATION VISION AND DISCLOSURE

The vision outlines the future direction and position of the organization. It should give an answer to what the organization wants to attain, or what it needs to do to that end. It enables the employees to understand in their daily work what their work should contribute to. With regard to the CS, the vision is particularly important for national authorities and organizations.

In its 2019 survey, the CSC investigated whether the relevant SOs have a vision:

Chart No. 6 (Source: CSC Questionnaire for Civil Servants, 2019)



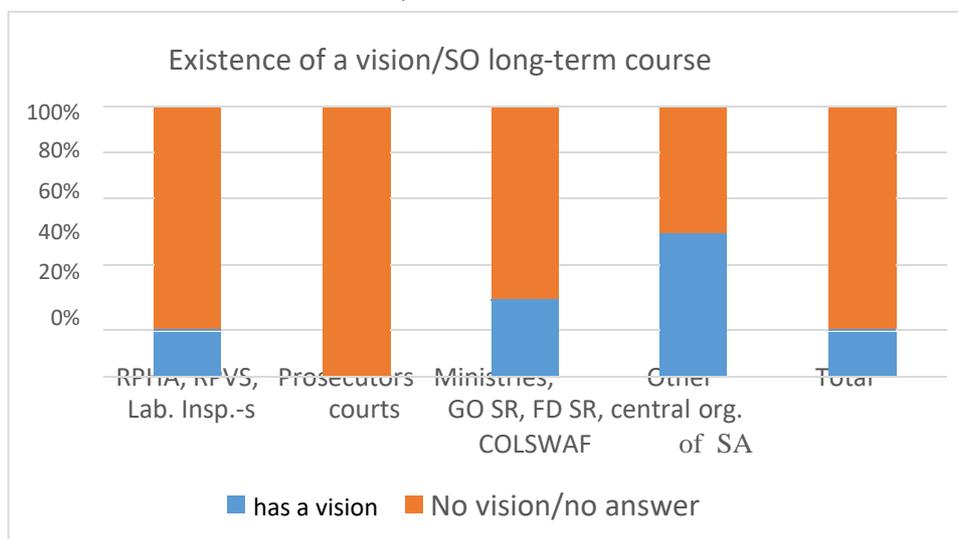
Only **34% of respondents** stated their **SO had a vision** and it was published. It is interesting to note that, according to 13% of employees, their office has a vision but it is not published. Since the vision should be a compass for every CSt showing the goal of his/her work, it is hard to understand that such a strategic document is not published and communicated. The explanation may be that although the vision does not exist, employees assume it does. Up to **41% of them do not know whether their SO has a vision** and 12% assume it does not.

A more particular sorting of the data allows for more detailed findings in relation to which office the CSts work at. Up to 49% of the employees of the other CS central authorities are aware of the published vision of their SO, followed by the ministries with 38% of the CSts. With regard to local CS authorities, only 26% of their staff stated that they were aware of the publication of a vision and as much as 49% were unaware of any vision. The CSC also addressed the **SOs** to find out whether they had a vision. Out of 173 offices that sent their answers:

- 33 (19%) has a vision,
- 1 (0,6%) has a vision being just developed,
- 120 (69%) has no vision,
- 19 (11%) did not comment.

As the above answers show, less than 20% of the SOs have elaborated a vision. The importance of vision and strategic documents is not the same for all the types of institutions in the CS, this is especially needed for the central CS. In the Chart below, the results are broken down by institution type:

Chart No. 7 (Source: Data Collection from Service Offices, 2019)



As far as the issue of **active disclosure** is concerned, at this stage, the CSC only collected some data from the SO. Essential information on the mission, activity, outcomes and activity costs is generally presented in **annual reports**. It is important that especially the top institutions within the ministries actively publish information on their activities, or activities of subordinate bodies and organizations. According to the CSC, out of 173 SOs:

- 88 of them have an annual report (51%),
- 73 of them have no annual report (42%),
- 12 of them did not answer this question (7%).

It can be seen from the results that the number of those SOs that publish an annual report and those that do not issue it is about the same.

The Table below provides information on the **publication of annual reports** and **CVs** of senior officials by institutional group:

Table No. 6 (Source: Data Collection from Service Offices, 2019)

SO group	Does your SO have an annual report published?	In %	Do you publish CVs of senior executives and senior management at your website?	In %
1. RVFA, RPHS, Labour Inspectorates	48 yes 10 no	83% 17%	1 yes 57 no	2% 98%

2. Prosecutors' Offices and Courts	1 yes	2%	2 yes	3%
	64 no	98%	63 no	97%
3. Ministries, GO SR, FD SR, COLSWAF	10 yes	77%	13 yes	100%
	3 no	23%	0 no	0%
4. Other CS central bodies	26 yes	90%	13 yes	45%
	3 no	10%	16 no	55%

As far as **annual reports** are concerned, they are mostly published by other CS central authorities (almost 90%), less so by institutions with regional competence (83%) and ministries (77%).⁵⁶

In order to assess the expertise, integrity and potential conflict of interest, as well as to assess the high-quality and transparency of the selection process of senior civil servants in managerial positions, it is important to **disclose the information from which milieu the senior civil servants in managerial positions have come to their positions.** Under the Civil Service Act, senior positions may be filled on the basis of political nominations or selection procedures. Although the Civil Service Act does not directly refer to the so-called political nominations, selection procedures are a criterion on the basis of which it is possible to distinguish between such employees. Thus, political nominations may be considered to be those civil servants who perform civil service on the basis of election or appointment. The basis of the professional civil service is on the civil servants who will take their civil service positions on the basis of selection procedures. Disclosure is important for both categories of senior civil servants in managerial positions as it contributes to public service confidence and to the elimination of suspicions of cronyism, nepotism or unacceptable political nominations. A political nominee may also be an expert, and it may be proven by the disclosure of his/her CV and career.

Table No. 6 shows that 100% of institutions in Group 3 (ministries, Government Office of the SR, FD SR, COLSWF) publish CVs of top representatives. Almost 100% of the institutions in Group 1 (CSC, RPVS, Labour Inspectorate) and 2 (public prosecution offices and courts) also publish this information. What is surprising is that at least (45%) this information is published in Group 4 (the other CS central authorities). It is these authorities that should be apolitical, based on the expertise that could be judged through the disclosure of their professional careers.

The CSC also requested from the SOs some more detailed information on the positions in which the CVs are published. The answers are summarized in Table No. 7 and it follows from them that the SOs only publish CVs in some cases and only those of top representatives (e.g. minister, chairperson, vice-chairperson, SG), or only disclose some information. The CVs of the senior civil servants in managerial positions in other senior management positions are not disclosed, with some exceptions:

⁵⁶ SR Government Resolution No. 698/2002 of 26 June 2002 on draft measures for drawing up annual reports and public accounts by the relevant central public administration authorities.

Table No. 7 (Source: Data Collection from Service Offices, 2019)

State Veterinary and Food Administration of the SR	CV of the Central Director
Finance Directorate of the SR	CVs of the President and Vice President
General Prosecutor's Office of the SR	General Prosecutor's CV, those of his deputies and Special Prosecutor
Office of the Public Defender of Rights	CV of the Public Defender of Rights
Ministry of Transport and Construction of the SR	CV of the Minister, State Secretary and SO DG
Ministry of Finance of the SR	CV of the Minister, State Secretaries and SO DG
Ministry of Economy of the SR	Curriculum Vitae of the Minister, State Secretaries and SG SO
Ministry of Defence of the SR	Curriculum Vitae of the Minister, State Secretaries and SG SO
Ministry of Agriculture and Rural Development of the SR	Curriculum Vitae of the Minister, State Secretaries and SG SO
Ministry of Labour, Social Welfare Affairs and Family of the SR	Curriculum Vitae of the Minister, State Secretaries and SG SO
Ministry of Justice of the SR	Curriculum Vitae of the Minister, State Secretaries and SG SO
Ministry of Education, Science, Research and Sport of the SR	Curriculum Vitae of the Minister, State Secretaries and SG SO
Ministry of Health of the SR	Short text about Minister, State Secretaries and GT SO
Supreme Audit Office	CV of the President and Vice-Presidents
National Labour Inspectorate	Brief information on the SG SO, not a full CV
Antimonopoly Office	Brief information on the President, Vice-President and GT SO
Administration of State Material Reserves	CV of the President, Vice-President and the SG SO
Statistical Office of the SR	CV of the President, Vice-President and the SG SO
State Institute for Drug Control	CV of the SO SG
Nuclear Supervision Authority	CV of the President, Vice-President and the SG SO
Office of the Deputy Prime Minister for Investments and Informatization	CV of the Deputy Prime Minister
Defence Standardization, Codification and State Quality Assurance Authority	CV of the Office Director
Regulation of Electronic Communications and Postal Services Authority	Partial information on education and previous experience of the President, Vice-President and Section Directors
Network Sectors Regulatory Authority	Education and experience of the President and Vice-Presidents
Public Procurement Authority	Brief CV of the President, Vice-Presidents and SO SG
Government Audit Authority	Abbreviated CV of the SO SG
Government Office of the SR	Partial CV of the Head of Office and SO SG
Central Office of Labour, Social Welfare Affairs and Family	CV of the DG

Recommendations

- Focus education on strategic management issues, including the vision and tools of government accountability, especially for central government senior managers.

- Analyse the content of annual reports and their value.

4.2 MOTIVATION

Theories of motivation in the public service say that the working environment is the basis for the motivation and attractiveness of the public sector. Thus, organizations, CStsMP and managers are able to create an environment in which employees perceive that they help the country and the public interest. These approaches explain why some countries have difficulty in hiring experts into the CS. Not just low salaries, but also politicization, unclear career management or poor institutional performance can be a deterrent, contributing to the creation of a bad image and reputation for the CS.

Work motivation is the basis of all the personnel management positions. Similarly, civil servants in the SR perceive this as well. Up to **64% respondents** in the in 2019 survey said that **the biggest problem** in their SO is **motivation**. At the same time, they consider it the third biggest problem in the civil service in the SR (Table 2).

Motivation includes the forces affecting the civil servant that encourage and direct his/her behaviour.⁵⁷ Motivation occurs when people expect their activities to achieve the goal and anticipated reward that will meet their individual needs. Motivation refers to everything that causes a certain activity, a certain type of behaviour of a person and also answers the question of what the activity was called by or why it has changed. The motive is a stimulus that induces an activity that satisfies needs. People have different needs - some need performance (success) above anything else, others have a stronger need for alliance and still others are in a stronger need for power. One of the above may be dominant, but that does not mean that others do not exist.

There exist two types of motivation:

- **Inner motivation** is based on the relationship between the employee and his/her work, e. g. the scope of his/her responsibility, the opportunities to use his/her skills, his/her respect in the workplace. People are motivated by themselves, looking for, finding and performing a job that meets their needs or serves their goals. Internal motivators have a deeper and longer-lasting impact because they are inherent to the individual and are not externally imposed. For example, in the 2019 questionnaire, respondents described it as *"for me it is a matter of course to deliver good results", "I will carry out any work responsibly", "the possibility of self-assertion and enforcing new proposals, to show what is in me."*
- **External motivation** is prompted by another person, e.g. employer. It can take the form of financial appraisal, praise, promotion but also punishment. Employees are motivated by management through remuneration, promotion, praise.⁵⁸ External motivators can have an immediate and significant effect, but they don't have to work for a long time.

⁵⁷ Gigson, J. L. Et al.: Organizations – Behavior, Structure, Processes. Irwin, Chicago, 1998.

⁵⁸ Bajžíková, E. Et al.: Manažment ľudských zdrojov. Faculty of Management, Comenius University in Bratislava, 2006.

External motivation may include financial or non-financial motivation. Newer motivational theories say that financial reward is not a motivator, but can even be a demotivating factor.⁵⁹

FINANCIAL AND NON-FINANCIAL MOTIVATION

Often, the motivation in the CS is narrowed down to financial performance rewards. However, there are many more ways to achieving the desired behaviour from an employee, e.g. Cherington lists six basic techniques to motivate and encourage behaviour:

- Rules: applying different rules and penalties for non-compliance,
- Benefits: for all the employees, regardless of their performance,
- Individual rewards: depending on employee performance,
- Inner work satisfaction: work itself is the motivating factor,
- Organization values: mission and values that the organization promotes,
- Relationship in the team: people in the workplace and the relationships among them.⁶⁰

The results of the CSC survey in 2019 in the SR confirm the findings that in addition to financial motivation, there is a variety of other motivators which the HR management can work with. The positions in the CS can be made more attractive by the **degree of responsibility, delegation of powers, training and career development opportunities**.

For some people, the possibility of defending the public interest plays an important role in deciding to join the CS. Several studies suggest that for many people, civil service is a powerful motive if the CS is so oriented.⁶¹

The 2019 questionnaire shows a very positive evaluation by the CSts, with up to **89% of the respondents** saying that **the work they do is meaningful for them** (59% yes, 30% rather yes). This suggests that setting the CSts is very positive and fostering the defence of the public interest. The comparison with the 2013 survey⁶² shows a **slight decrease in the positive perception**, to what extent the work done by the CSt makes sense to him/her. The sum of yes and rather yes in 2013 was 92%.

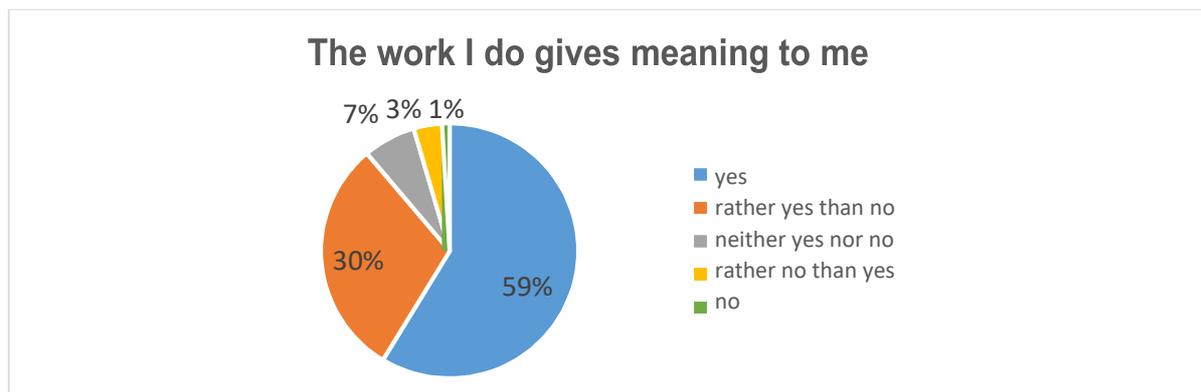
⁵⁹ E.g. Herzber Theory of Two Factors, for details see Bajžíková, L. Et al. (2006): Manažment ľudských zdrojov. Faculty of Management, Comenius University in Bratislava.

⁶⁰ Cherington, D. J.: Personal Management: the management of human resources, 1987. In: Bajžíková, L. et al.: Manažment ľudských zdrojov. Faculty of Management, Comenius University in Bratislava, 2006.

⁶¹ Cardona, F.: Attractiveness of the public sector service: A matter of good public governance. SIGMA, 2006.

⁶² Civil Service in the Year 2013. Government Office of the SR, p. 15.

Chart No. 8 (Source: CSC Questionnaire for Civil Servants, 2019)



In order for the motive in the form of public service to operate, the CS must be perceived by society as honest, fair and serving the public interest. On the contrary, "patronage", politicized, corrupt and inefficient civil service does not attract high-quality, motivated professionals. Elimination of patronage and politicization can be a useful tool for attracting professionals in the competition with the private sector.⁶³

Respondents indicated in an open question **what factors motivate them to deliver good results:**

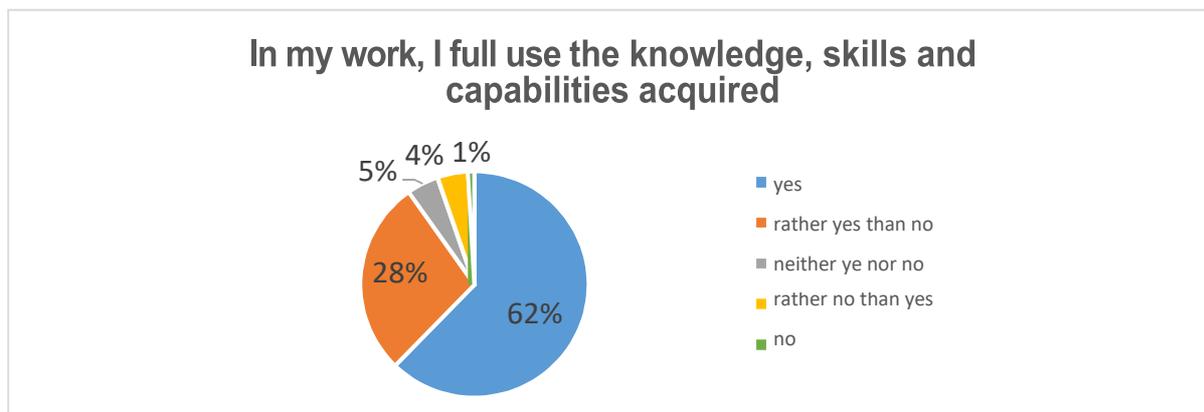
- the work that fills, entertains, is meaningful; company high-quality; vision of direction; improving the image of employees; society needs; contributing to good results for Slovakia,
- good team; qualified colleagues and superiors; work environment; team valuation,
- possibility of career development, lifelong learning, the possibility to extend the education by the third degree of higher education with the help of SOs, high-quality training, participation in conferences and seminars, space for self-assertion and creativity,
- financial valuation, rewards, salary increase above the minimum salary,
- the benefits of stability, shorter working hours, home office, sports and cultural events, health care, more time for the family, additional leave,
- reducing bureaucracy, functional e-government, trustworthy government.

The answers to the open questions also show that, in addition to financial motivation, employees perceive motivation factors wider. It is important for them to have a job that makes sense, fills the public interest, to have the opportunity to be educated and develop their career, to work in a challenging team. They also appreciate stability of employment and various employee benefits, but on the other hand they would also be motivated by the removal of some problems.

An interesting finding is that in 2019, as many as 91% of respondents said they were **using their knowledge, skills and competence to the full.**

⁶³ SIGMA (2006). Cardona, F.: Attractiveness of the public sector service: A matter of good public governance.

Chart No. 9 (Source: CSC Questionnaire for Civil Servants, 2019)

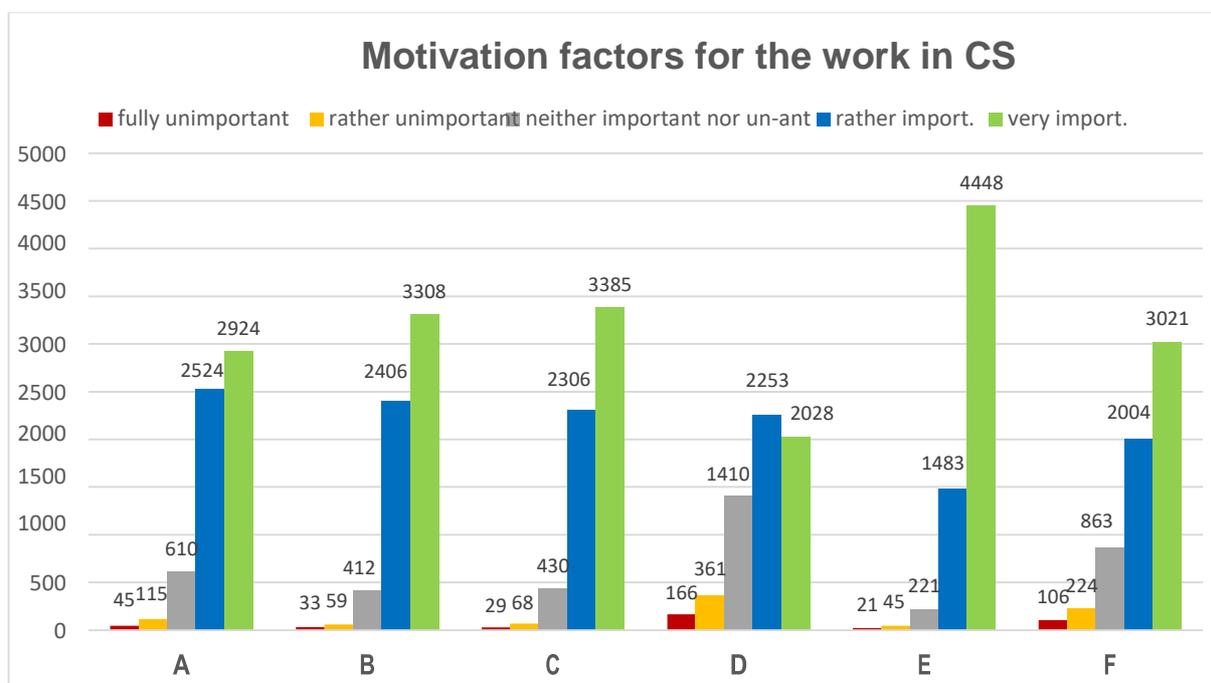


A comparison with the 2013 results shows that evaluations have not changed (90% answered yes and rather yes).

FACTORS IMPORTANT FOR MOTIVATION TO WORK IN THE CS

CSC asked in the questionnaire about the factors affecting their motivation to work in the CS. They commented on the six types of motivation:

Chart No. 10 (Source: CSC Questionnaire for Civil Servants, 2019)



A: doing things for public good, B: interesting work, C: developing expertise, D: possibility of career development, E: stable income/employment, F: more space for family and other interests than in the private sector

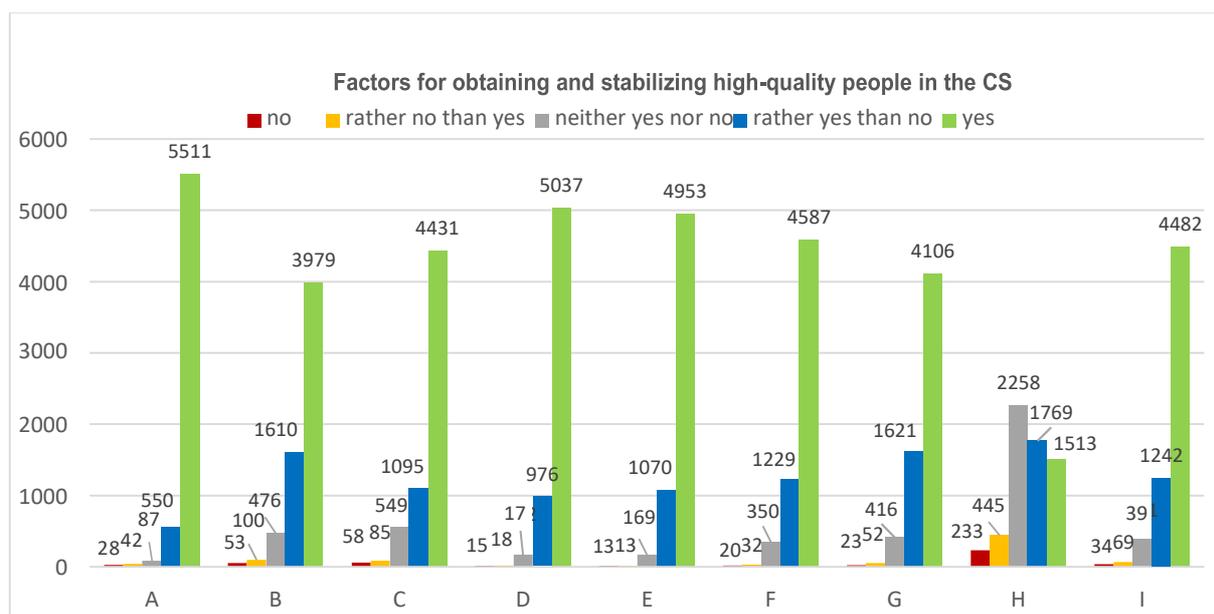
Evaluation of statements on the CSs motivation to work in the state administration on the scale from 1 = completely unimportant to 5 = very important:

Table No. 8 (Source: CSC Questionnaire for Civil Servants, 2019)

Statement - motivation to work in the CS is:	Average value	Median
stable income/employment	4.6	5
interesting work	4.4	5
developing expertise	4.4	5
doing things for public good	4.3	4
more space for family and other interests than in the private sector	4.2	4
career development	3.9	4

The results show that interesting work, development of expertise and the possibility to do things for the public good are very important factors for motivation, in addition to income stability. In order to motivate them to work in the CS, in addition to ensuring a stable, adequate income, it is very important to develop expertise, provide interesting work and appreciate work for the public good, e.g. by reinforcing the status of the CS, by rewarding positive examples.

Chart No. 11 (Source: CSC Questionnaire for Civil Servants, 2019)



- A: adequate financial remuneration
- B: dismantling formalism and administrative barriers
- C: de-politicizing the civil service
- D: high-quality management
- E: professionalism of the state administration
- F: compliance with ethical principles, protection of whistleblowers
- G: flexible forms of work
- H: recruitment from the private sector
- I: provision of employee benefits (e.g., housing, higher holiday entitlement, shorter working hours, healthcare, childcare, sports and cultural activities)

The survey looked at the views of the CSts on what is **important for acquiring high-quality people into the civil service and stabilizing them**. Average values on the scale of 1 = no up to 5 = yes are listed in the following Table:

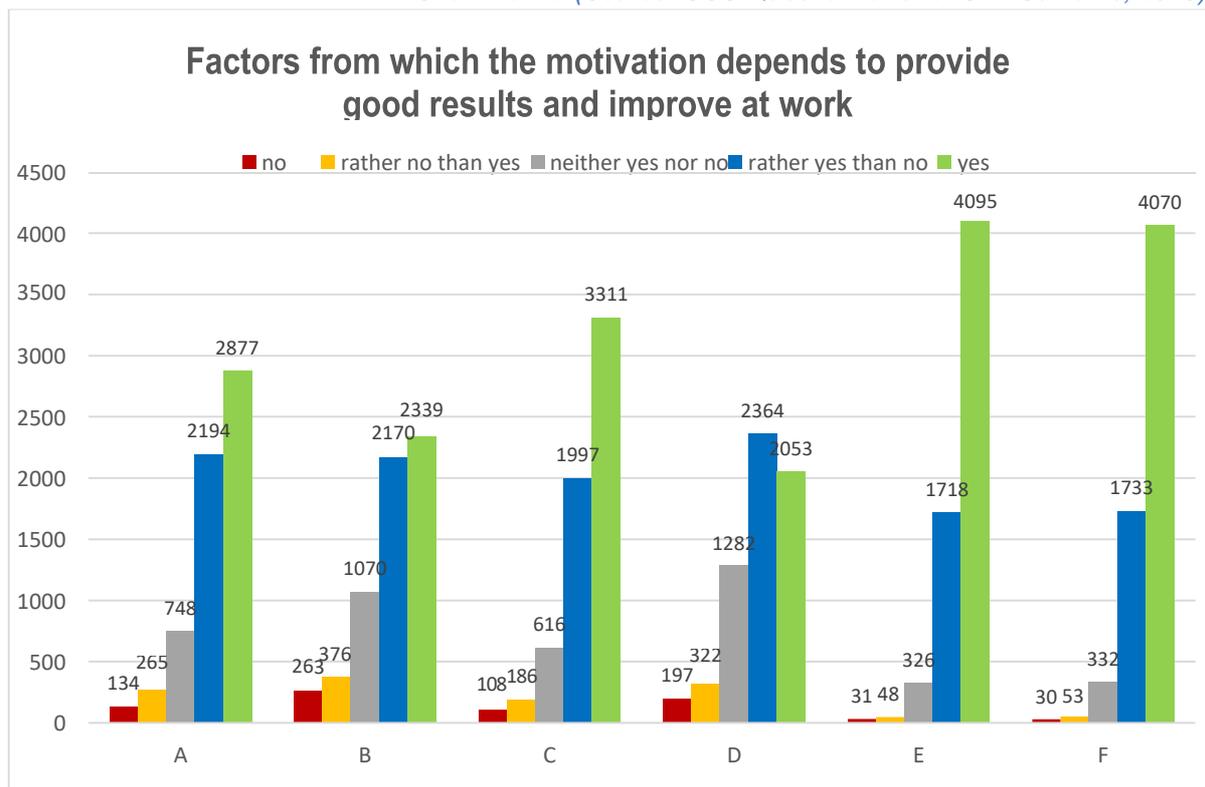
Table No. 9 (Source: CSC Questionnaire for Civil Servants, 2019)

Statement - to obtain and stabilize high-quality people in the CS, the following is important	Average value	Median
adequate financial remuneration	4.8	5
high-quality management	4.8	5
professionalism of the CS	4.8	5
ethical principles, protection of whistleblowers	4.7	5
flexible forms of work	4.6	5
de-politicizing the civil service	4.6	5
providing employee benefits	4.6	5
dismantling formalism and administrative barriers	4.5	5
recruiting staff from the private sector	3.6	4

The results have brought interesting findings. The respondents consider the financial valuation as important as high-quality management and professionalism of the CS. They also attach great importance to the de-politicization of civil service, flexible forms of work and the provision of employee benefits, dismantling of formalism and administrative barriers. Significant agreement was also made with respect to ethical principles and the protection of whistleblowers. This, on the one hand, signals that employees perceive that such things are happening, and therefore their causes need to be addressed. On the other hand, this suggests that CSts do not consider the existing protection system sufficient.

The respondents also answered the question of what makes **the motivation to deliver good results and improve at work**:

Chart No. 12 (Source: CSC Questionnaire for Civil Servants, 2019)



A: financial remuneration, B: other benefits provided by the SOs (e.g. flexible working hours, home office, APS (Additional Pension Saving) contribution, mobile phone, health care, C: appreciation of the work by the superior, SO, D: manifestations of appreciation for work by colleagues, E: inner need to perform well and improve, F: meaningfulness of work and real results in practice

Evaluation of statements on the motivation of CS to provide good results and improve at work, on the scale from 1 = no to 5 = yes:

Table No. 10 (Source: CSC Questionnaire for Civil Servants, 2019)

The statement - motivation to provide good results and improve at work depends on	Average value	Median
meaningfulness of work and real results in practice	4.6	5
I need to perform well and improve my inner need	4.6	5
appreciation of my work results by the superior	4.3	5
financial valuation	4.2	4
other benefits provided by the SO (e.g. flexible working hours, home office, DDS contribution to the Pension Saving Scheme, mobile phone, health care)	4.0	4
other benefits provided by the SO (e.g. flexible working hours, home office, DDS contribution to the Pension Saving Scheme, mobile phone, health care)	4.0	4

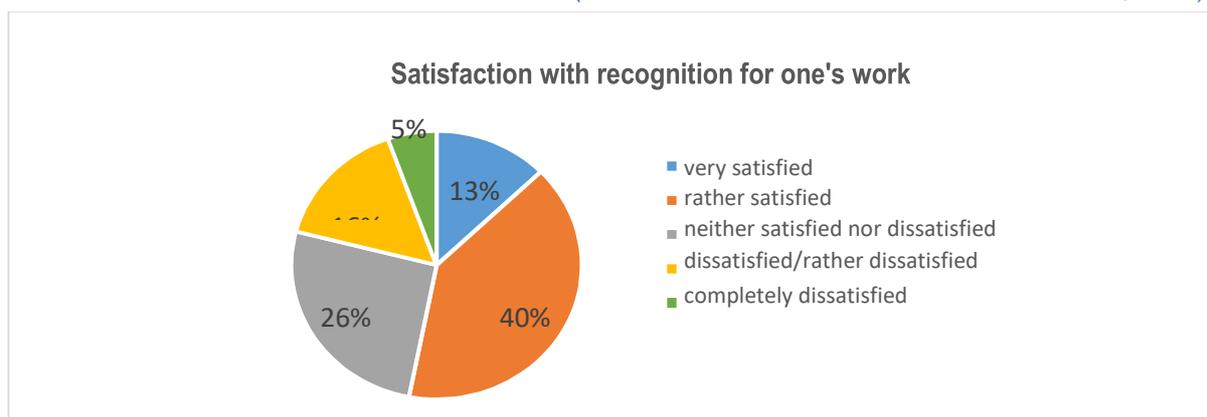
The results show that the motivation of the CS depends very much mainly on the meaningfulness of the work, appreciation by the superior, and the SO. Very strong is the internal motivation of employees to perform well. Financial valuation and other employee benefits are a motivation, but not a priority.

A closer sorting of results showed that:

- motivation of younger CSts is more dependent on financial valuation. The age category of 61 and above shows a sharp decline in motivation in the form of financial valuation.⁶⁴
- providing other benefits is more important for younger generations,⁶⁵ women consider more flexible forms of work more important.⁶⁶
- motivation to deliver good results and improve the work of women depends more on the appreciation of their work by the superior than that of men.⁶⁷

Based on the responses of the CSts, the reserve in better motivation can also be seen in providing feedback and recognition for work.

Chart No. 13 (Source: CSC Questionnaire for Civil Servants, 2019)



Employees' comments show that only 53% of them are very or rather **satisfied with their appreciation for their work**. On the other hand, 47% of employees are not satisfied with the displays of recognition nor dissatisfied, or they are dissatisfied. The results indicate that it would be advisable for senior management training to be more focused on skills in providing feedback and recognition.

A more detailed classification by regions shows that employees in the Bratislava region are **the most satisfied with the manifestations of recognition, the least satisfied**

⁶⁴ At the Likert scale of 1-5, where 5 = very important and the Centre of the scale = 3, the group of CSts, who have an average of 4.37 at the age of 35, and in the group who have more than 61 years the average of 2.6. The difference between the groups shows a downward trend in the average of approximately 2% and the difference between the penultimate (46-60 years) and the last age group (61 and over) is almost 37%.

⁶⁵ At the Likert Scale of 1-5, where 5 = very important, it was published in 3 age-oldest groups of CSts, who have an average of 4.08 within 45 years and an average of 3.82 for generations over 45 years.

⁶⁶ At the Likert scale of 1-5, where 5 = frequent occurrence, the average was 4.45 for men and 4.6 for women.

⁶⁷ Average on Likert scale 1-5, where 5 = very important; the score was 4.62 with women, which is more than 4.44 with men.

were those in the Prešov region.⁶⁸ As to the age structure, the most satisfied with the manifestations of recognition are those employees, who have been in civil service for less than one year.⁶⁹

CSC requested information from the SOs on what **tools they used to obtain and maintain high-quality CSs**. The second most frequent answer was that the SO does not use any tools. In particular, those that are used are (arranged in the ascending order of the most frequently reported answers):

- learning opportunities,
- financial incentives,
- providing various benefits, e.g. catering allowance, DDS retirement savings plan, flexible working hours,
- employee rotation,
- working conditions, strengthening of interpersonal relationships, a welcoming approach, good communication, individual approach,
- internships,
- demanding tasks, participation in projects, multidisciplinary teams,
- talent management.

The results show that the situation varies from one SO to another. Some authorities consider and use a number of options, not just financial ones, to get and retain high-quality employees. The negative fact is that a large group of SOs does not use any motivational instruments, or they see only financial opportunities to recruit and retain employees.

Recommendations

Intensively focus on motivation in the SOs and at the central level of civil service management. Motivation is the basis of all the personnel management functions and is perceived as a problem. This is evidenced by the results of the survey, where up to 64% of respondents said that the biggest problem in their SO and the third biggest problem in the SR in the SR was motivation. Therefore, the challenge for the HRM in the state administration is to identify and understand well the motivators and frustrating agents that may affect the CS. Nonetheless, **only a few SOs contemplate ways, and also use** a variety of options, not just financial ones, **to acquire and retain high-quality employees**. It is necessary to negatively evaluate the fact that a large group of SOs does not use any incentive instruments at all or they only see the financial possibilities of recruiting and retaining employees.

⁶⁸ Region of Bratislava: 3.53 on Likert scale 1-5, where 5 = most satisfied, Nitra region: 3.42, Banská Bystrica region: 3.41, Košice region: 3.25 and Prešov region: 3.14.

⁶⁹ For the Likert scale 1-5, where 5 = very satisfied, and the middle of the Likert scale was the difference between the group average, which is less than a year in the SR (average 3.7) and the group average, which is 1-5 6%, the difference between the other groups was about 3% and had a descending rate - the longer the employee was in the CS, the more dissatisfied s/he was with the recognition.

Deal with, and **strengthen the inner motivations**, of employees, focusing on meaningful activities, explaining and communicating what results are anticipated and what impacts it will have. Internal motivators have a deeper and longer-lasting impact because they are part of the individual and are not externally imposed. The results of the questionnaire confirm the findings reflected in the theories of motivation that financial motivation may not be the main motivator. The survey showed that civil servants in the SR have a relatively high internal motivation. This gives HR management a great potential that can be developed and worked on systematically. The answers to the open questions also show that, in addition to financial motivation, employees perceive motivation factors broader.

Targeted work to **promoting the civil service** and the benefits it can provide. The results indicate that the attractiveness of the CS can be ensured not only through financial valuation, but also by improving management, increasing professionalization, adhering to ethical rules, de-politicizing the CS and flexible forms of work, employee benefits and removing bureaucracy.

Training of senior employees needs to be geared towards different forms of financial but also non-financial motivation, as well as skills related to providing feedback and recognition. CStsMP must be well-versed in managerial skills and be a professional and ethical model for employees.

4.3 RECRUITMENT OF CIVIL SERVANTS

Employing the CSts includes defining the conditions for entry into the civil service and prerequisites for performing specific work activities, vacancy notices, modes and methods of selection, drawing up the selection board and the ways the commission decides on the results of the selection. Since the CSts carry their values with them, their selection has an impact on what the civil service will look like and what values it will represent.

In general, we distinguish civil servant positions occupation systems based on **patronage** and **meritocratic systems**.⁷⁰

In the EU countries, the selection processes in the CS are based on two basic principles - the right of every qualified individual to apply for a post in the CS and the interest of the public administration in selecting the best candidates. Meritocratic systems take into account both principles and use selection through open selection procedure. Transparency and fairness must also apply to employees whose selection is essentially based on government decisions.⁷¹

There exist two types of meritocratic system: **career based system**, where employees are selected at the beginning of their careers with the expectation of staying in the civil service throughout their entire work life and **position based system**, where employees

⁷⁰ More details in Staroňová K., Staňová Ľ., Sičáková-Beblavá E. : Civil service Systems. Concepts and Trends. Comenius University in Bratislava, 2014.

⁷¹ Cardona F. : Structural Elements for Recruitment in European Civil Service Systems. OECD, SIGMA, 1998.

are selected for a specific position by open selection procedure. Elements of both types are interconnected in the so-called hybrid system.

The overall CS system also influences the setting of selection processes. In countries with a predominant career system, selections are made at the beginning of a career, and then career development is promoted through mobility, promotion and position change. The advantage is in stability and continuity, based on the expertise and impartiality of the civil servant profession. The position system is looking for the most suitable candidate for the position to be filled, and the previous work experience, education, training, etc. are decisive. The position system makes it possible to respond flexibly to changes in the organization and to occupy positions quickly by qualified people, but it is more difficult to maintain the principles and values that apply across the governance.

According to the OECD findings in the Government at Glance 2009 study,⁷² none of the countries have a purely career-based or position system. Slovakia was just above the boundary between them and closer to the position system. The European Commission's new report (2017)⁷³ ranks Slovakia in a purely position human resource management system in the CS.

There are external and internal selection procedures. **External selection** is open to all the candidates, the **internal process** is usually reserved for civil servants only in civil service and is a tool for career advancement.

In terms of organizing the selection processes, we may talk about centralized and decentralized forms thereof. In the **centralized approach**, there is a specialized institution in charge of selection processes. The advantage is in the limited ability to influence decision-making based on personal contacts, the process is more objective and the civil service and ethos of the civil service are consolidated, but it can be lengthy and rigid.⁷⁴ Moreover, the selected candidate need not correspond to the requirements of the SO in which he/she is supposed to work. In **decentralized systems**, the selection process is in the hands of the institution that is looking for an employee, it is able to respond flexibly to the needs of that institution, but there is a risk of informal patronage.

Consideration should also be given to examining the selection processes. In most of the EU Member States, there is a sophisticated selection system, including the possibility of contesting and reviewing selection processes, and decisions in this area form a significant part of administrative and/or judicial decisions of Administrative Courts or Labour Courts.⁷⁵ Regardless of the system, each candidate should have the right to challenge the selection process in a court in due time. In case of success in court, the

⁷² Staroňová K., Staňová L., Sičáková-Beblavá E.: Civil service Systems. Concepts and trends. Comenius University in Bratislava, 2014, p. 165.

⁷³ A Comparative overview of public administration characteristics and performance in EU28. European Commission, 2017, p. 24.

⁷⁴ Staroňová K., Staňová L., Sičáková-Beblavá E.: Civil Service Systems. Concepts and Trends. Comenius University in Bratislava, 2014, p. 168.

⁷⁵ Cardona, F.: Structural Elements for Recruitment in European Civil Service Systems. OECD, SIGMA, 1998.

court decision should be immediately enforceable.⁷⁶ The law in the SR does not regulate special tools of reviewing a selection procedure, a CSt or a citizen has at his/her disposal general legal means of protection (a complaint in matters relating to the execution of the CS, a complaint under the Complaints Act, a motion to the CSC, etc.).

In principle, civil servant posts in the SR are filled on the basis of a **selection procedure**. Exceptions include special categories of CSts, who enter the civil service on the basis of appointment or election under the Civil Service Act or under special regulations. The SO may also occupy the post by transferring the CSt from another service office, by accepting a redundant civil servant registered in the register of redundant CSts or accepting a citizen who is applying for admission to the civil service.⁷⁷

The SP is published for vacant employment positions, temporary vacancies⁷⁸ or posts that will soon be vacated. The selection procedure may take place as an **internal selection procedure**⁷⁹ and an **external selection procedure**⁸⁰. The Civil Service Act defines an obligation to primarily carry out the internal SP, in the event of occupying the position of senior civil servant in managerial positions the SO has an option to decide whether it will occupy the post by internal or external SP. The obligation to occupy the civil service post by preferably internal SP strengthens the principle of stability according to the explanatory memorandum to the Civil Service Act and creates an opportunity for civil servants to career development.

The CStsMP, in the CSC 2019 survey, were in favour of the view that the obligation to carry out an internal SP before the external one was useful, but they also commented on this obligation in their comments.

The selection procedure is published through the selection procedure register, the use of printing and other mass media is also possible. In the 2019 survey, executives (senior civil servants in managerial positions) stated in their comments that the information on SP implementation on the www.slovensko.sk portal only is not sufficient and it would be appropriate to involve the superior institution more directly in coordinating and informing on the vacancies.

The SP is carried out by a **selection committee** which evaluates its results and determines the order of success based on the sum of the scores of individual parts. Minutes shall be taken of the conduct of the selection procedure. In a survey conducted by the CSC 2019, CStsMP proposed that the **head of the organizational unit**, where the post is filled, **be obliged to be a member of the selection committee**. At present, this possibility is permitted by the legal regulation, but it appears from the CStsMP's statements that it is not always applied in practice.

⁷⁶ Cardona, F.: Structural Elements for Recruitment in European Civil Service Systems. OECD, SIGMA, 1998.

⁷⁷ Stipulation of Sect. 39 para. 1 (a) a) of the Civil Service Act.

⁷⁸ Stipulation of Sect. 36 of the Act and Section 60 of the Act - Representation of a civil servant on maternity leave, during the time off, during custody, temporary transfer and others.

⁷⁹ A restricted internal selection procedure is open only to civil servants of the service office, a wider internal selection procedure is open to all civil servants and redundant civil servants.

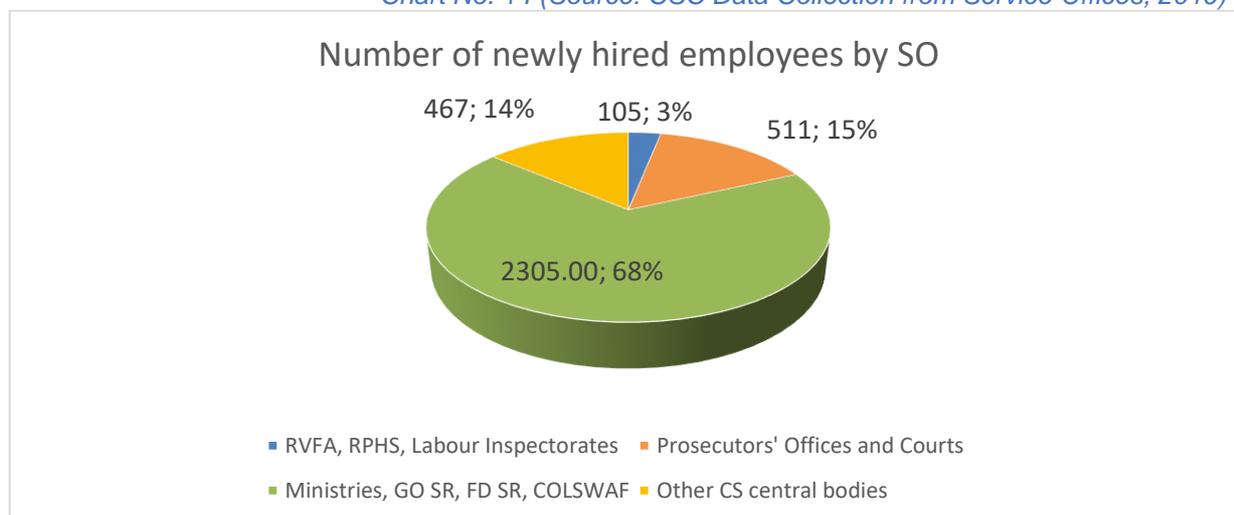
⁸⁰ Open to all applicants, not only civil servants.

A **mass selection procedure**⁸¹ is a novelty in the law. It serves as a priority for occupation of civil service posts suitable for graduates, it can also be used to fill a larger number of traditional civil service posts. It consists of two parts.

The aim of the first one, announced by the Government Office of the SR and is focused on general requirements, is to create a database of successful graduates. The second part is declared and carried out by the specific SO and verifies the work-specific requirements. Only graduates registered in the register of successful graduates have the right to apply for the second part of the mass selection procedure. According to the Explanatory Memorandum to the Civil Service Act, the introduction of a collective SP in two parts aims to increase credibility and transparency of selection procedures. The Government Office of the SR, which carries out the first part of the collective selection procedure, does not decide on the occupation of vacant CSPs. The SO decides on this, but it must only draw from candidates who have already passed through the first part of the collective SP performed by another entity. The aim of such legislation is to minimize the risk of promoting personal or political interests in the occupation of CSPs. It also aims at effectiveness of the SP process for service offices by implementing a “pre-selection” of candidates in the first part of the collective selection procedure, whereby only suitable candidates will participate in the second part of the mass SP.

According to information obtained from the SOs **in 2018, a total of 3,388 new CSts were admitted**, most of them by ministries and other central bodies.

Chart No. 14 (Source: CSC Data Collection from Service Offices, 2019)



Out of the total number of newly admitted CSts, only **3 graduates have been admitted through the mass SP**⁸² so far. This tool has only existed for a short period of time, so it will be necessary to assess its use in the future.

⁸¹ Stipulation of Section 44 Act on Civil Service

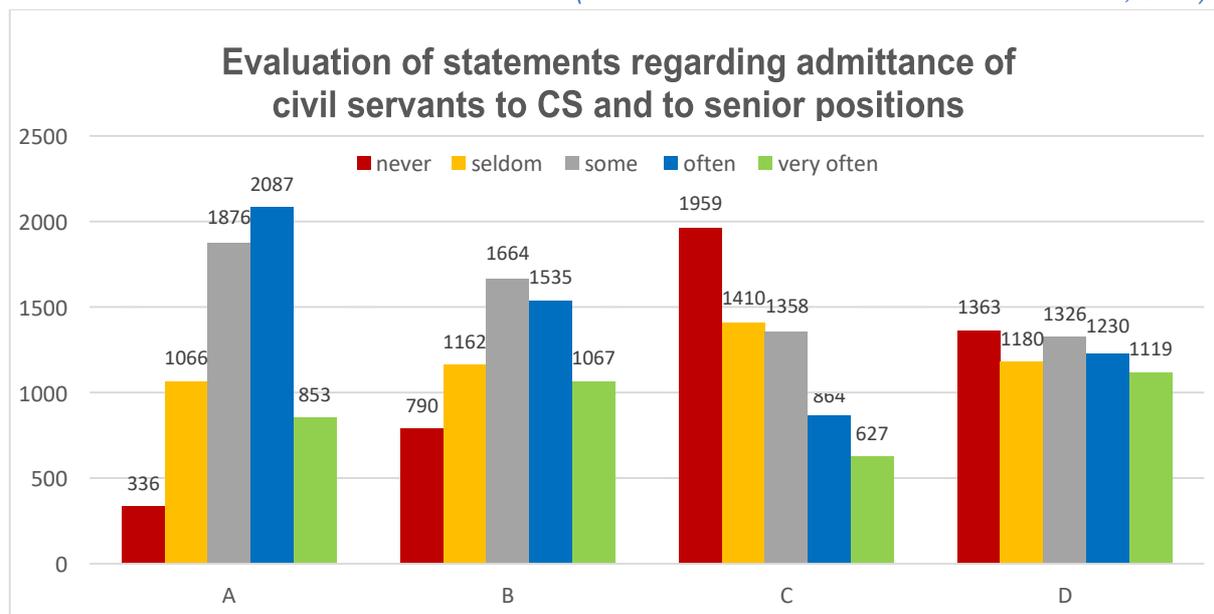
⁸² GO SR admitted 2 graduates, Ministry of Defence of the SR 1 graduate.

RESULTS OF SURVEYS

According to the 2013 survey, up to **40% of respondents** considered **candidates to be recruited on the basis of friendly or other contacts** at the expense of more qualified candidates, only 12% said this was never happening, 6% said that this was only happening exceptionally and 42% could not give an opinion.⁸³

In the 2019 CSC survey, respondents commented on the CS staff recruitment and management positions:

Chart No. 15 (Source: CSC Questionnaire for Civil Servants, 2019)



A: Selection procedure is objective and professional (the best candidates are recruited)

B: Preferred candidates tend to be candidates based on friendly or other contacts

C: In the selection procedures, some candidates have known in advance the questions on the written part of the selection procedure

D: Selection procedures were only formal, a pre-agreed candidate was selected

The average rating of statements on the SP on a scale of 1-5, where 1 = never and 5 = very often, is shown in the following Table:

⁸³ Civil Service in 2013. Government Office of the SR, p. 33.

Table No. 11 (Source: CSC Questionnaire for Civil Servants, 2019)

Statement	Average value	Median
The procedure in SP is objective and professional	3.3	3
In selection procedures, a candidate is usually preferred based on friendly or other contacts	3.1	3
The selection procedure is only formal, a candidate has been selected agreed in advance	2.9	3
In the SP, some candidates have previously known questions of the written part of the selection procedure	2.5	2

Although respondents slightly incline to the fact that SPs are objective and professional, they perceive that candidates are favoured on the basis of friendly or other contacts and it seldom happens for the SP to be formal and the pre-agreed candidate is selected or some candidates know in advance the questions of the written part.

A more detailed classification shows that the **CStsMP believe in the objectivity and professionalism of the SP more than the ordinary CSts.**⁸⁴ Ordinary employees believe more than senior employees that selected candidates tend to be the candidates with friendly or other contacts in selection procedures⁸⁵ and that selections procedures have only been formal and that a pre-agreed candidate has been selected.⁸⁶ A critical view of the CSts on the SP process increases with age and the number of years in CS, employees who are longer in the CS and older employees believe in objectivity and professionalism of the SP less.⁸⁷ Longer-acting CSts are more convinced that in selection procedures, some candidates know in advance about the written part of the selection procedure. For groups of employees who are in the CS for more than 5 years, the average was 2.56 on the Likert Scale of 1-5; longer-acting CSts and older CSts are also more convinced that SPs were merely formal, a pre-agreed candidate was selected, or that candidates tend to be selected based on friendly or other contacts. The results suggest that the **selection process is not entirely meritocratic** or that the CSts do not perceive it as such.

In the CSC survey of 2019, the CStsMP expressed their opinions on several factors related to the SP on a scale of 1 = no to 5 = yes. Overall, only mild agreement opinions of the CStsMP prevailed. The least consensus was on the adequacy of the administration related to the selection procedures:

⁸⁴ Average on the Likert Scale 1-5, where 5 = very objective was 3.64 while the average for ordinary employees CSts was 3.27.

⁸⁵ Average on the 5-degree scale was 3.2 versus 2.6 in the CSts.

⁸⁶ Average of the 5-degree scale was 3 versus 2.6 at the CSts.

⁸⁷ Average for 5-grade employees was less than 3.8 in the case of employees, while the average for employees with longer working hours was 3.1. In groups up to 35 years the average was 3.6, in groups over 35 years the average was 3.26.

Table No. 12 (Source: CSC Questionnaire for Civil Servants, 2019, a question for the CStsMP)

Statement	Average value	Median
The content of the test evaluates the required competencies and skills	3.7	4
The selection process leads to the selection of the best candidates	3.5	4
In relation to the SP, I have enough information and training	3.5	4
It is useful to have an internal SP before the external SP	3.5	4
I am satisfied with the set procedures at the SP	3.2	3
The administration associated with the SP is appropriate	3.1	3

The Table also shows a slight approval of the CStsMP claiming that the **selection process leads to the selection of the best candidates and that the content of the test is appropriate**. In the comments, the senior civil servants in managerial positions also mentioned insufficient possibilities to verify practical skills or applicant's expertise. According to the CStsMP, the tests unnecessarily verify theoretical knowledge, information from regulations and vice versa, to verify the statements made in CVs, e.g. for IT skills, there is no room in the SP. The CStsMP also objected to the uselessness of or the demanding nature of the test in the Slovak language. These reservations were also made by the SOs. The CStsMP and SOs agree that it would help to request references in relation to the applicant. According to the CStsMP, a temporary CS according to the previous legislation allowed the applicant to be checked.

The CStsMP stated in their comments that there was **formalism, cronyism** in the SP, candidates of political parties, or pre-agreed candidates are admitted. The CStsMP also see the problem of the **obligation to perform the SP during the substitution** of the CSt on the maternity leave, during posting and so on. According to the CStsMP, **the administrative demands of the SP are high**, they do not allow flexible recruitment of professionals from the private sphere, the process of recognition of foreign diplomas is complicated. According to CStsMP, the controlled interview should not be focused solely on the identification of personality traits, especially if the members of the committee know applicant from previous cooperation.

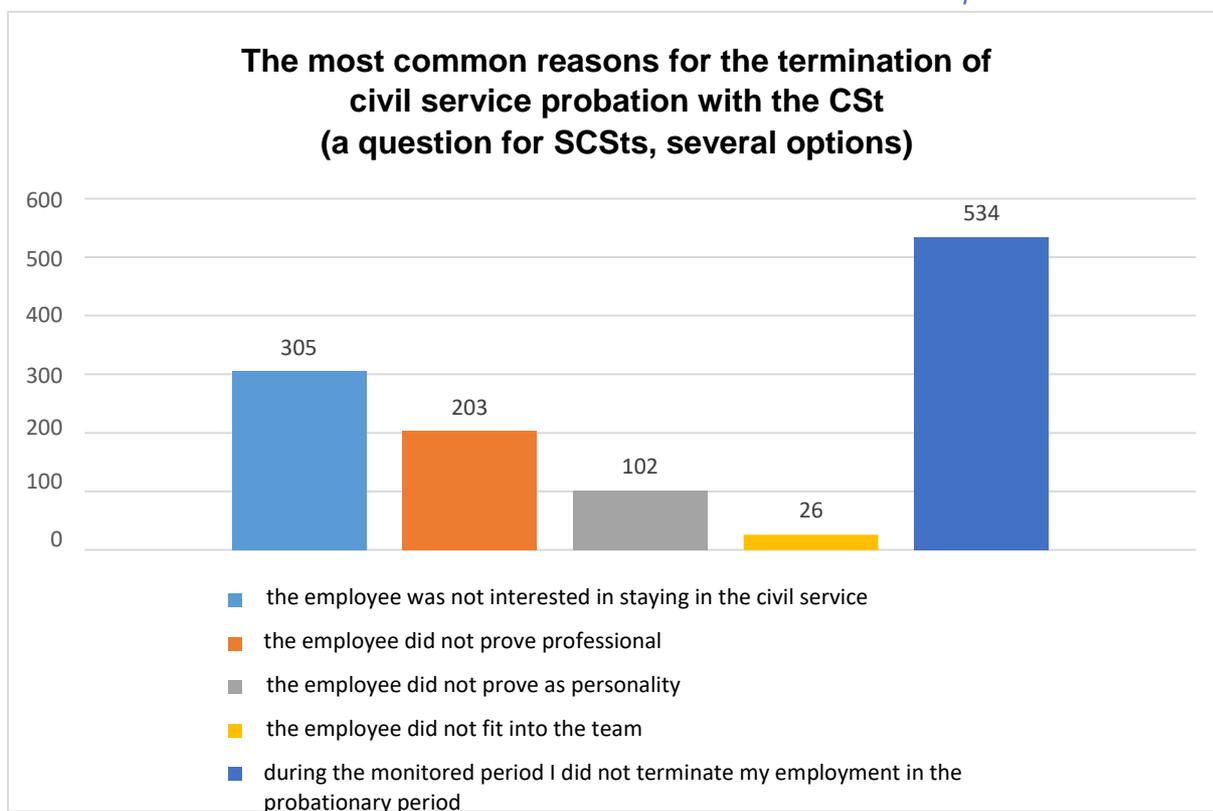
When asked whether the SPs allow for the acceptance of the best high-quality candidates, both the SOs and the CStsMP have pointed out in the questionnaire the **problem of unattractiveness of work in the CS**. The salary offered by salary evaluation and the bureaucratic selection process are a problem according to the SOs. The private sector with flexible action and significantly better payroll is a competitor in the labour market. Both CStsMP and SOs stated that the CS is not able to compete with the private sector in large cities, developed regions or in the case of specialized positions, such as IT specialist or lawyer, it can't attract young people. It is therefore necessary to make the CS more attractive to the public, to promote its benefits, to reduce administrative burdens and also to promote publicity of the declared external SPs.

The results in Table 12 indicate a modest **approval by the CStsMP** in that they have **sufficient training and guidance on the SP**. The areas in which more training and guidance would be welcomed by SOs concerned the conduct of a personal interview, including practical training and administrative requirements for the SP arrangement, in particular the drawing up of minutes or the protection of personal data. As a solution, they proposed introducing the possibility of telephone consultations in the event of problem situations, more guidance on practical issues, and the publication of guidelines already provided to make them available to all the SOs.

Table No. 12 also shows that the CStsMP are slightly inclined to the **usefulness of the internal SP prior to carrying out the external one**. Through open questions, the CSC investigated how the SOs perceive the obligation to conduct an internal selection procedure first. They perceive the possibility of rapid occupation of the post as a positive thing, (alternative of the CSt transference), negative opinions pointed out that this obligation unnecessarily prolongs the process and burdens the SO in cases where it is obvious that the post through the internal SP will be impossible to fill. As a solution, the SOs proposed to **leave the choice** of whether the internal SP will be carried out or not on the decision of the SOs.

The probationary period is used to verify whether the civil servant's work will be satisfying for him/her and whether the employee will be a benefit for the SO concerned. In the survey, we asked the CStsMP for what reasons the civil service employment was terminated during the probationary period, and they could choose from among several options:

Chart No. 16 (Source: CSC Questionnaire for Civil Servants, 2019, a question for the CStsMP)



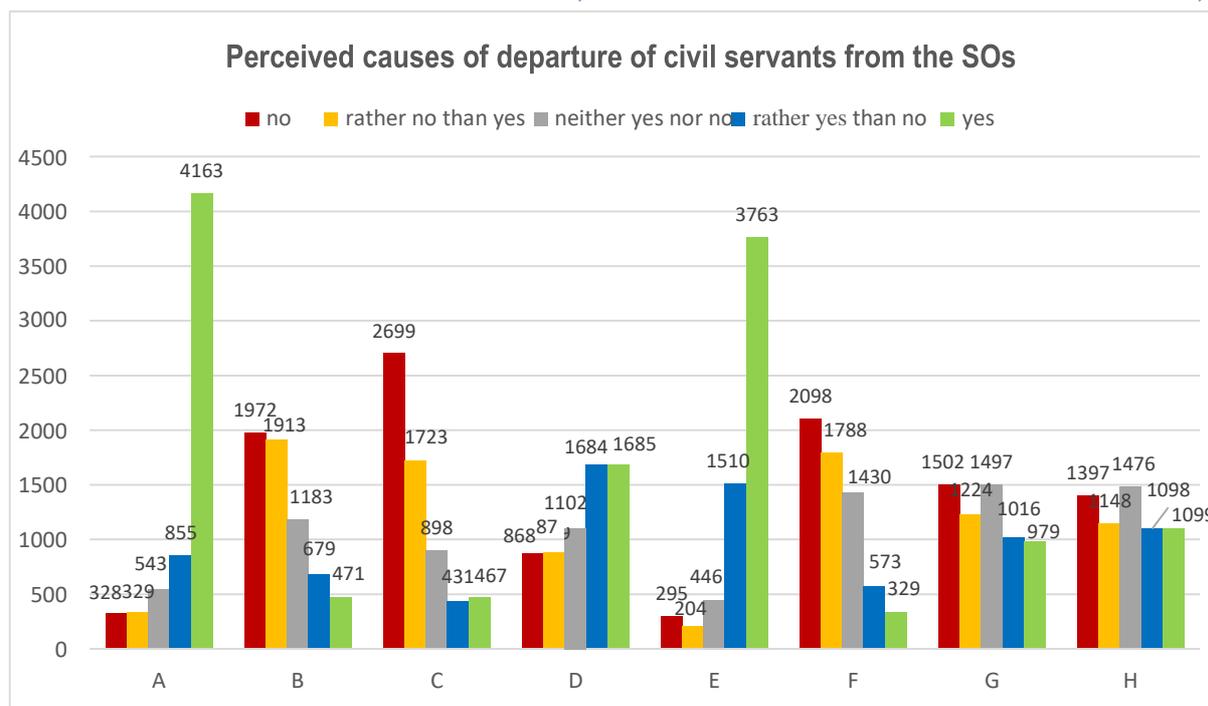
The majority of CStsMP (58%) stated that in the monitored period there was no termination of the civil service employment in the probationary period, 33% stated that the reason was the lack of interest of the employee, 22% saw the reason in that employee not having proved professional, according to 11% the employee did not prove as personality and only less than 3% stated that the employee did not fit into the team.

In relation to the SP in 2018, SOs registered 11 complaints about the course and outcome of the SP.

EMPLOYEES LEAVING

It is very important for the HRM to know the reasons why employees leave their SOs. In addition, employees leaving may be much more open and provide the management with valuable information on the functioning, relationships, problems, and reasons for employee dissatisfaction at the SOs.

Chart No. 17 (Source: CSC Questionnaire for Civil Servants, 2019)



A: Retirement, B: CSts did not provide good and reliable performance, C: CSt broke service discipline, D: dissatisfaction with the CSt's work, E: CSt got a more attractive offer, F: CSt did not fit into team, G: dissatisfaction with the functioning and direction of the SO, H: dissatisfaction with the superior

The CSC 2019 survey was finding out how CSts perceive the departure of employees, the average rating of statements on the scale 1-5, where 1 = no and 5 = yes are listed in the following Table:

Table No. 13 (Source: CSC Questionnaire for Civil Servants, 2019)

Statement – reasons for the CSts leaving	Average value	Median
retirement	4.3	5
CSt got a more attractive offer	4.3	5
dissatisfaction with the CSt's work	3.4	4
dissatisfaction with the superior	2.9	3
dissatisfaction with the functioning and direction of SO	2.8	3
CSt did not perform well and reliably	2.3	2
CSt did not fit into the team	2.2	2
CSt violated service discipline	2.1	2

The respondents see the reasons for the employee leaving their SO mainly in the completion of their retirement age and in obtaining a more attractive job offer, which are factors that cannot be significantly influenced by the SOs. They suggest that dissatisfaction with the superior or with the job may be the reasons for leaving in some cases.

Recommendations

On the selection process:

- **Actively work on publishing information on available civil service posts**, to use various forms - not just via the www.slovensko.sk portal, to increase the role of the central institution in informing (GO SR).
- Consider whether it is necessary to execute the **SP to fill the position during substitution** in all cases provided for by the Civil Service Act.
- Review the **administrative burden** associated with SP.
- **Make sure that the head of the department** where the SP is taking place **is allowed** to be a member of the selection committee.
- **When score is used as a means of evaluation, provide the explanation as well.** In the case of SP, the law does not stipulate the obligation to state in the minutes, in addition to the number of points, the rationale for assigning these points. The overall rationale is only provided if several candidates have reached the same number of points. For an objective evaluation of compliance with the CS principles in the SP, it would be appropriate to include a verbal rationale of their assignment by individual members of the commission at scoring.
- **Monitor the selection process, evaluate its transparency**, and justify the choice. Although respondents in the CSC survey tend to be in favour of SP being objective and professional, they perceive that candidates are favoured on the basis of friendly or other contacts, and the SP seldom happens to be merely formal.
- Analyse the **benefits of the collective selection process** and the admission of graduates.
- **Publish the opinions** provided by the GO on the basis of requests to individual SOs to be available to all the SOs.

On the content of the selection procedures:

- **Review the high demands of the Slovak language test** , depending on the description of the civil servant's post.
- Increase the **scope for practical testing** of candidates.
- Study ethics in the SP and provide the members of the selection committees with the necessary training for this purpose.

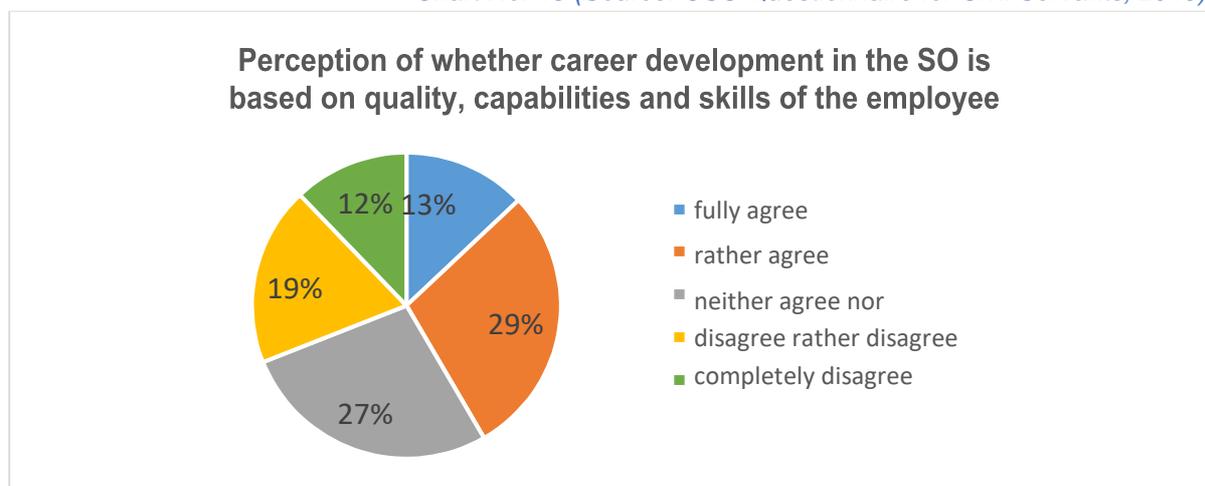
4.4 CAREER DEVELOPMENT, CAPACITY BUILDING AND EDUCATION

CAREER DEVELOPMENT

Career development can be defined as professional development of a person in a particular job position, which, through education and practice, extends their skills and knowledge and thus gains a higher level of competence. This will then be reflected in their professional practice, e.g. higher grade or increased remuneration. According to Bossaert, career development uses a variety of tools:

- vertical upward movement, i.e. career advancement,
- increase in financial reward,
- horizontal and geographical mobility.⁸⁸

Chart No. 18 (Source: CSC Questionnaire for Civil Servants, 2019)



From the 2019 CSC questionnaire survey, we may see how civil servants perceive career development at their SOs. Only **42% of the respondents agree** (13% fully agree and 29% rather agree) that **career development at their SO is based on high employee quality, competence and skills**. On the other hand, 31% disagree and 27% do not have a clear view.

⁸⁸ Bossaert, D. Et al.: Civil Service in the Europe of Fifteen: Trends and New Developments. EIPA, Maastricht, 2001.

It is interesting to see that the longer a CSt operates in the CS, the less he/she thinks that career development is based on high-quality, competence and skills of the CSt. On this issue, there is a noticeable worsening of opinion after one year of employment in the CS.⁸⁹

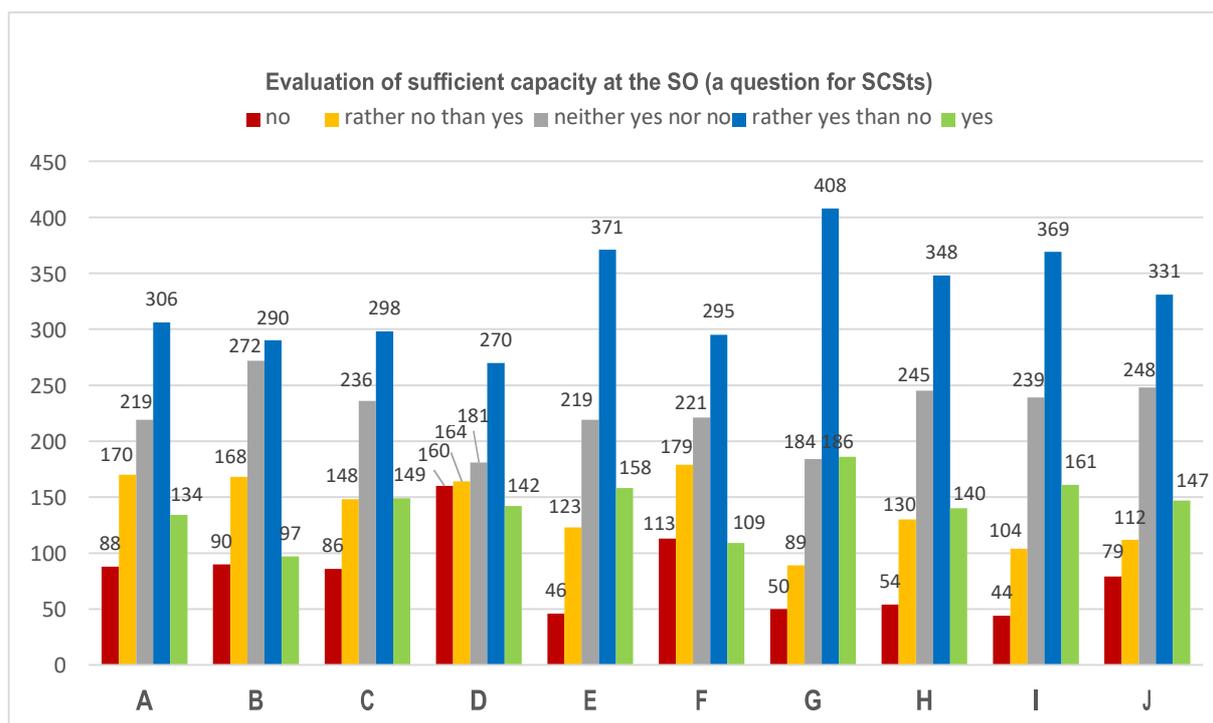
A survey of 2013⁹⁰ examined a similar area, explored the views of the SCts, whether career advancement at the workplace is based on employee high-quality, competence and skills. Up to 49% of employees felt that this was not the case, with only 37% of respondents agreeing to this and another 27% unable to assess it.

If we compare the data, we may say that employee perception in this area has improved slightly, suggesting that more attention is being paid to this area and measures are being taken to improve the situation. However, we still find the situation problematic, requiring deeper analysis and solutions.

CAPACITY BUILDING

It is clear from the CSC survey that senior civil servants in managerial positions generally do not feel a significant lack of capacity in their SOs.

Chart No. 19 (Source: CSC Questionnaire for Civil Servants, 2019)



A: analytical, B: strategic, C: economic, D: legal, E: managerial, F: technical, G: administrative, H: human resource management, I: communication, J: region-specific

⁸⁹ At the Likert scale of 5-1, where 5 = very fair provision, an average of 3.62 was issued in the CST group, which had an average of 3.62 in the CST and an average of 3.03 in the CST for 21 years.

⁹⁰ Civil Service in 2013, Government Office, p. 22.

On a 5-point scale, not in a single category was the average value lower than 3, which means that the CStsMP **rather agree with the assertion that they have enough capacity**. The higher the average value, the higher the consent to the statement:

Table No. 14 (Source: CSC Questionnaire for Civil Servants, 2019)

Sufficient capacities	Average value	Median
administrative	3.6	4
communication	3.5	4
management	3.5	4
specific to the authority	3.4	4
HR management	3.4	4
economic	3.3	3
analytical	3.2	3
technical	3.1	3
strategic	3.1	3

The following Table shows the answers of the SOs on what capacities are most absent in their SOs (sorted by highest response rate):

Table No. 15 (Source: CSC Data Collection from Service Offices, 2019)

Missing capacities	Number of responses from the SOs
1. Professional - specific to the SOs	64
2. Legal	47
3. Administrative	47
4. Technical and IT	38
5. None	21
6. Economic	19
7. Analytical	17
8. Didn't answer this question	12
9. HR management	11
10. Strategic	4
11. All (due to staff fluctuation rates)	4
12. Communications	3
13. Public procurement	3
14. Management	1

The survey **among the SOs** shows that the overall lack of professional capacities (specific to the specific needs of the particular SOs),⁹¹ legal, technical and IT capacities are the most absent.

⁹¹ E.g., as a rule, individual RVFAs have a shortage of veterinary surgeons, RPHOs lack physicians, district courts and regional courts lack the administrative/legal capacity.

ANALYTICAL UNITS

As already mentioned in Section 3.4 *Civil Service Problems in the SR - International Comparisons*, International Institutions (EC, OECD and the World Bank) as well as national experts **highly appreciate the creation of analytical units**.⁹² The European Commission states in its SR⁹³ Report that human resources management and lack of analytical capacities in the CS have improved. The establishment of the **Value for Money** unit at the Ministry of Finance of the SR, which prepares analytical data for decision-making in the creation of public policies, is also positively evaluated.

According to the National Reform Programme of the SR 2018⁹⁴, the building of analytical capacities was supported by the *Operational Programme Effective Public Administration*. There has been a personnel strengthening of the existing analytical units and the creation of new analytical units in several sectors. It is planned to strengthen the State's analytical capacities in several ministries and in other institutions, therefore their state and number of employees is developing. The practical functioning of analytical units, including the type of tasks, the high-quality and the publication of their outputs, is diverse for the time being. However, the differences are eliminated and processes are gradually being eliminated through a non-binding *Analytical Capacity Building Methodology in Public Administration*, which emphasizes coordination of relationships and processes among analytical units as well as the high-quality of analyst selection and high-quality assurance mechanisms for major outputs (e.g. peer review), one gradually succeeds in eliminating the differences and unifying and coordinating the processes. Increasing the qualifications of employees continues in the analytical departments through a training project that enables them to complete their training courses abroad and professional internships. Preliminary plans for 2019 do not envision creating new analytical units, however, personal capacities of those in existence are to be strengthened. The impact evaluation analytical capacity (RIA) could be strengthened by the remaining 12 posts.

We have determined from the SOs whether they have an **analytical unit established**. The following service offices have or plan to set up analytical units:⁹⁵ Government Office of the SR, Office of the Deputy Prime Minister for Investment and Informatization, Ministry of Transport and Construction of the SR, Ministry of Finance of the SR, Ministry of Economy of the SR, Ministry of Defence of the SR, Ministry of Agriculture and Rural Development of the SR, Ministry of Labour, Social Welfare Affairs and Family of the SR, Ministry of Justice of the SR, Ministry of Education, Science, Research and Sport of the SR, Ministry of the Interior of the SR, Ministry of Health of the SR, Supreme Audit Office, Agency for Debt and Liquidity Management.

⁹² Seminar "How International Institutions Evaluate Slovakia", European Commission Representation in the SR, 21/09/2018. Available online: <https://www.facebook.com/zekvsr/videos/398999730635142/>

⁹³ Report on Slovakia 2019, European Commission: https://ec.europa.eu/slovakia/sites/slovakia/files/sprava_o_slovensku_2019_1.pdf

⁹⁴ National Reform Programme of the SR 2018. Ministry of Finance of the SR, 2018.

⁹⁵ The replies of some SOs are vague. We can assume that they might mention jobs formally opened, which, however, are in fact still vacant.

Recommendations

Pursue career development. The results of the survey suggest that some of the elements of career development are not considered objective by the government, e.g. it is not always the career path at the workplace that is based on the employee's high-quality, competence and skills.

Continue in building analytical units. These analytical units can help make decisions by knowing the facts and the possible impacts of these decisions, which contributes to professionalization of public service outputs.

EDUCATION

Professionalism and high-quality of the performance of the CSts depends on a number of factors, in particular the legislative framework, political support and HRM. The changes leading to these objectives require the SCts to have the appropriate competence and skills to be prepared to implement the necessary changes. Education should not be seen as an isolated element, but as part of the CSt's rights and responsibilities, funding and as a permanent part of the HRM. The content of education should respond to the vision, objectives and priorities of the SOs and changes that occur in the overall environment of the CS. Education creates the ability to manage, helps to implement reform policies successfully, ensures continuity and public good.⁹⁶

According to the Strategy for Human Resources Management in the civil service for 2015-2020⁹⁷, the main objective of lifelong learning is to renew and deepen professional qualifications and competences of CSts. It is a process of **systematic maintenance, improvement and completion of the required knowledge, competences and skills** necessary for the performance of the civil service in a dynamically changing professional environment based on information and knowledge. Under these conditions, lifelong vocational training of CSts becomes an essential tool for human resources management and development.

The SOs should apply a systemic approach to education and thus analyse the needs, plan, implement and evaluate education.

Providing education is also an important **motivational tool**. According to the CSC findings, providing the possibility of further education by the SOs is the most used tool for obtaining and maintaining high-quality CSts. Similarly, the CSts, when asked open-ended questions on the factors that motivate them to deliver good results, reported also the possibility of career development, lifelong learning, the possibility of expanding education through the 3rd level university education with the help of the SOs, high-quality training and participation in conferences and seminars.

The conception of education of CSts was elaborated while Act No. 312/2001 Coll. on Civil Service was in force, and its objective was to improve and streamline the training

⁹⁶ Sigma paper No.12. Country Profiles of Civil Service Training Systems. OECD, 1997.

⁹⁷ Strategy for Human Resources Management in the civil service for 2015-2020. Government Office of the SR, 2015.

of civil servants. Legislative basis of the CSts education is the current Civil Service Act which in the **principle of professionalism** stipulates the obligation for CSts to educate oneself and the duty of the SOs to educate CSts. The Civil Service Act uses the term continuous education (Section 162).

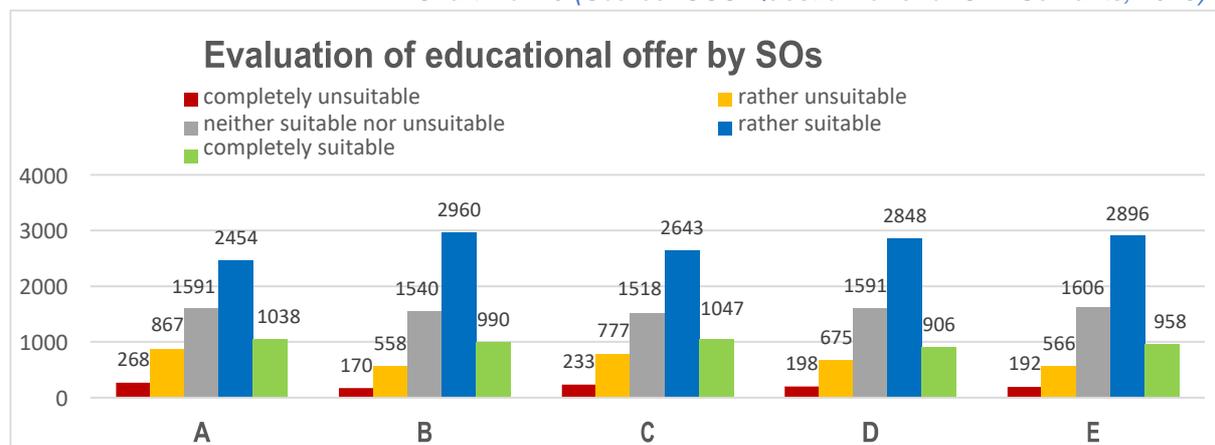
Continuous education fulfils the requirement of a systemic approach to the education of CSts. Determining the content focus of continuous education is based on the requirements for the professional competences of CSts listed in the description of the CSPs. The SO has the possibility of using several forms of continuous education of CSts, namely collective, group, individual, distance or self-access study.

Continuous education takes the form of **adaptation education** and **competence education**. Details on its forms, content of adaptation education, types of competence education and, last but not least, on the systemic approach to the education of CSts are stipulated by the Decree of the Government Office of the SR No. 126/2017 Coll. laying down details on the training of civil servants (hereinafter referred to as the "Education Decree"). The SOs can enable the CSts to increase skills, i.e. obtaining a higher degree of education if this is in line with the needs of the service office.

EVALUATION OF EDUCATION BY CSts, CStsMP AND SOs

In the 2019 questionnaire, the CSC was finding out how the CSts evaluate the education offered by the SOs:

Chart No. 20 (Source: CSC Questionnaire for Civil Servants, 2019)



A: quantity aspect, B: quality aspect - lecturer, form, C: implementation aspect - organization, venue, term, D: theme selection aspect, E: view of utilization of the knowledge acquired at work

The following Table shows the average evaluation values of the statements on education provided by the SO on a scale of 1 = totally unsatisfactory to 5 = fully satisfactory:

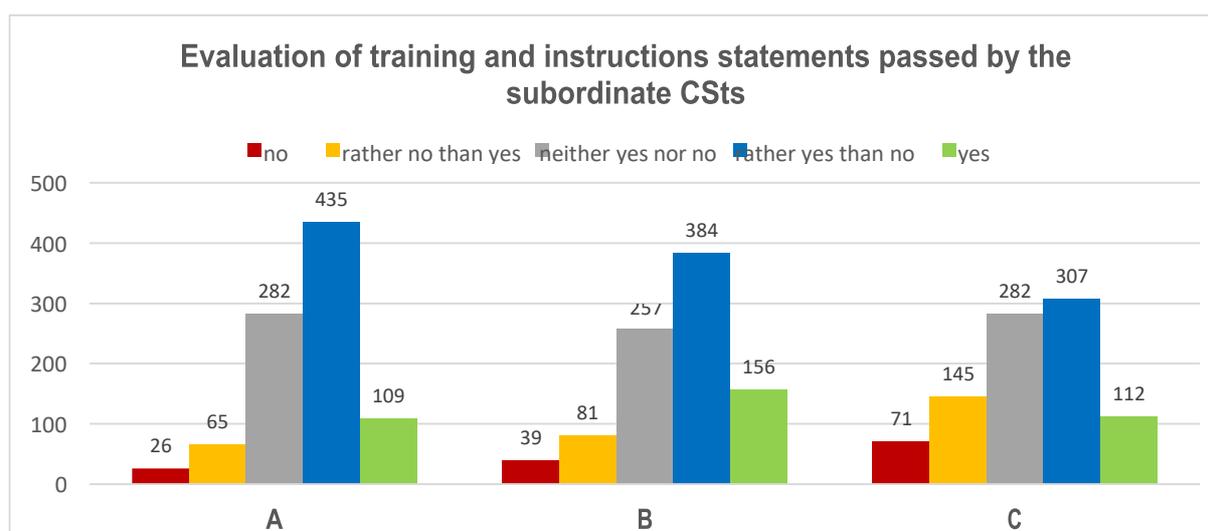
Table No. 16 (Source: CSC Data Collection from Service Offices, 2019)

Statement – education provided by the SO is in terms of	Average value	Median
quality - lecturer, form	3.6	4
implementation - organization, venue, term	3.6	4
implementation - organization, venue, term	3.6	4
selection of topics	3.6	4
use of knowledge learned in my work	3.6	4
quantity	3.5	4

CSts evaluate the education offered by the SOs rather positively in all the areas examined: quality, quantity, choice of topics and use of knowledge learned at work. The CSC questionnaire survey also showed that the organization and the venue were the least suited to the **CSts working in the local state administration**.⁹⁸

We asked the **CStsMP** how they evaluate the importance of trainings and mentoring for their subordinates.

Chart No. 21 (Source: CSC Questionnaire for Civil Servants, 2019, a question for the CStsMP)



A: CSts have better quality outputs
 B: they are important for the CSts career development
 C: they are an important motivating factor for staying in the CS

Evaluation of the statements on the impact of education on the CSts on the scale of 1 = no to 5 = yes recapitulates the following Table:

⁹⁸ Average 3.32 versus average 3.57. Evaluated on a 5 -1 scale (fully satisfactory, rather satisfactory, neither satisfactory, not satisfactory, rather unsatisfactory, completely unsatisfactory), the scale centre is 3.

Table No. 17 (Source: CSC Questionnaire for Civil Servants, 2019, a question for the CStsMP)

Statement – after passing the education:	Average values	Median
CSts have better outputs	3.6	4
they are important for career development of CSts	3.6	4
they are an important motivating factor for staying in the CS	3.3	3

The results confirm that rather **positive evaluation of training and mentoring** prevails on the part of CStsMP, and they are also slightly positive in their perceiving the improvement of the quality of outputs. Several of the results of the 2019 CSC survey confirm that education is important for the career development of employees and is a strong motivating factor.

The CStsMP provided their evaluations in open questions on training and mentoring, e.g. that training is important for those who want to move forward, improve interpersonal relationships and are in the form of teambuilding and psychohygiene if they are done outside the office.

Recurring **negatives** included:

- implementation of trainings in the capital, difficult accessibility for CSts from remote regions,
- trainings are general, not tailor-made for the CSts. Private sector lecturers do not know the specifics of the state administration, it would be appropriate to make more use of the academic community, superior institutions and the expertise of the SOs,
- lack of trainings on specific professional topics, which sometimes are addressed by the SOs with their own capacities,
- some of the trainings restricted to CStsMP, while they would also be useful for ordinary CSts,
- there is not enough funding for education,
- high administrative burden.

The law introduces a **systemic approach to the education of CSts**. According to the Education Decree, the SOs identify and analyse the educational needs of the CSts. The needs of education are analysed at the level of the CSts, at the level of organizational units and at the level of SOs. The SOs will draw up an evaluation report on continuous education by 15 February each year.

The CSC investigated how the SOs continue to work with the **evaluation of education by the CSts**.

The SOs stated that the evaluations mean the basis for the evaluation report. Evaluation of education has a decisive influence on the planning and selection of future educational activities (thematic focus, type, form), selection of educational agencies and specific trainers, while in addition to the evaluation score, the topics, comments and opinions of the educated CSts are beneficial.

Some of the SOs stated that they considered it a formality, or that they only carried out formal tasks (archiving, establishing the documents within the education agenda, drafting a report). This fact has also been confirmed by the results of the CSC survey of 2019, when the SOs provided the continuing education evaluation reports for the year 2018. As to quality, reports differed considerably. Some of the SOs drafted them in a rather formalistic way and quoted provisions of the Civil Service Act, analytical processing was missing (conclusions from the evaluation of education for the given year, benefits analysed for the relevant SO, fulfilled and unfulfilled educational needs of the SO concerned) and also conclusions for the human resources strategy of the SO concerned (further direction and vision for the future of the SO). Some of the evaluation reports, e.g. those of the Ministry of Transport and Construction of the SR or the Ministry of Labour, Social Welfare Affairs and Family of the SR were characterized by a more detailed work with the established data on education.

The following **suggestions** have been made by the SOs on the evaluation system:

- guidance from the Government Office of the SR on how to work with evaluations and how to generally evaluate education,
- in order to facilitate the evaluation of the enormous number of evaluation questionnaires, it would be beneficial to create a fully-fledged information system accessible to all service offices.

INSTITUTIONS PROVIDING EDUCATION

Various entities may perform the capacity of providers of education for civil servants, such as educational institutions of further education,⁹⁹ other SOs, educational institutions abroad, and so on.

In respect of the adoption of the new Civil Service Act, the Government Office of the SR established the **Centre for Education and Evaluation of Civil Servants** (hereinafter referred to as the “Centre”). Since June 2017, the Centre has been providing education for all the CSts in the areas that result from the Civil Service Act, with the objective here being to provide all the CSts with the same standard of education in the areas concerned and financially relieve the service offices that are required to provide training for their employees as the Centre provides training activities free of charge. The Centre also offers diagnostics of CSts through the evaluation centre method and psychological diagnostics.

In 2018, the Centre offered the following courses: analysis (description) of the CSPs as a basis for the creation of a competency model, controlled selection interview and mentoring. In management education, it offers basic management skills, conducting an evaluation interview, communication skills for managers, modern approaches to leadership and teams, coaching interview in managerial work and time management for

⁹⁹ For example, pursuant to Act No. 568/2009 Coll. on Lifelong Learning and on Amendments and Supplements to Certain Acts or pursuant to Act No. 548/2003 Coll. on the Judicial Academy and Amending Certain Acts, as amended.

managers. Participants receive background materials, recommendations for additional sources of information, and guidance on how to apply topics dealt with in the course.

2,134 mostly senior civil servants in managerial positions took part in these training sessions in 2018. Some CSts participated in several courses, so the total number of graduates was 3,068. Training sessions are provided by 5 lecturers and the courses are made in an interactive form. According to the Centre, it has been proven in practice that employees of various SOs take part in the courses, which will also enable the exchange of experience and mutual inspiration with best practice across the entire state administration. According to the Centre findings, **the courses are evaluated very positively**, which was also confirmed by the SOs in their responses to the CSC. Positive evaluation and benefits of these training also follow from the CSC findings.

However, the Centre notes that, given the high interest of the SOs in trainings, it does not manage to meet the demand. In the responses to the CSC, the SOs also formulated a requirement for more trainings or their higher frequency.

It may be concluded that the Centre manages to meet the expectations in the high-quality of trainings, the advantage being in the direct linking of training with the issues of the Civil Service Act, the trainings also allows for the exchange of experience among the SOs. The existence of a central educational institution that educates all the CSts in cross-cutting themes and can thus also obtain feedback from the CSts, evaluate the acquired knowledge and, on the basis of this, plan the scope and content of comprehensive SC training, may be evaluated as beneficial. However, the capacity of the Centre appears to be insufficient in terms of the interest in trainings, especially if the training were extended to other necessary cross-cutting topics, such as ethics in the civil service and motivation.

The Institute for Public Administration also provides education for state administration.¹⁰⁰ In the course of 2018, 11,833 individuals were trained, most of them were, according to the IPA, civil servants.¹⁰¹ IPA works with internal lecturers of the Ministry of the Interior of the SR (26) and with external lecturers (185). According to the IPA, the participants evaluated the educational activities positively.

Higher education establishments provide initial education for future CSts and the former can also be partners for their continuing education throughout their careers. Different aspects of public sector, civil service and management are included in the content of education at some secondary schools and universities.

There are 13 accredited higher-education institutions in Slovakia that provide education in some areas of the MPA (public administration, policy, management) for the public sector. Compared to the main trends abroad, legal aspects prevail in the Central European countries, which according to the authors, represent ¼ of all the basic courses in Slovakia and up to 70-100% of lecturers at private universities are lawyers. The management area is relatively weak (10-15%), especially in terms of methodological

¹⁰⁰ It is a contributory organization of the Ministry of Interior of the SR, organizes trainings for civil servants and in the performance of work in the public interest.

¹⁰¹ In addition to this number, additional staff were trained in EU projects.

and analytical skills. As far as the form of education is concerned, in Central European countries there are more theoretical subjects, much more focused on knowledge transfer than on practical aspects and skills development. Not all of the programmes require practice before obtaining a diploma. The content of education is more influenced by supply (faculty staff) than demand.¹⁰²

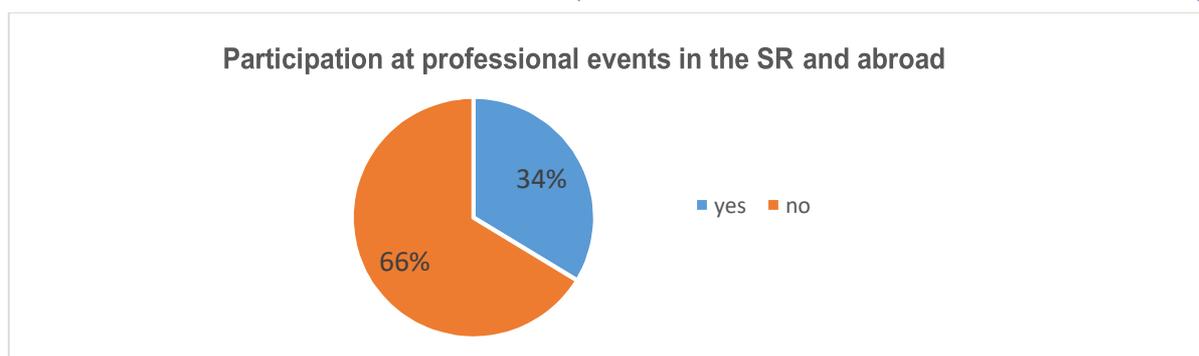
It will therefore be useful if the SOs are more involved in the training of students in the future during their studies, for example, they can formulate specific training requirements, enable internships for students, and so on. According to the CSC findings, **CSTs are also interested in expanding their education during their work in the CS**, such as the third degree of university education. Closer cooperation between SOs and universities or educational institutions, will enable the formation of future CSTs and their specialization, enable the SOs to benefit from the theoretical knowledge of academic institutions and will also help in career development and increasing the expertise of CSTs during employment. Some institutions have memoranda of cooperation with universities.¹⁰³

PROFESSIONAL EVENTS IN THE SR AND ABROAD

Professional events in the SR and abroad mean still another possibility of education and they can take various **forms**; in addition to training courses, these may include workshops, seminars, conferences, study visits, discussions, consultations with experts and the like.

Therefore, the CSC investigated how Slovak CSTs participate in such professional events and to what extent they are part of or have contacts with relevant foreign institutions and work with their outputs.

Chart No. 22 (Source: CSC Questionnaire for Civil Servants, 2019)



Most of the respondents (66%) said they did not participate in professional events. The reasons for not participating are of interest; the respondents could mark several options:

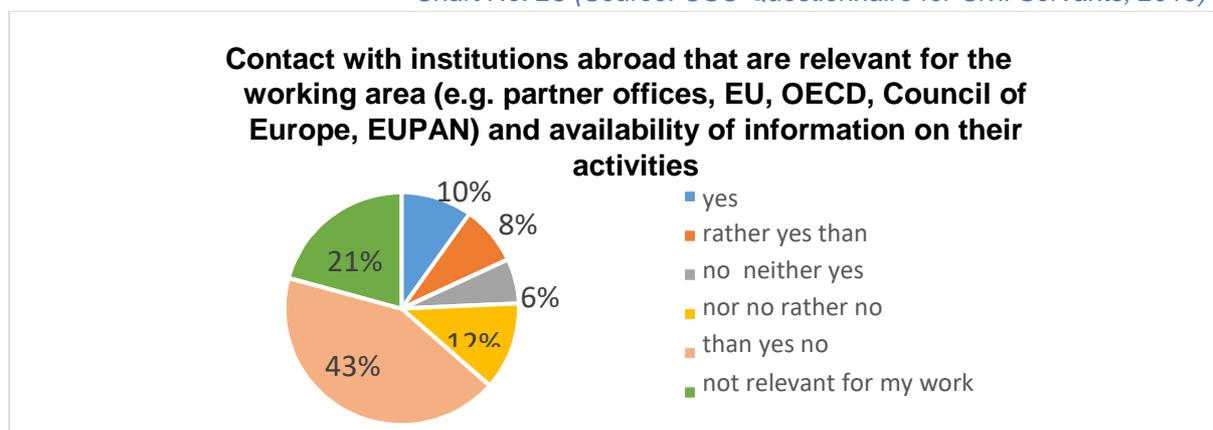
¹⁰² Staroňová K., Gajduscek G.: Public Administration in CEE Countries: Institutionalization of a Discipline. Policy and Society 35, 2016, pp. 351-370.

¹⁰³ For instance, the Antimonopoly Office of the SR and the Civil Service Council.

- the opinion prevailed (44%) that they do not consider it important for their work,
- relatively many respondents stated that they did not have enough information about the work of the above-mentioned institutions (34%),
- 26% of the respondents believe that service offices do not allow them participating in professional events,
- 24% perceive that there is no funding available.

According to the questionnaire survey, most CSts have no **contact with institutions abroad** (e.g. partner offices, EU, OECD, Council of Europe, EUPAN) relevant to their working area or work with information (43% no contact, 21% no contact because it is not relevant for their work), 10% stated they had and 8% said they rather had such contacts.

Chart No. 23 (Source: CSC Questionnaire for Civil Servants, 2019)



The following Table shows contact with institutions abroad by type of institution:

Table No. 18 (Source: CSC Questionnaire for Civil Servants, 2019)

The office in which the CSt works:	Evaluation of contact rate ¹⁰⁴	Share of answers "not relevant to my work"
Other central state administration body	3.06	14.02%
Ministry	2.96	17.76%
Other	2.44	15.24%
State administration authority	1.82	20.77%
Local government body	1.47	27.74%

According to the CSC findings from the questionnaire survey, CStsMP and male CSts attend professional events in the SR or abroad more frequently. Since most CStsMP are men, it is possible that gender does not play such role as the position.

¹⁰⁴ Likert Scale 1-5, where 5 = is in contact, 1 = is not in contact, and 3 is the centre of the scale.

Recommendations

- **Evaluating the education system.** The setting of the education system is perceived by the CSts, CStsMP and SOs quite positively. Opinions from the CSC survey provide good feedback on how to improve the education system in terms of content and implementation. The content should reflect the needs of the SOs, but also new trends and problem areas, e.g. Centre trainings to include ethics, motivation, strategic thinking and accountability mechanisms.
- **Ensuring the implementation of trainings directly in the regions,** especially those implemented centrally through the GO SR.
- **Reviewing formal requirements and bureaucracy** associated with education. Using the information that is already being collected about education, evaluate it, discuss its real use, improving the system. It should be evaluated how OSs work with the data obtained from the CSts, organizational units, how they develop evaluation reports and how they use this knowledge in practice and reassess administrative burdens accordingly.
- **Coordinating the evaluation of education** by the service offices, considering the creation of an information system to facilitate the work with the evaluation questionnaires, evaluating the experience with their use. Coordinating and methodically adjusting the evaluation of education in the form of evaluation reports by the SOs. Sharing best practice among the SOs and using the evaluation report tool as part of strategic human resources management and development.
- Using **learning opportunities as an element of motivation** and a tool for obtaining high-quality HR. Testing whether they are interested in learning and progressing when they are being admitted in the CS.
- Developing closer **cooperation among the SOs and universities** or other educational institutions, which will make it possible to profit from the theoretical knowledge of academic institutions and will also help in career development and increasing the expertise of the CSts during employment. Also,
- taking advantage of the expertise of top-high-quality CSts in the transfer of knowledge and practical skills to the academic environment and educating future CSts.
- **Making contacts, materials and outputs of international organizations and foreign partners available.** The results of the survey indicate that Slovak CSts are quite isolated from the knowledge base, best practice at home and abroad. This is a problem especially for employees of ministries and State administration bodies with nationwide competence. The minimum outputs and information produced by reputable foreign institutions, working by renowned experts from several countries and often presenting best practice, can also be an inspiration for addressing the problems facing the CS in the SR. In a global environment, it is equally important to know the trends and future challenges facing the public sector, so it is necessary to increase the awareness of the State administration on professional ventures in the SR and abroad.

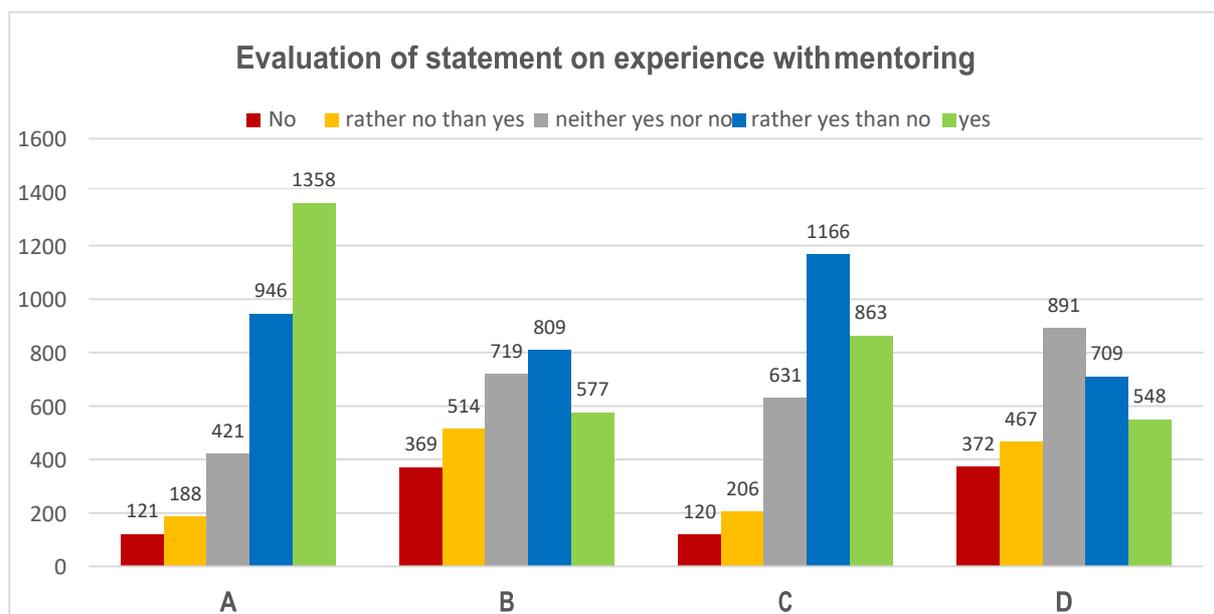
- **Centrally coordinating the collection and spreading of information**, sharing knowledge gained on business trips and giving CSts access to latest knowledge on civil service and their field of expertise.

4.5 MENTORING

Mentoring is a **professional practice of providing support, assistance and guidance to employees** to increase their professional development and success at work. It is also a tool for motivating, increasing employee loyalty, developing and retaining talent, helping to maintain and sharing know-how in the organization. The mentored employee learns everyday procedures more quickly and increases productivity, joining the team more easily. The mentor is usually a senior employee who allows the mentee to understand formal and informal relationships in the organization and the way they work, while learning to pass on their knowledge and experience and testing their leadership skills. Mentoring is not used only when instructing new employees; it can also be used for career advancement (joining a senior position, etc.).

Mentoring is a novelty in the law and is **part of the adaptation education** that takes place during the probationary period. The law sets requirements for the mentor; CSts other than senior civil servants in managerial positions should primarily serve as mentors. In the interest of the high quality of mentoring, the mentor should only conduct mentoring to one CSt, but the law leaves the possibility to carry out this activity also in relation to multiple CSts. The mentor is entitled to a special bonus for his/her work.

Chart No. 24 (Source: CSC Questionnaire for Civil Servants, 2019, Question for CSts with mentoring experience)



A: this is a useful tool, B: it applies formally C: mentors are at a sufficient level, D: there are no suitable conditions for mentoring

The **CSC investigated in the survey** how the newly instituted institution is perceived by the CSts. Evaluation of mentoring statements on 1-5 scale, where 1 = no and 5 = yes:

Table No. 19 (Source: CSC Questionnaire for Civil Servants, 2019)

Statement - mentoring	Average value	Median
It is a useful tool	4.1	4
Quality of mentors is sufficient	3.7	4
It is being applied formally	3.2	3
No conditions created	2.7	3

Respondents perceive this tool quite positively, most of the respondents consider mentoring a useful or a rather useful tool. A slightly less favourable evaluation concerns the high-quality of the mentors, but the opinion that they are at a sufficient level prevails. When evaluating whether mentoring is only formally applied, respondents were slightly inclined to agree and also to the view that conditions for mentoring were not created.

4.6 REMUNERATION

Remuneration should take into account the principles of equal treatment, transparency and fairness, and these should be reflected in the rules on the calculation of pay, remuneration and other benefits for civil servants.¹⁰⁵ Transparency and predictability of remuneration are essential preconditions for improving employee motivation and recruiting and retaining qualified employees in the CS.¹⁰⁶

There is a prevailing opinion¹⁰⁷ that the **Slovak remuneration system**:

- is complex, opaque and unpredictable,
- vertical compression is low (1:3),¹⁰⁸
- low compression is compensated by a high number of surcharges, several of which can account for up to 90-100% of the tariff salary (personal allowance, management surcharge),¹⁰⁹

¹⁰⁵ Strategy for Human Resources Management in the civil service for 2015-2020. Government Office of the SR; Staňová Ľ. et al. : Remuneration and benefits on Central Government Civil Service in the EU Member States and European Commission. Government Office of the SR, 2017, p. 5.

¹⁰⁶ Performance related Policies for government Employees. OECD, 2005; Staňová Ľ.a kol.: Remuneration and benefits of Central Government Civil Service in the EU Member States and European Commission. Government Office of the SR.

¹⁰⁷ E.g. Strategy for Human Resources Management in the civil service for 2015-2020. Government Office of the SR; Revision of Employment and Remuneration Expenditure in Public Administration, Interim Report. Ministry of Finance, 2018; Staroňová K., Staňová Ľ., Sičáková-Beblavá E. : Civil service Systems. Concepts and trends. Comenius University in Bratislava, 2014; Prachárová V., Košťál C. : New Act on Civil Service in the Context of International Recommendations, Institute for Well Managed SGI, 2017, p. 26.

¹⁰⁸ By Staňová Ľ. et al. (2017) the vertical compression ratio in the SR is one of 1: 3, which is a very low ratio. This ratio should be at least 1: 4-5 if we are talking about a professional civil service with college posts at the lowest rank, and up to 1: 7-10 if we talk about the pay gap. In the EU countries, this is a difference of 12% or more between grades.

¹⁰⁹ Staroňová K., Staňová Ľ., Sičáková-Beblavá E. : Public Service Systems. Concepts and trends. Comenius University in Bratislava, 2014.

- the number of surcharges, their proportion in the position salary and the relative freedom to allocate them make the whole remuneration system relatively non-transparent, unpredictable and ultimately unfair,
- small difference between salaries of employees with different levels of responsibility and labour intensity creates a sense of injustice and demotivates employees in their career development,
- personal allowance in most cases does not fulfil its purpose (high-quality of service tasks), but compensates for the low amount of salary scale and becomes a tool for recruitment of civil servants. The lack of clearly defined rules for paying a personal allowance as well as the nature of the ad hoc system makes the system vulnerable to politicization,
- there are no clear rules for the allocation of PAs, the distribution between sectors varies,
- the possibility of reducing the already granted PA is used only minimally, because it is bound to administratively demanding evidence,
- the remuneration system in the SR places great emphasis on formal education and practice, less appreciating the difficult to define productivity or results.¹¹⁰

The following measures are proposed in the *Strategy for Human Resources Management in the civil service for 2015-2020*¹¹¹:

- setting up the remuneration system to take into account the minimum wage (until 31/12/2020),
- developing a remuneration concept aimed at consolidating pay grades, creating pay bands to promote the principles of equal and fair pay and career development (until 31/12/2020),
- taking into account the results of the performance appraisal in the variable part of the functional salary (with the effect of the new Civil Service Act).

The new Civil Service Act has brought some changes in remuneration, responding to these problems and following the conclusions of the strategy.¹¹² According to the *Report on the Implementation of Strategy for Human Resources Management in the civil service for 2015-2020*¹¹³, only the last point has been fulfilled by the date of settlement (07/03/2018).

¹¹⁰ Revision of Employment and Remuneration Expenditure in Public Administration, Interim Report. Ministry of Finance, 2018, p. 9.

¹¹¹ Material discussed by the Government of the SR on 7 March 2018.

¹¹² Strategy for Human Resources Management in the civil service for 2015-2020. Government Office of the SR, adopted by the Resolution of the Government of the SR No. 548/2015 of 7 October 2015.

¹¹³ Material discussed by the Government of the SR on 7 March 2018.

SALARY COMPONENTS

The law stipulates that the salary of a CSt consists of a position salary and other salary requirements. The **position salary** is:¹¹⁴

- **tariff salary** and cash requirements provided by the monthly amount,
- **extraordinary salary** determined by the Government of the SR to a civil servant at the CSP of extraordinary significance,
- **personal salary** awarded to the CSt while performing particularly important tasks or extremely demanding tasks,
- **salary in the amount of the salary of a member of the National Council of the SR** (special categories of civil servants).¹¹⁵

According to the Ministry of Finance of the SR, the composition of the salary in civil service in 2017 was 79% of the basic salary, 11% of the surcharges, 10% of the allowances.¹¹⁶ The World Bank recommends setting a basic salary of 90% of the total salary, the OECD data (2005) however, show that this is mostly 50-90% of the total salary.¹¹⁷

There is no regular (e.g. annual) salary indexation in the SR, but there is indexation in most of the European countries. Annual negotiations are ongoing in the SR on valorisation, but not always with a positive result.¹¹⁸ Tariff salaries increase of 10% is agreed for the years 2019 and 2020 respectively.¹¹⁹

The civil servant's **tariff salary** is the sum of the salary scale (by grade) and the salary increase for professional experience. The law sets certain salary categories for certain categories of CSts. The inequality in the increase of employees' tariffs of the Office of the National Council of the SR and employees of offices of other constitutional bodies is currently the subject of proceedings at the Constitutional Court of the SR on the basis of the submission of the President of the SR of 26 October 2017.

Most of the EU countries have 10-20 grades in the public sector, with only 9 of them since 1 June 2017 in the SR, and from among the EU countries, it has the highest grade at the lowest level. Although the new Civil Service Act abolished the two lowest grades that were de facto unfulfilled because they were below the minimum wage, and in 2017 and 2018, government regulations have increased salary tariffs, we cannot say that there has been vertical decompression.

¹¹⁴ Stipulation of Section 126 of the Civil Service Act.

¹¹⁵ Stipulation of Section 126 par. 4 of the Civil Service Act.

¹¹⁶ Revision of Employment and Remuneration Expenditure in Public Administration, Interim Report. Ministry of Finance, 2018, p. 25.

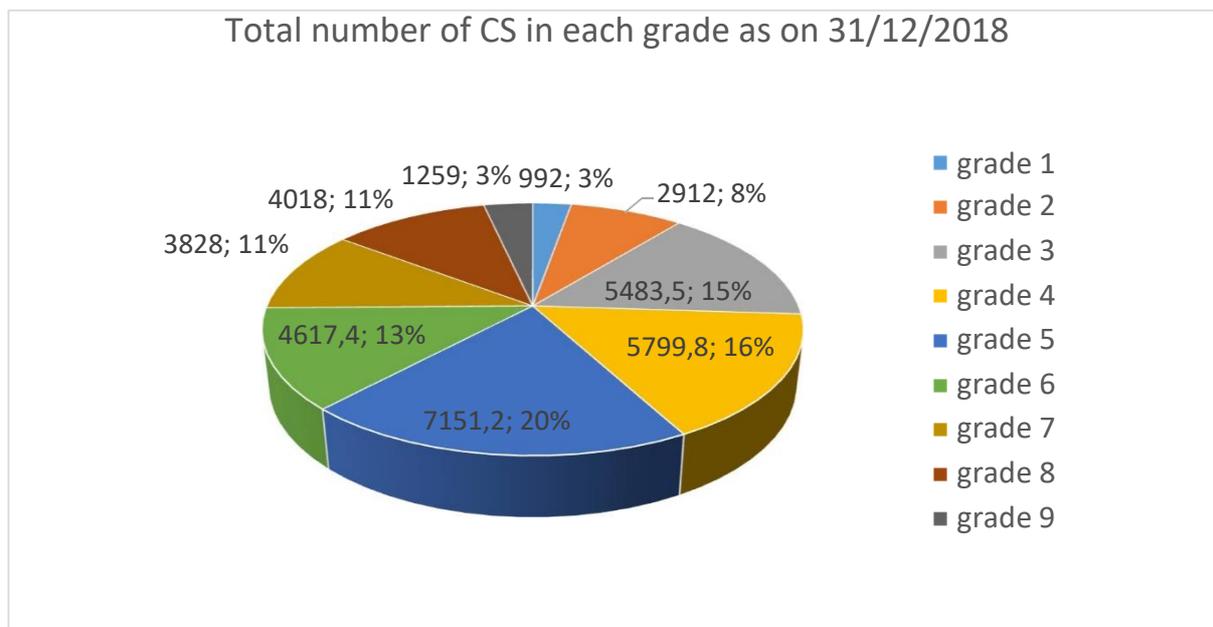
¹¹⁷ Staroňová K., Staňová E., Sičáková-Beblová E. : Public Service Systems. Concepts and trends. Comenius University in Bratislava, 2014, p. 187.

¹¹⁸ Staroňová K. : Remuneration and Benefits on the Central Government Civil Service in the EU Member States and European Commission. Government Office of the SR, 2017.

¹¹⁹ Higher-level collective agreement 2019-2020: *"The salary rates for civil servants will increase by 10% from 1 January 2019 and from 1 January 2020 it will increase by additional 10%."*

Based on the information provided by the SOs, the Chart below shows the distribution of the CSTs among the individual grades. Most of the CSTs (20%) are in the 5th grade, the least number of them is in the lowest, 1st grade (3%) and in the highest grade there are 9 (3%) of them.

Chart No. 25 (Source: CSC Data Collection from Service Offices, 2019)



The following Charts show that the classification of employees in grades varies from one type to another:

Chart No. 26 (Source: CSC Data Collection from Service Offices, 2019)

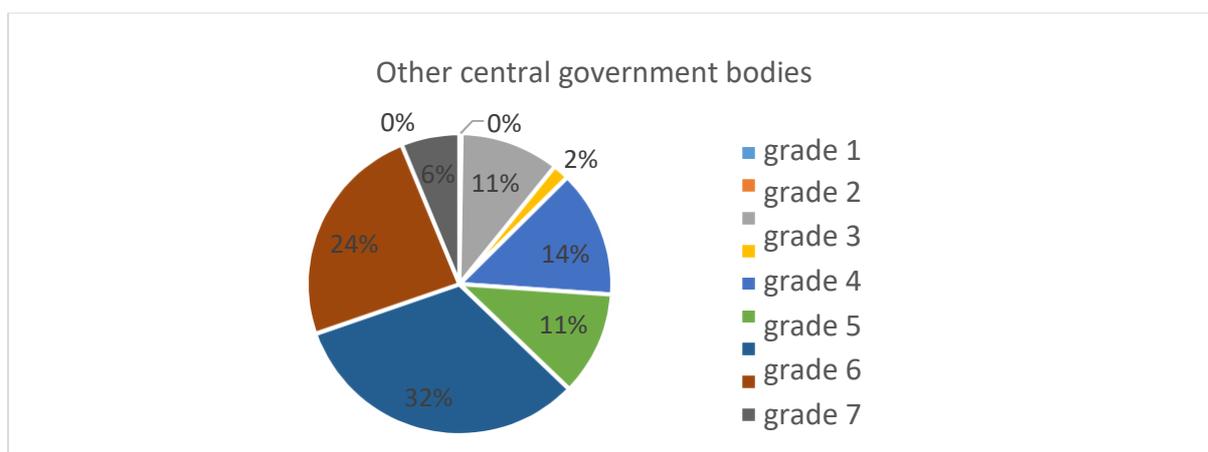


Chart No. 27 (Source: CSC Data Collection from Service Offices, 2019)

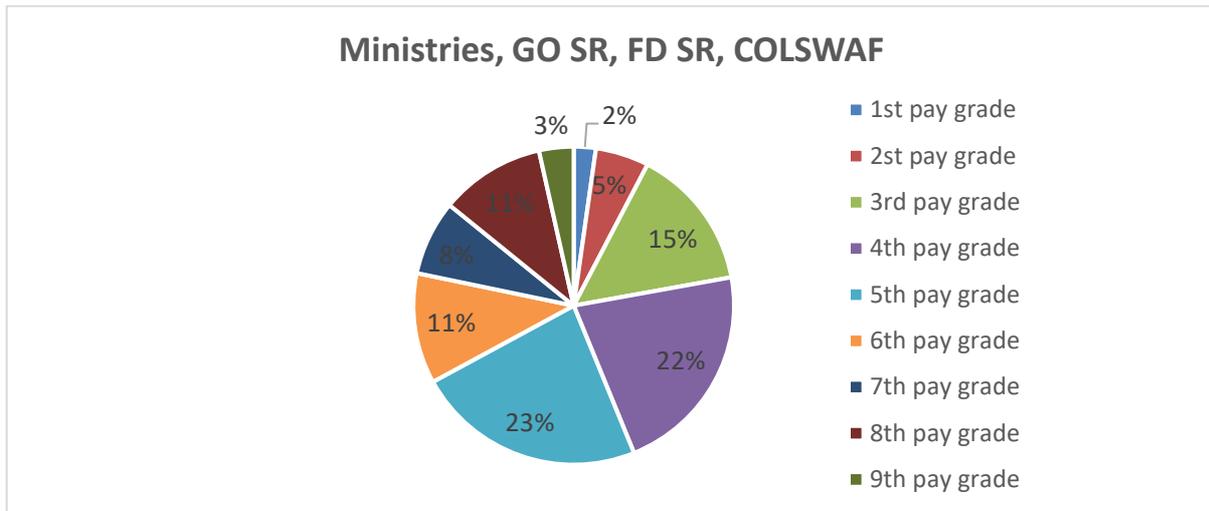


Chart No. 28 (Source: CSC Data Collection from Service Offices, 2019)

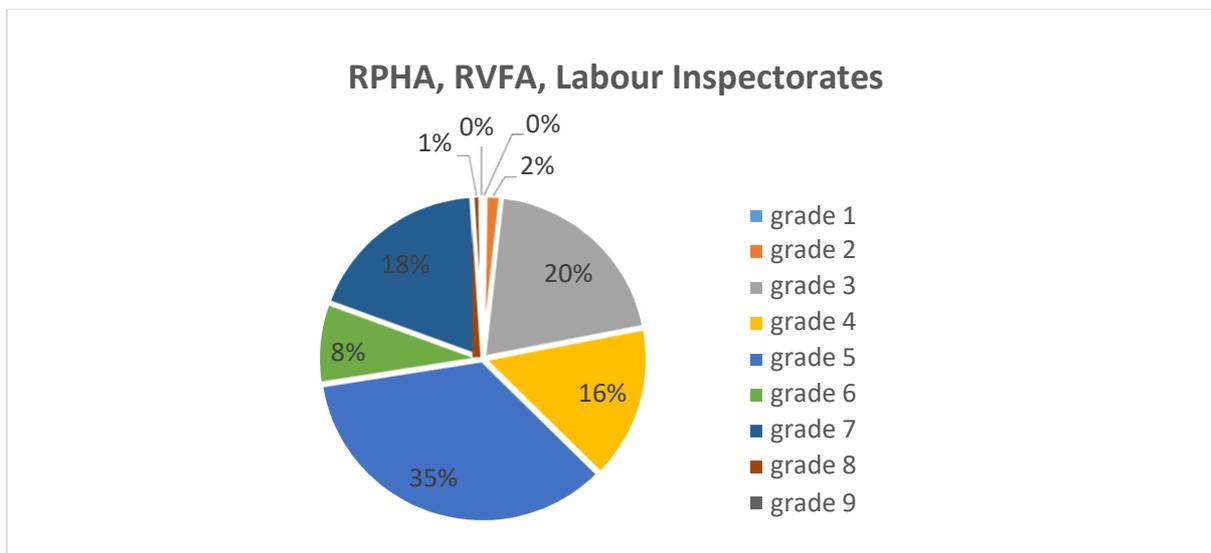
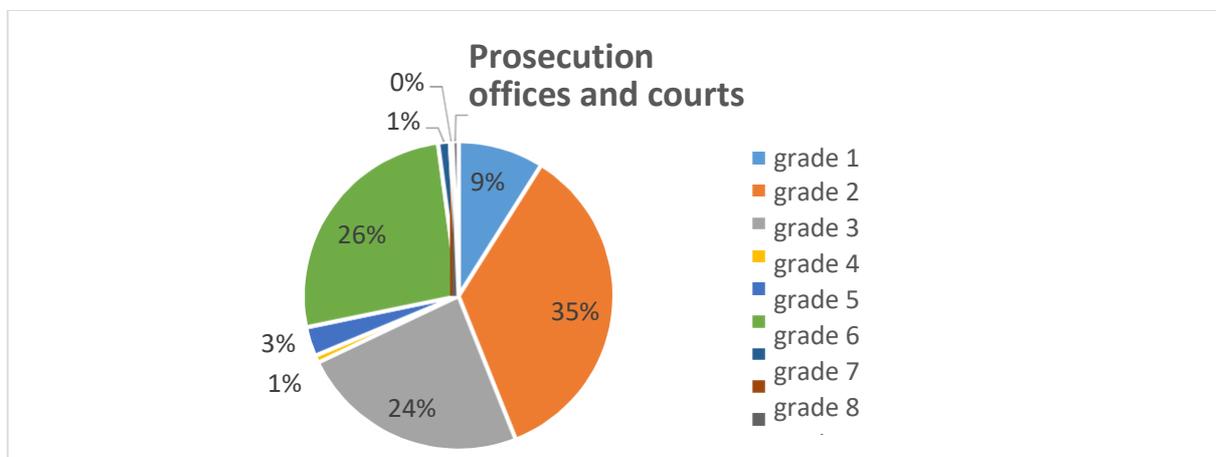


Chart No. 29 (Source: CSC Data Collection from Service Offices, 2019)



Other CSAAs (6%) have most of the top-grade employees, slightly less ministries (3%), and the CSTs in this grade are hard to find at all at prosecutor's offices, courts and regional offices.

Other CSAAs have the highest number of employees in the 7th grade (32%), ministries in the 5th grade (23%), regional offices in the 5th grade (35%) and prosecutors and courts in the 2nd salary grade (35%).

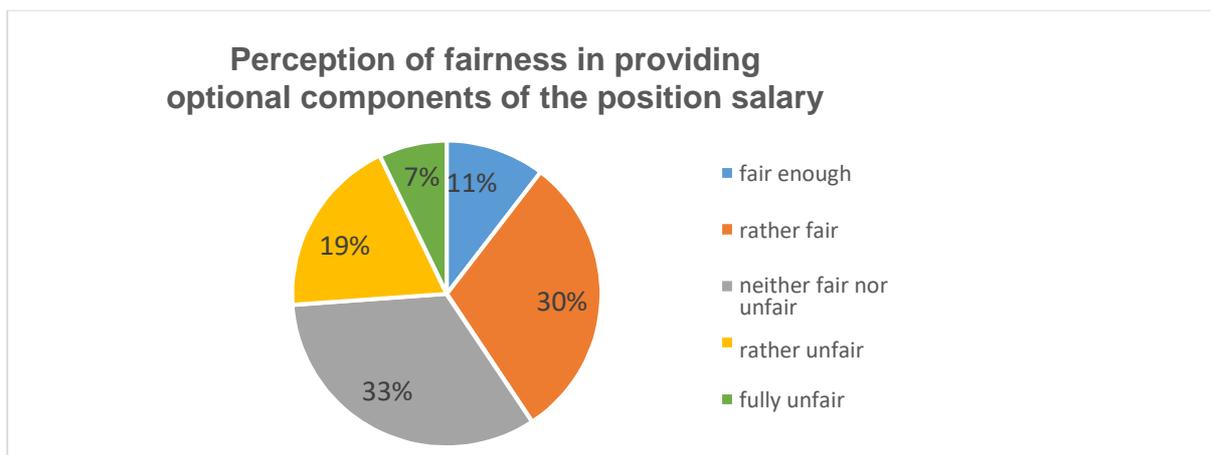
The law maintains a relatively **high number of surcharges**. The most important of them is **personal allowance** that is recognized for the high-quality of service tasks. In 2016, the PA accounted for about **90% of the amount of allowances** paid to civil servants and, on average, accounted for **18% of the total amount of salaries** paid.¹²⁰

The PA can be awarded at a maximum of 100% of the salary grade and it is a non-claimable salary component that becomes a claimable salary component after the award. A change from the previous act, when it could only be granted on the basis of a high-quality implementation of the CS, is in introducing the possibility of its modification (increasing, decreasing, withdrawing) also according to the outcome of the performance appraisal. The PA can be modified in relation to the level of performance of the civil service, the conclusion of the performance appraisal for the previous calendar year, but also in the case of a change in the civil service employment (change of position, change of the most demanding activity stated in the service contract). Even after the introduction of changes in the SR, the question of the merit of the PA remains open; the relevant Act does not provide for the binding of the PA allocation to the proven fulfilment of the objectives set.¹²¹ But in the EU countries, this instrument is used to stimulate employee engagement, their performance and attitude towards work and is determined on the basis of objective factors such as responsibility, labour intensity, performance of specific tasks or use of specific skills of the employee in attaining the objectives set.¹²² The SR is among the countries with the highest proportion of employees who have been awarded a personal allowance (87%); for comparison, the higher proportion is in the Czech Republic (95%), Finland (99%) and Sweden (99%).

¹²⁰ Revision of Employment and Remuneration Expenditure in Public Administration, Interim Report. Ministry of Finance, 2018.

¹²¹ Prachárová, V., Košťál C.: New Civil Service Act in the Context of International Recommendations. SGI Institute for Well Managed, 2017, p. 26.

¹²² Staňová E. et al.: Remuneration and benefits on Central Government Civil Service in the EU Member States and European Commission. Government Office of the SR, 2017, p. 19.



The 2019 CSC survey suggests that:

- 40% of respondents consider providing an optional component of position salary rather fair (10% fair, 30% rather fair),
- 26% rather unfair (7% unfair, 19% rather unfair),
- up to 33% can't judge it.

On a scale of 1-5, where 5 = fairly fair and 1 = totally unfair, the average score is 3.2. Employees are therefore inclined to claim that the **provision of an optional salary component is rather fair**. Interestingly enough, the CSts operating in the CS for a shorter period of time consider the optional component to be fairer than CSts who have been working in the CS for longer.¹²³

A similar survey in 2013¹²⁴ showed that:

- up to 64% of respondents considered the provision of optional salary component as non-transparent,
- only 25% transparent (8% transparent, 17% rather transparent),
- 11% could not judge it.

The comparison suggests a positive trend in that the perception of employees in evaluating the system of providing optional salary components has improved. However, the 2019 results indicate that a high percentage of employees perceive the provision of the optional salary component as unfair and that employees still do not have sufficient information and justification to provide the non-claimable salary components.

In the 2019 questionnaire, the CSC also examined whether the results of the performance appraisal were reflected in the financial reward. The opinion of the CSts on this issue is ambiguous:

¹²³ at the 5-1 Likert scale, where 5 = frequent occurrence and median value = 3, the average number of employees in the group of SOs who are less than a year in average is 3.5 and in the group, which is more than 21 years in average, 3.0 .

¹²⁴ Civil service in 2013, Central Office of the SR, p. 23.

- while 36% of the respondents disagreed and rather disagreed with the statement that the evaluation results were reflected in the financial reward,
- a slightly higher proportion of 37% agreed or rather agreed,
- a high number of 27% of the respondents expressed neither agreement nor disagreement.

At the Likert Scale of 1-5, where 1 = fully agree and 5 = fully disagree, the average value was 2.9, suggesting a **rather disagreement** on the claim that the **results of the evaluation are reflected in the financial reward**.

PERSONAL SALARY

In 2015, the *Strategy for Human Resources Management in the civil service for 2015-2020*¹²⁵ was also devoted to the institutes of personal salary and extraordinary salary, noting that:

- these are market simulation tools, which should serve to attract professionals to strategic positions, which is in line with trends in the OECD countries,
- extraordinary salary is approved by the collective approval by the Government of the SR for the positions of extreme importance, awarding a personal salary is in the decision-making power of the OSs, however, there is no control mechanism for determining the person and the amount of such a salary.

Under the new Civil Service Act, the provision of personal salary is also **conditional on the performance of particularly important tasks or extremely demanding tasks** and, at the same time, the duration of the reasons and conditions for which the CSt was awarded a personal salary. Determination of the personal salary must be justified in writing, the amount of which depends on the scope of the tasks and the financial resources of the relevant SO. A personal salary may not be lower than the position salary to which the CSt would be entitled under the law and can be increased or decreased during the execution of the CS based on the high-quality of performance of tasks or on the basis of a performance appraisal for a calendar year.

Despite reservations about the lack of control mechanisms that have already emerged from the above strategy, no such mechanisms have been introduced into the law, as some authors have also pointed out.¹²⁶

From the data provided to the CSC by 173 SOs, it was found that 25 SOs used the personal salary in 2018 and 289 CSts were awarded the personal salary, of whom 194 were CStsMP . The CSC also investigated the reasons for awarding a personal salary. Most of the SOs referred only to the act or a general claim that it is due to performing

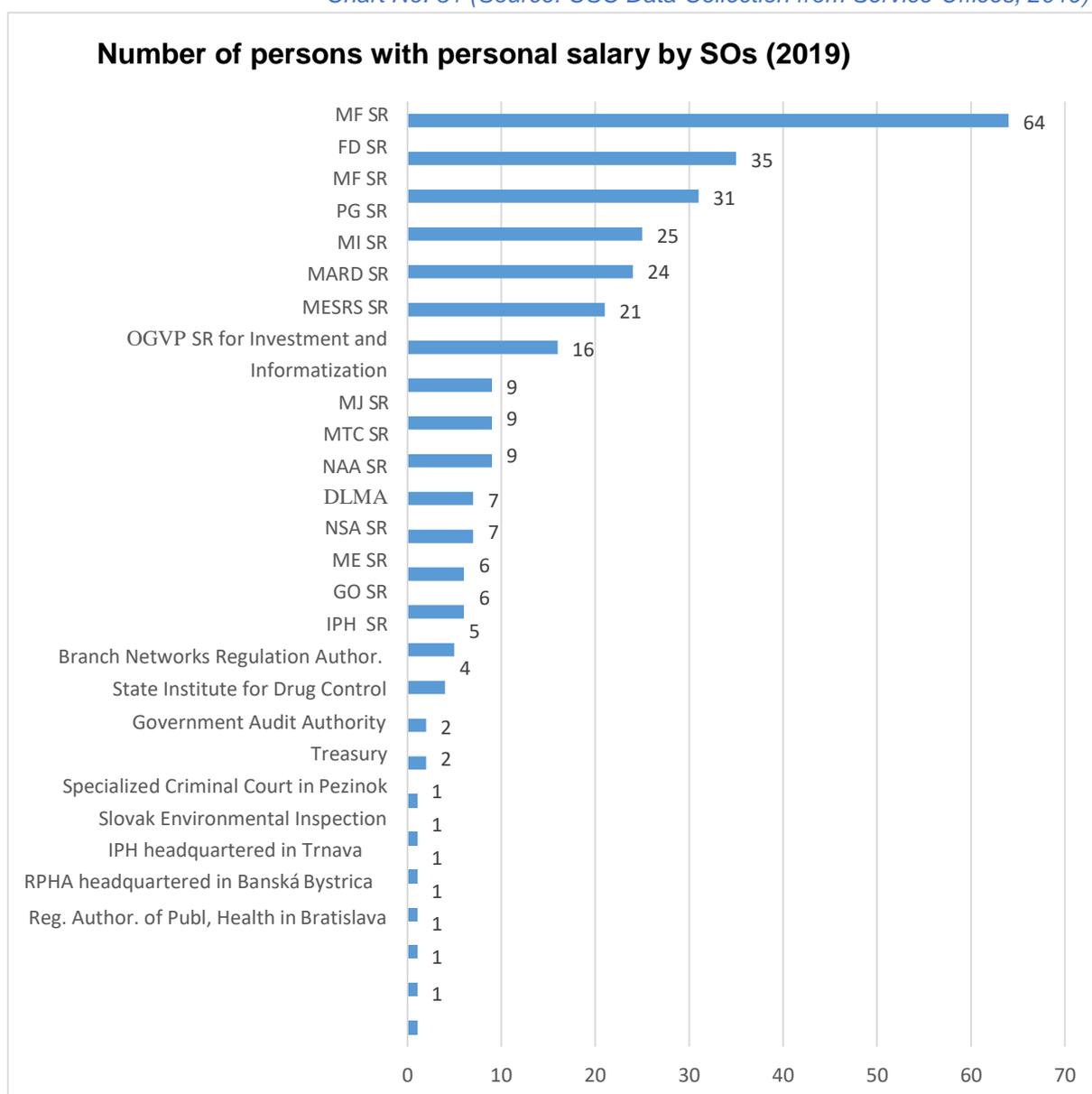
¹²⁵ Strategy for Human Resources Management in the civil service for 2015-2020, Government Office of the SR, adopted by Resolution of the Government of the SR No. 548/2015 of 7 October 2015.

¹²⁶ Prachárová, V., Košťál C.: New Act on Civil Service in the Context of International Recommendations, Institute for Well Managed SGI, 2017, p. 23.

extremely demanding tasks. Those SOs, which provided a more specific rationale, gave the reason of strategic, conceptual, managing activity, implementation and use of the EU funds, public procurement, communication and marketing, nation-wide scope of the institution, and the inability to obtain an expert in the field for a tariff salary. In three cases, the SOs stated that it was awarded to the Secretary-General of the SO.

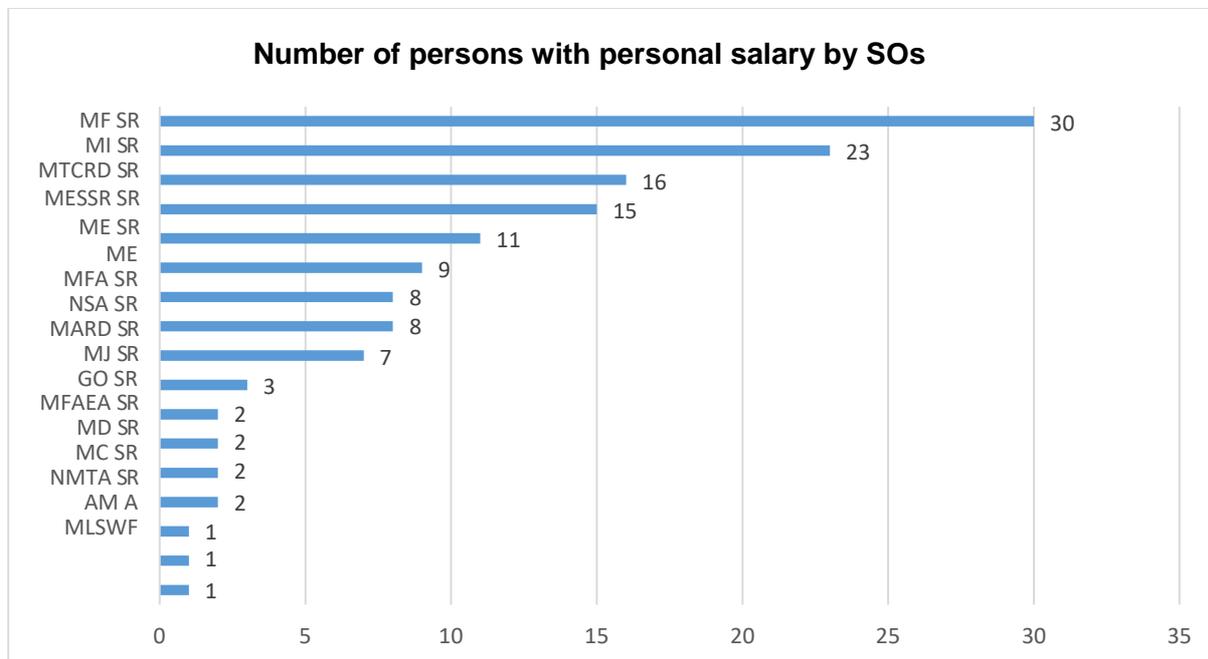
The 2019 CSC findings are shown in the following Chart:

Chart No. 31 (Source: CSC Data Collection from Service Offices, 2019)



According to a survey conducted by the Government Office of the SR in 2014, a total of 141 civil servants in the CSAAs had a personal salary,¹²⁷ but the samples are not fully comparable:¹²⁸

Chart No. 32 (Source: Strategy for Human Resources Management in the civil service for 2015-2020, 2015)



The CSC findings indicate that there are differences in the use of personal salary among the SOs and the reasons for awarding them, or in some cases these reasons were not mentioned.

REWARD

Reward is divided into **the claimable and the non-claimable part** of the salary. Reward can be provided for the high-quality performance of service tasks, for performing tasks beyond activities. The entitlement to a one-off reward is based on the results of the performance appraisal, but the act does not stipulate the amount and depends on the possibilities of the service office - only the maximum amount of reward for selected CSts is regulated. It is also possible to award a retirement or jubilee reward; a reward proposal and its amount must be justified by the relevant direct superior of the CStMP .

The public sector is egalitarian when awarding the rewards. While in the private sector the share of reward increases with the total compensation of the employee, in the civil

¹²⁷ Strategy for Human Resources Management in the civil service for 2015-2020, Government Office of the SR, adopted by Resolution of the Government of the SR No. 548/2015 of 7 October 2015.

¹²⁸ The GO SR survey included only the central state administration authorities. The CSC survey included all service offices. In contrast to the survey conducted by the Central Committee of the SR, the Ministry of the Environment of the SR, the Ministry of Foreign and European Affairs of the SR, the Ministry of Culture of the SR and the Industrial Property Office of the SR did not provide any information

service it is 10% regardless of income.¹²⁹ Based on the **data provided by the SOs to the CSC**, the average reward is less than 12% of the salary of the employees.

Recommendations

- **Remuneration review is needed in the SR**, as the remuneration system is **complex, unclear and unpredictable**. Vertical compression is low, which is offset by the high number of surcharges. The remuneration system places great emphasis on formal education and experience, it less remunerates the difficult to define productivity or results. However, linking performance appraisal and remuneration remains a challenge for many OECD countries.¹³⁰ A personal allowance would be more linked to employee motivation, performance and attitude to work, use objective factors such as responsibility, labour intensity, performance of specific tasks, or the use of specific employee skills in attaining the objectives set.
- **Data is needed** to set up the remuneration system well and there is little data available in the SR in terms of motivation and remuneration. For instance, the data for the SR are not available in several categories monitored by the OECD - remuneration of top managers, remuneration of professionals, remuneration of selected groups of employees – among others, first-contact staff who are key to public perception of institutions. For the SR no data are available on how differentiated is remuneration of senior managers and other categories of staff.¹³¹

At present, the GO SR is working on the *Concept of Remuneration in the CS*, and will implement data collection and analysis of remuneration and application of non-financial elements of motivation in practice and analysis of remuneration in the selected EU countries.

4.7 PERFORMANCE APPRAISAL

In the past, the performance appraisal of CSts linked to the increase in salary was provided for by Act No. 312/2001 Coll. on Civil Service and on Amendments to Certain Acts. Act No. 400/2009 Coll. on Civil Service and on Amendments and Supplements to Certain Acts, the obligation to carry out the performance appraisal was replaced by the

¹²⁹ Revision of Employment and Remuneration Expenditure in Public Administration, Interim Report. Ministry of Finance, 2018, p. 9 and 26.

¹³⁰ Government at a Glance 2017. OECD, 2017, p. 139. Available online:

https://read.oecd-ilibrary.org/governance/government-at-a-glance-2017_gov_glance-2017-en#page1

¹³¹ Government at a Glance 2017. OECD, 2017, pp. 102-106. In general, in the OECD countries, top management (D1) earns 27% more than senior management (D2), 72% more than middle management (D3), more than twice than low management (D4) and 2.6 times more than senior experts. This suggests that the remuneration for managerial responsibility in the public sector is significantly higher than for technical specialization. Government at a Glance 2017. OECD, 2017, p. 102-106.

right of the CStsMP to evaluate the subordinate civil servant, i.e. the CStMP decided whether the evaluation will be done orally or in writing, or the SO was able to modify the system of performance appraisal of civil servants by an internal management act. The current Civil Service Act has re-introduced **mandatory performance appraisal** as one of the new elements. Performance appraisal is linked to the **principle of effective management and the principle of professionalism**.

Evaluating the performance of civil servants is an important tool for managing human resources. It is mandatory in most of the European countries, including sanctions for failure to fulfil this obligation, most often a disciplinary penalty for non-compliance.¹³²

The appraisal allows for an informed and well-founded decision-making in human resources management - from career development, career advancement decisions, education, remuneration to redeployment, or terminating the civil service employment.

Performance appraisal can be used to test the effectiveness of selection processes or the effectiveness of education and training, to identify missing knowledge or skills, and to plan education and trainings.

Performance appraisal also allows the employer to familiarize the SCts with the values, mission, vision and objectives of the organization and personalize the organization's strategy to individual performance requirements.¹³³ Through the performance appraisal, each employee may implement his/her role in the organization and how he/she can contribute to attaining its strategic goals. It informs the civil servant on how their performance is evaluated, whether and how it can be improved, making it an effective incentive tool to increase employee efficiency and professionalism.

Transparency and predictability of the evaluation process as well as its implications for employees are also important. The key here is then setting the standards to be evaluated, two-way and open-ended communication in evaluation, providing the feedback and surveying the process and its results.¹³⁴

Evaluators should be properly **trained and motivated**. In particular, trainings should focus on communication skills, conflict management and assertiveness. In addition, evaluators need to be able to set individual goals and translate them into an agreement with the employee; they should be in charge of coaching and be able to interview, provide feedback, and use management information. If the evaluator does not have the necessary skills or is not motivated, there will be problems and errors in the evaluation. The Government Office of the SR, through the **Centre for Education and Evaluation** within the Operating Programme named Effective Public Administration, runs a course on the topic of conducting an evaluation interview, and from June 2017 to December 31, 2018, 482 CSts took part in it.

¹³² For more details see: Staroňová K.: Performance Appraisal in the EU Member States and the European Commission. Government Office of the SR, 2017.

¹³³ Staroňová K. : Performance Appraisal in the EU Member States and the European Commission. Government Office of the SR, 2017, p. 10.

¹³⁴ More details on that in: Staroňová K. : Performance Appraisal in the EU Member States and the European Commission. Government Office of the SR, 2017.

Evaluation is performed by the **manager** by using other sources as a basis, e.g. self-evaluation, 360-degree evaluation, fellow evaluation, subordinate evaluation, or customer first-contact customer evaluation. While it is not yet clearly established whether the diversity of resources contributes to the accuracy and reliability of the evaluation result, their inclusion can provide valuable information on the employee being evaluated and can be the basis for their further development, education and career development.¹³⁵

If employees are involved in setting up the assessment, their response to the assessment and its result is more positive. It is therefore important that the evaluation criteria, the link between the organisation objectives and the performance of the individual are well-communicated, clear and predictable, as well as the conduct of the evaluation itself.

The 2019 CSC survey suggests a shift in the CSts to claim that **they knew what to expect from a performance appraisal** (Table 20). Closer sorting of responses brought an interesting finding on the basis of which the CStsMP perceive that they have more information on the performance appraisal than ordinary employees and thus knew what to expect (the CStsMP reached 3.99 against the average of 3.66 for the CStsMP at the Likert scale).

Most of the European countries carry out a **performance appraisal of all the civil servants** without exception. However, in some countries, there are exceptions, for example, if a civil servant is in the probationary period or works shorter than the specified threshold in the civil service (6 months in SR). While this type of exception is widespread in other countries, in the SR there are also categories of civil servants not subject to performance appraisal¹³⁶ - the new act provides for the obligation to evaluate each CSt except for these categories.¹³⁷

As a matter of rule, **performance appraisal is carried out once a year**, in some countries twice a year (Hungary, Ireland, Malta), every two years (Poland, Portugal) or the frequency of performance appraisal varies according to organizational level (Denmark, Netherlands, Germany).¹³⁸

The Civil Service Act distinguishes **three types of performance appraisal** (per calendar year, partial and repeated) with the evaluation of four basic areas (professional knowledge, performance, skills and competences, and approach to developing personality assumptions and learning). The details of the performance appraisal are regulated by the Decree of the GO SR.¹³⁹

¹³⁵ Staroňová K.: Performance Appraisal in the EU Member States and the European Commission. Government Office of the SR, 2017, p. 28.

¹³⁶ For details: Staroňová K.: Performance Appraisal in the EU Member States and the European Commission. Government Office of the SR, 2017.

¹³⁷ It is a civil servant in public office, director of the Office of the Security Council of the SR, expert of the constitutional official and statutory body appointed under a special regulation.

¹³⁸ Staroňová K.: Performance Appraisal in the EU Member States and the European Commission. Government Office of the SR, 2017.

¹³⁹ GO SR Decree No. Laying down the details of the performance appraisal.

The aim of the legislation was to introduce a **unified system of performance appraisal** and to ensure the feedback from the CSts in relation to the implementation of the CS within the areas evaluated. The principle of impartiality, objectivity and fairness should be applied throughout the process of performance appraisal. These principles are reflected both in the form of performance appraisal through the Institute of Evaluation Interview, but also in the possibility of the evaluated CSt to comment on the outcome of the performance appraisal and to file a written objection against the performance appraisal. In the evaluation interview, the evaluator evaluates the performance of the civil service of the evaluated CSt in each area being evaluated, justifies the result of the performance appraisal and any proposals to improve the performance of the civil service. The evaluated CSt may give his/her view of the results achieved in each area being evaluated, comment on the results of the performance appraisal, and if he/she does not attain excellent results or very good results, also comment on the proposals to improve the performance of civil service.

Each of the areas being evaluated is evaluated by awarding it a numerical value. According to the points awarded, the employee is classified into one out of five categories: excellent results - 1, very good results - 2, standard results - 3, satisfactory results - 4, unsatisfactory results - 5.

The result of the performance appraisal affects the career and civil service employment relationship of the CSt. If the CSt fails to achieve the result 1 or 2, the evaluator recommends improvement suggestions. If he/she attains the result of 5, a repeated performance appraisal is performed after 3 months at the earliest. If the result in the repeated performance appraisal is once again 5, he/she can be dismissed. If the CStMP attains the result of 4, he/she may be removed from the lead.

Performance appraisal is also linked to salary terms and conditions. A civil servant who achieves the result of 1 or 2, he/she is entitled to a **one-off reward** and, based on the results of the performance appraisal, a **personal surcharge may be increased, reduced or withdrawn**. In the 2019 CSS survey, the CSts disagreed with the claims that the results of the evaluation were reflected in their financial reward or in the setting of their development and education (Table 20).

The CSt is evaluated by his/her direct superior, the Civil Service Act and the above-mentioned decree do not work with the form of self-evaluation or use of evaluation by subordinates in the case of CStsMP. In the 2019 CSC survey, respondents agreed with the view that it would be advisable to also perform evaluation of the superior by subordinates (Table 20 to Figure 34). A closer classification shows that the CSts would rather welcome the CSts evaluation, the CStsMP would welcome this step less (at the Likert Scale in the range of 1-5, the CSts achieved the average of 3.77 compared to the average of CStsMP - 3.23).

Attention should also be paid to the means of **reviewing the evaluation**. The CSt being evaluated should be able to review the process and results, but the entire evaluation system should be subject to regular review. It is also appropriate to determine the level of satisfaction of both evaluators and persons being evaluated. Based on the information

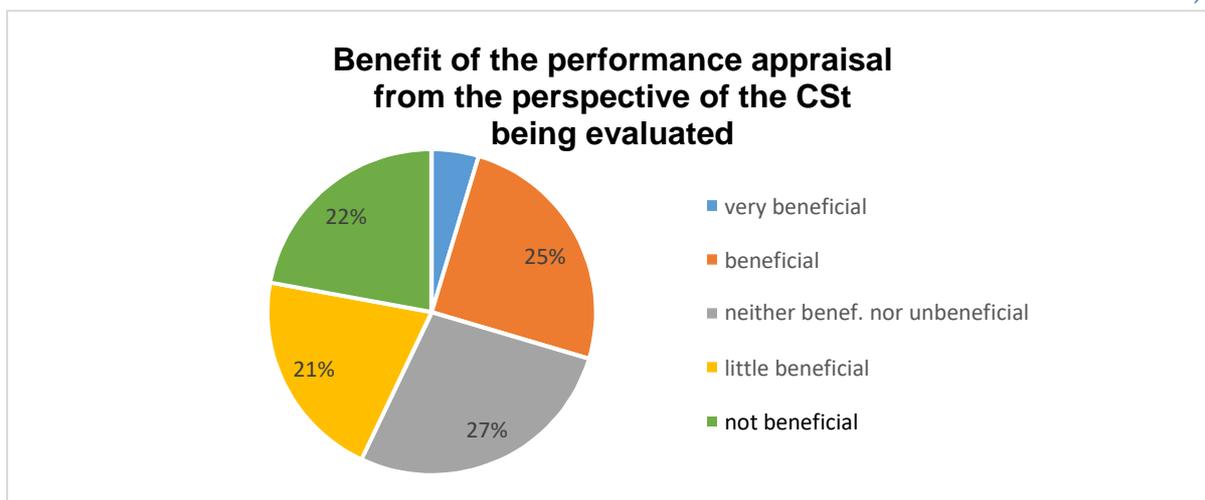
collection, it is then necessary to formulate the recommended procedures, methodology and guidelines and share them so that they can be used by the relevant institutions.

If the CSt files an objection against the performance appraisal and the evaluator, i.e. his/her direct superior, fails to grant it, the evaluator shall submit it to his/her direct superior of CStsMP. He/she will discuss the objection with the CSt being evaluated. No other procedure is specifically regulated by the Civil Service Act; The CSt has general means of protection available, e.g. complaint in matters relating to the execution of civil service, complaint to the CSC and so on.

PERCEPTION OF EVALUATION BY THOSE BEING EVALUATED

Based on the CSC survey of 2019, we can see how the newly introduced evaluation system is perceived by the CSts themselves.

Chart No. 33 (Source: CSC Questionnaire for Civil Servants, 2019)



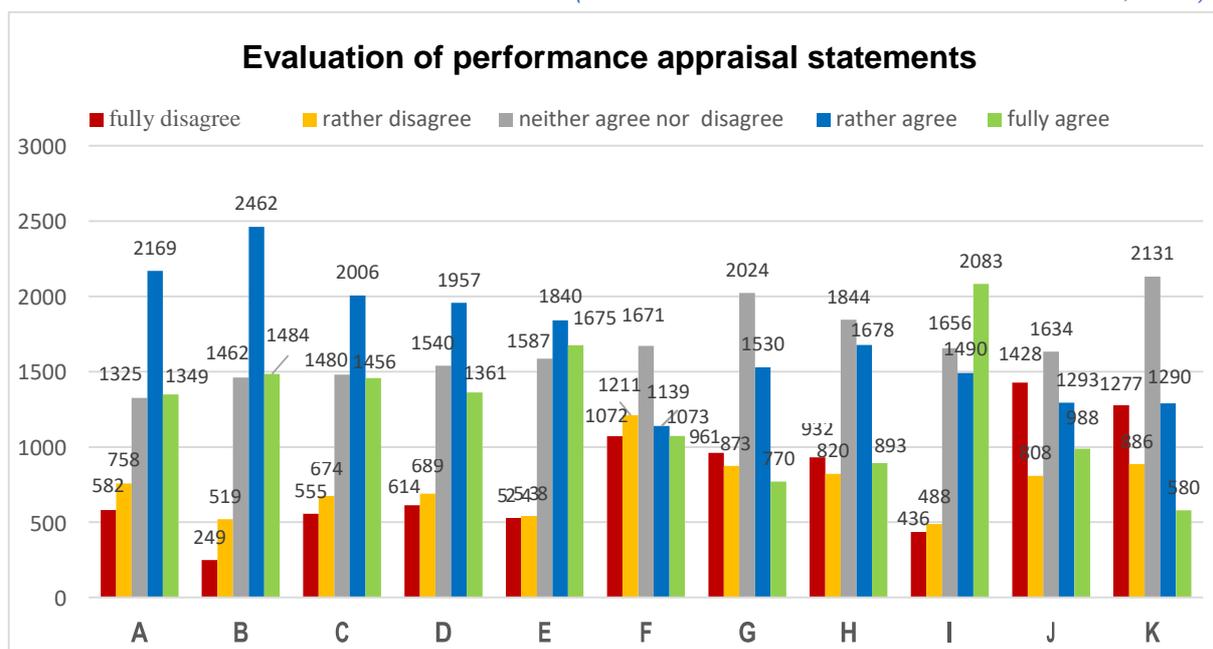
The majority of CSts (43%) are of the opinion that **performance appraisal was for them not beneficial or little beneficial**, 30% think it beneficial or very beneficial and 27% do not have a clear position on this issue. A closer sorting by the time length of practice shows that **with the practice and longer working life in the CS the rate of appreciation of the performance appraisal decreases**. Equally so, the appreciation of the benefits of performance appraisal with age is decreasing. The civil servant group, which was in the state administration for less than a year, evaluated the benefits of performance appraisal on a scale of 1-5, where 5 = very beneficial, with an average of 3.43. On the contrary, the most experienced group of employees evaluated it with an average of 2.49, i.e. just below the centre of the scale. The average drop of values at the Likert Scale among groups according to the duration of practice in the CS was 7.4%, which represents a significant difference. Similar differences were found for groups by age, the group under 25 evaluated the benefit of the performance appraisal at 3.25, the group from 26 to 35 years of age with an average of 2.9, and finally the group from 36

to 45 years of age with an average of 2.6. Other groups, the 46-60 and the over 61-year-olds, achieved the same mean as the 36-45 age group, i.e. 2.6, and no decrease was observed among the last 3 age groups.

The data indicate that the newly introduced system is not fully accepted by the CSTs and will need to be further developed and the reasons for its introduction and the anticipated results should be communicated better.

In the questionnaire, the CSTs were asked to comment in greater detail on several statements regarding the performance appraisal.

Chart No. 34 (Source: CSC Questionnaire for Civil Servants, 2019)



- A: Performance appraisal was an objective assessment of my work
- B: I knew what to expect from the performance appraisal - I had enough information
- C: The evaluation allowed me to get feedback from my superior
- D: The interview allowed me to give feedback to my superior
- E: The evaluation interview was well prepared and conducted by the superior
- F: The evaluation was formal and was not meaningful to me
- G: The evaluation enabled me to better understand my strengths and weaknesses
- H: On the basis of the evaluation, I know what to improve /what I should work on
- J: The evaluation results were also reflected in my financial reward
- K: The evaluation results were also reflected in my development and education setting

Average values on a scale from 1 = fully disagree to 5 = fully agree for these statements are listed in the following Table:

Table No. 20 (Source: CSC Questionnaire for Civil Servants, 2019)

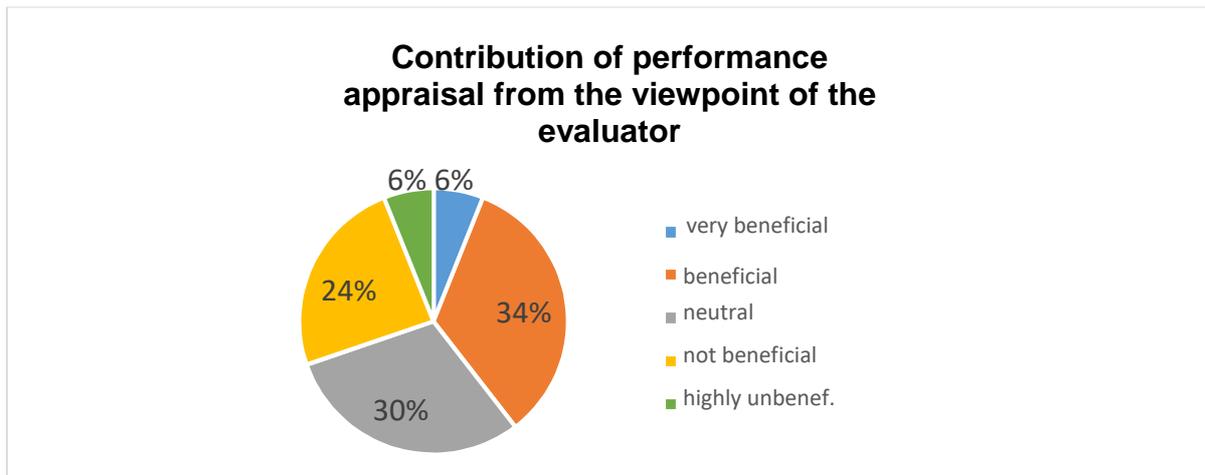
Service Evaluation Statements	Average value	Median
I knew what to expect from the performance appraisal - I had enough information	3.7	4
it would also be advisable to make an evaluation of superiors by the CSts	3.7	4
the evaluation interview was well prepared and conducted by the superior	3.6	4
the evaluation allowed me to get feedback from my superior	3.5	4
performance appraisal was an objective evaluation of my work	3.5	4
the evaluation interview allowed me to give feedback to my superior	3.4	4
based on the evaluation, I know what to improve on/what to work on	3.1	3
the evaluation made me better aware of my strengths and weaknesses	3	3
the evaluation was formal and not relevant to me	3	3
the results of the evaluation were also reflected in my financial reward	2.9	3
the evaluation results were also reflected in my development and education setting	2.8	3

The respondents **rather agreed** that **they had known what to expect from the evaluation**, that it would be good to also evaluate the superiors by the CSts, that the superiors were prepared for the evaluation interview, that the evaluation was **objective and they received feedback**. They evaluated the claims that the evaluation enabled them to better realize their strengths and weaknesses neutrally, to find out what they should improve and that it only was formal. They expressed their **rather disagreement** with the statement that the results of the evaluation were also reflected in their **development and education setting and financial reward**.

PERCEPTION OF EVALUATION BY THE EVALUATORS

In the 2019 Questionnaire, the CSC also examined the opinion of the CSts as evaluators on the performance appraisals:

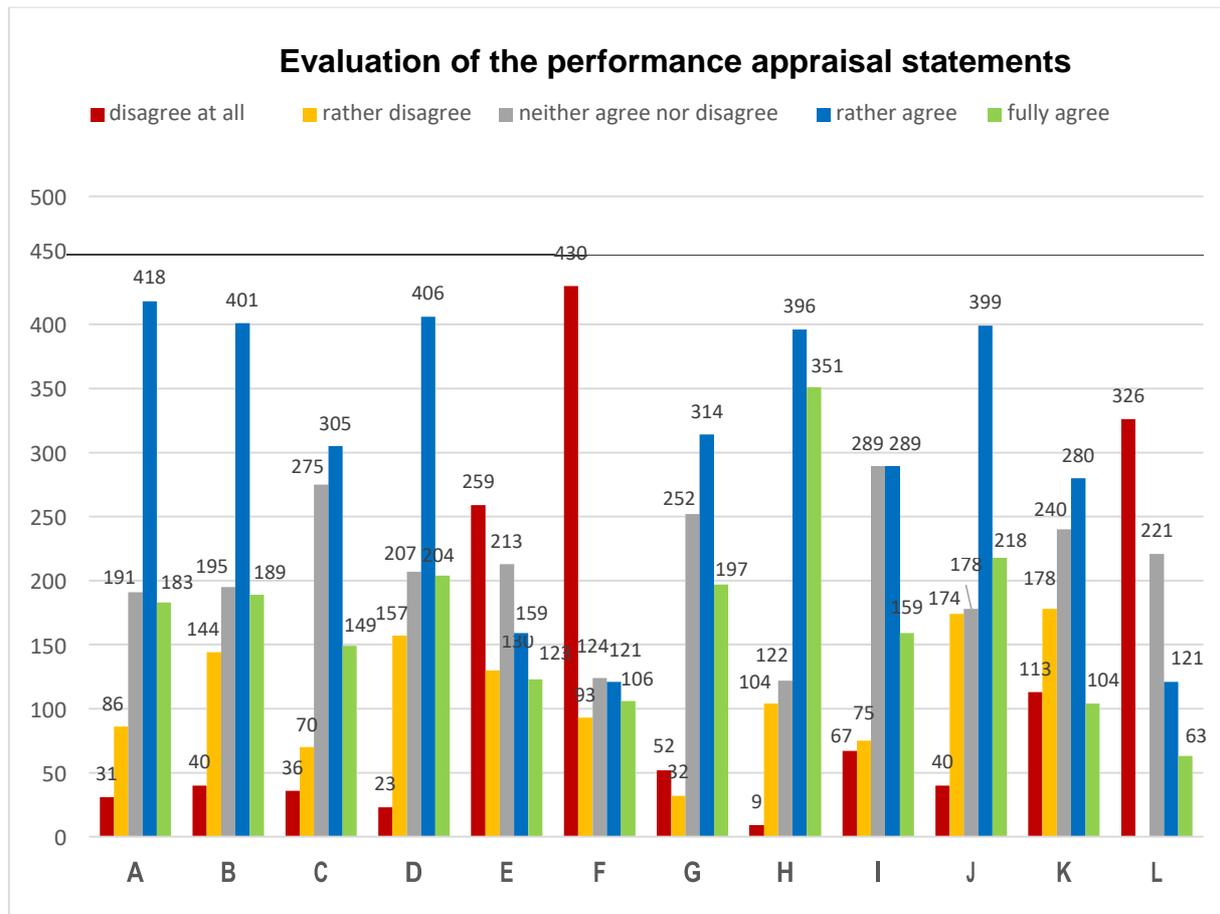
Chart No. 35 (Source: CSC Questionnaire for Civil Servants, 2019, a question for the CStsMPs)



An interesting finding is that only **slightly prevalent** (40%) **is the opinion** that **performance appraisals had been beneficial** (of which very beneficial 6% and 34% beneficial). 30% of respondents consider it to be not beneficial (6% not beneficial very much and 24% not beneficial), and also 30% take the neutral opinion.

In the 2019 questionnaire, the CSC also asked the CStsMP more information on the issues of performance appraisals.

Chart No. 36 (Source: CSC Questionnaire for Civil Servants, 2019, a question for the CStsMPs)



- A: performance appraisals have clear and understandable rules for the evaluators
- B: sufficient information and training was provided for the performance appraisals
- C: preparation for the performance appraisal of the CSts was time consuming
- D: performance appraisal form was clear and practical
- E: I had to consider the impact of the evaluation on the financial resources of our office
- F: I received a command/recommendation from my supervisors regarding the ratings to award in the context of evaluation
- G: rating categories are sufficient
- H: I knew how to conduct an evaluation interview with subordinates
- I: I used the performance appraisals to develop human resources
- J: I have given feedback to the employees in performance appraisals
- K: it was difficult to distinguish between individual employees when evaluating
- L: I was worried about giving a "satisfactory" and "unsatisfactory ratings"

On a scale of 1-5, where 1 = totally disagree and 5 = totally agree, the average values for each statement are listed in the following Table:

Table No. 21 (Source: CSC Questionnaire for Civil Servants, 2019, a question for the CStsMP)

Service Evaluation Statements	Average value	Median
I knew how to conduct an evaluation interview with subordinates	4.1	4
the performance appraisal form was clear and practical	3.8	4
I have given feedback to the employees in the performance appraisals	3.7	4
performance appraisals had clear and understandable rules for the evaluators	3.7	4
sufficient information and training were provided for performance appraisals	3.6	4
rating categories are sufficient	3.5	4
I used the performance appraisal to develop human resources	3.4	3
preparation for the performance appraisal of the CSts was for me demanding as to the time	3.4	3
it was difficult during the evaluation to distinguish among the individual employees	3.1	3
I had to consider the impact of evaluation on the financial resources of our office	2.7	3
in relation to the evaluations I received from my superiors a command/recommendation on what ratings to award	2.3	2
I was afraid to award a "satisfactory" and "unsatisfactory results" rating	2.3	2

The CSts rather agreed that they had been able to conduct an evaluation interview, give feedback to employees, the rules of evaluation and the form were understandable, they received sufficient training. They rather disagreed with the claims that they had been afraid to award negative evaluations, had to take into account the financial resources of the office, or received guidance from supervisors on what ratings to award.

From among the **173 SOs** that provided the CSC with the data:

- **96** of them stated that the performance appraisal had, or rather had, an impact on the employee career development, remuneration, and training; most of them (69) reported impact on remuneration, 38 on education, 12 on career development and 8 did not specify,
- **17** of them did not respond or answered ambiguously,
- **6** stated no or that the PA is only reflected very little in the above fields.

The SOs commented that they did not have the means to reward evaluation because there was no minimum level of remuneration, in some cases remuneration was a weak incentive that their career development benefits were scarcely evaluated, as the evaluation had only been performed for the second time and for the first time now for a full calendar year.

Recommendations

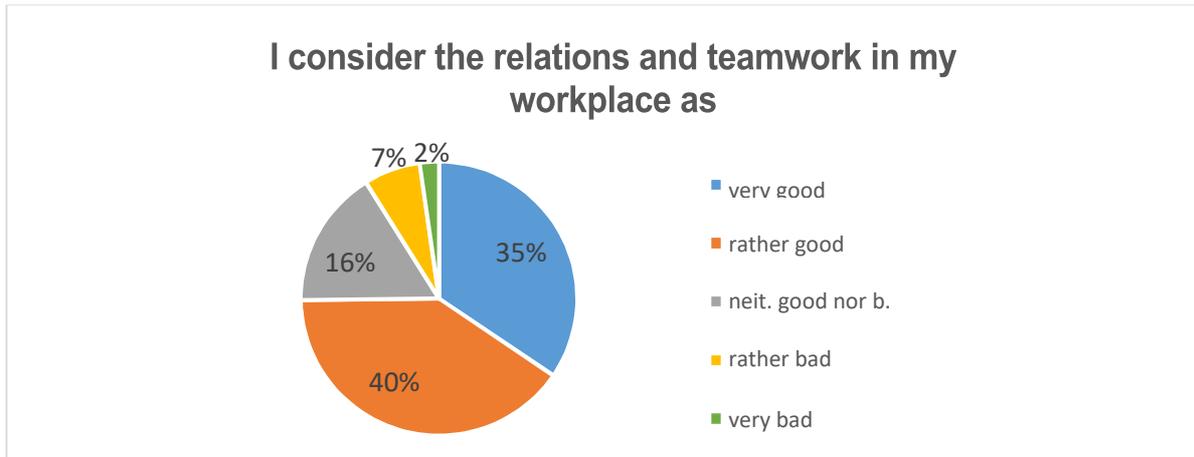
- **Analyse the evaluation system and improve it accordingly.** The basic prerequisite for success in the performance appraisal is the belief of managers as well as the CSts being evaluated that it is a **beneficial, meaningful and functional tool**. In the survey, most of the CSts are of the opinion that performance appraisal has been not beneficial or little beneficial for them. An interesting finding is that only slightly prevailing is the opinion (40%) by the CSts that performance appraisals were beneficial. Since it was a newly introduced method of evaluation, it is important to persuade the CSts about the benefits and functionality of this tool. On the other hand, the negative evaluation may indicate disagreement with how it was implemented. It is apparent from the CSC survey that the CSts do not very much perceive that the results of the evaluation are reflected in their financial remuneration. Therefore, it would be appropriate to evaluate this aspect. The data mapping the level of satisfaction of evaluators and those being evaluated received by the CSC may be useful in evaluating this new way of evaluating and improving it.
- **In addition to the score, add the obligation to give a verbal rationale for the points awarded** within each area being evaluated. The verbal expression of the evaluation of the CSts in each evaluated area of the civil service performance should serve as a guarantee of objectivity of the performance appraisal and at the same time ensure immediate feedback and use of the evaluation as a motivational element to improve the performance of the civil service by the CSt being evaluated.
- **The advice of a civil servant** on the option to comment on the outcome of the performance appraisal should be stated in a written performance appraisal. The Civil Service Act throughout the performance appraisal process is based on the principle of impartiality, objectivity and fairness, which is reflected, among other things, in the possibility of the CSt being evaluated to comment on the outcome of the performance appraisal and to file a written objection against it within three working days from the date of learning the result of the performance appraisal.
- **Professional knowledge evaluation** should be based on the quality and professionalism of the performance of the service tasks as per the CSt description and as per the assigned service tasks. At present, the evaluation of professional knowledge by the Civil Service Act is linked to compliance with laws, internal regulations and the like.

4.8 PERCEPTION OF WORK AND ENVIRONMENT BY CIVIL SERVANTS

It is important for motivation and stabilization of the CSts to know how employees perceive the work, their superiors, what the relationships in the workplace are like, what their motivation is.¹⁴⁰

¹⁴⁰ For more information on motivation, see Chapter 4.2.

Chart No. 37 (Source: CSC Questionnaire for Civil Servants, 2019)

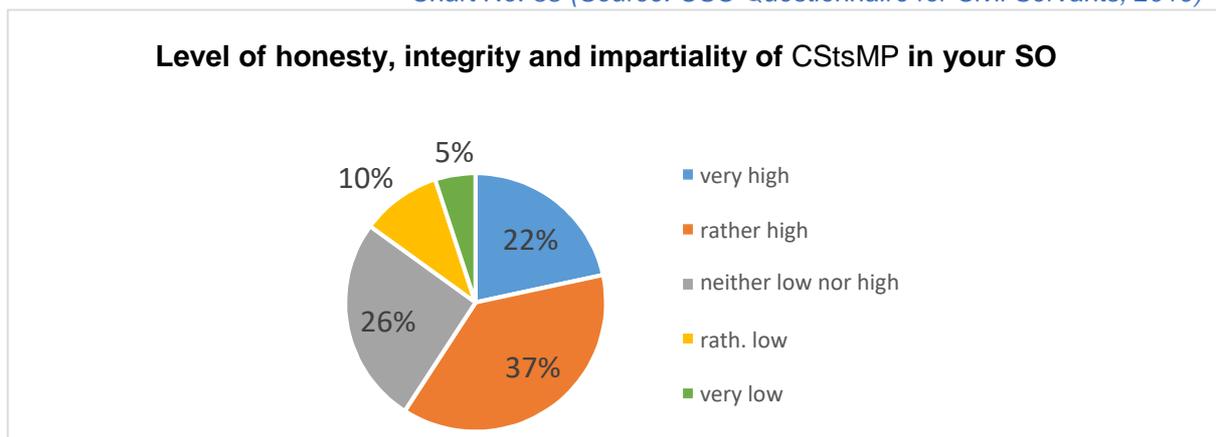


The 2019 CSC survey shows that the majority of respondents (75%) regard **workplace relationships and teamwork as good** (40% good and 35% very good). Only 2% of employees consider the relationships very bad, 7% rather bad and 16% have a neutral attitude to this issue.

The 2013¹⁴¹ survey found that 66% of the respondents considered relationships and teamwork to be good or rather good, and 12% did not consider them good. If we compare the 2019 results with the 2013 survey, we see improvements in perception of workplace relationships and teamwork.

It is interesting to see how civil servants perceive **the level of honesty, integrity and impartiality of CStsMP s** in their SOs:

Chart No. 38 (Source: CSC Questionnaire for Civil Servants, 2019)



¹⁴¹ Civil Service in 2013, Government Office of the SR, p. 22.

Only 59% of respondents believe that the level is very high or high, of whom only 22% think it is very high. The level of honesty, integrity and impartiality of the CSts is for 5% of them very low, 10% low and 26% neither low nor high.

A similar question was also examined in the 2013 survey, in which 50% of the respondents believed that in their SOs the CSts maintained a high level of integrity, fairness and impartiality (of whom 17% yes and 33% rather yes) and 30% believed that this is not the case (11% no and 19% rather no).

The comparison suggests a **slight improvement in the perception of this aspect**, but the results also indicate that the level of integrity, fairness and impartiality needs to be increased. Much more attention needs to be paid to the issue of integrity and ethics.

In the 2019 survey, the CSts were asked to comment on whether there are some phenomena in their SOs. Evaluating the incidence of phenomena on the scale 1-5, where 1 = never and 5 = very often, are listed in the following Table:

Table No. 22 (Source: CSC Questionnaire for Civil Servants, 2019)

Statement – in your SO the following occurs	Average value	Median
Trade union helps to resolve the CSts problems	2.7	3
Political cronyism	2.3	2
Corruption, nepotism	2.3	2
Cases of discrimination	1.9	2
Cases of sexual harassment	1.9	1
Cases of bullying	1.7	1

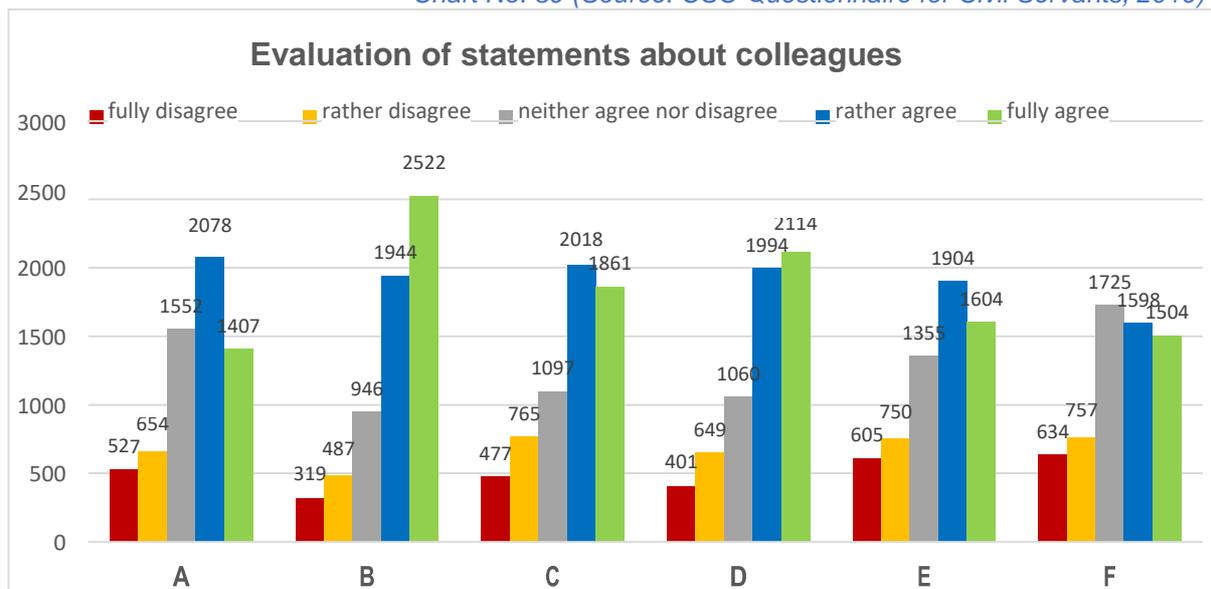
The results indicate that the company trade unions sometimes only help to resolve the problems of the CSts. There are occasional cases of cronyism, corruption and rarely discrimination, sexual harassment and bullying at the SOs. It is important, therefore, that the CSts know exactly who they should contact in such cases and how they should proceed.

The 2013¹⁴² survey examined some similar areas. In the case of nepotism, approximately the same number of respondents met with it (38%) and did not meet it (36%), similarly to the cronyism encountered (still, mostly or occasionally) by 34% of the respondents and never met (or just rarely yes) by 32%.

In the 2019 survey, the CSC investigated how the CSts **evaluated their colleagues**:

¹⁴² Civil Service in 2013. Government Office of the SR, Chart No. 47, p. 30.

Chart No. 39 (Source: CSC Questionnaire for Civil Servants, 2019)



A: they are a moral model for me, B: they are the experts whom I consult with, and that's why I am making progress, C: they are open-minded, friendly, D: they are interested in learning, E: they are interested in working for public good F: they care for the goodwill of the SO, CS

The average values of statements about colleagues on the scale 1-5, where 1 = totally disagree and 5 = completely agree, are as follows:

Table No. 23 (Source: CSC Questionnaire for Civil Servants, 2019)

Statements about colleagues	Average value	Median
They are open-minded, friendly	3.9	4
They are interested in learning	3.9	4
They care about the goodwill of SO, CS	3.9	4
They are experts	3.8	4
They are interested in working for the public benefit	3.8	4
They are a moral model for me	3.4	3

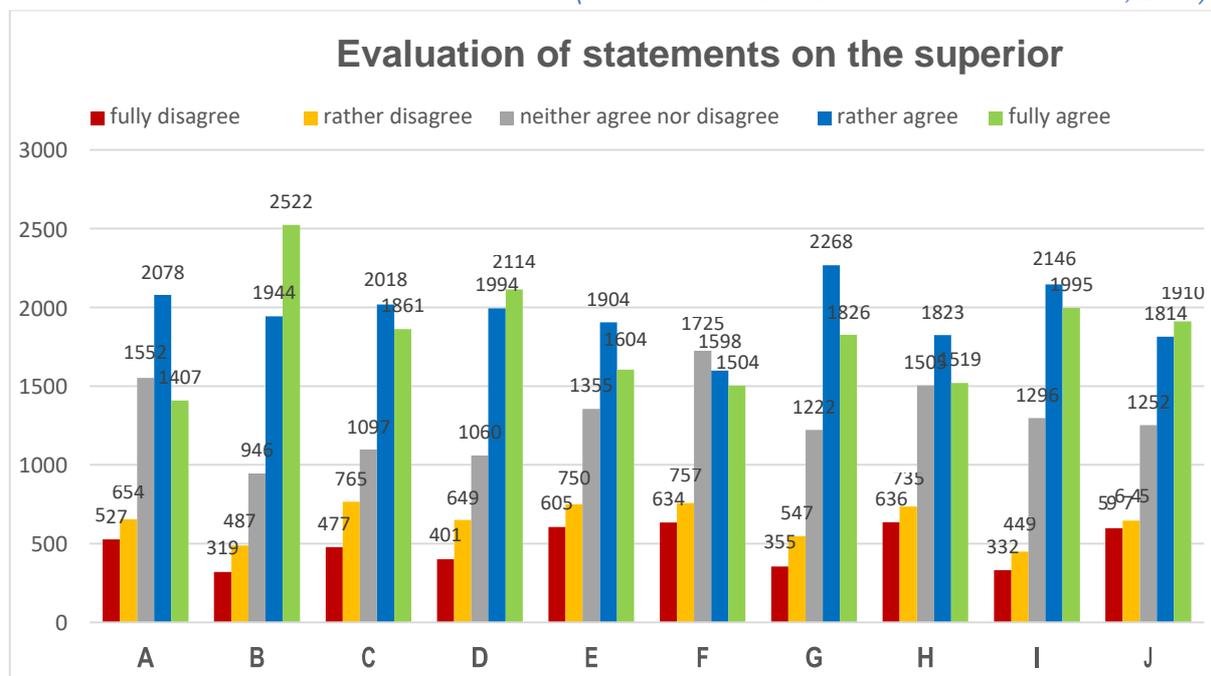
A more detailed classification according to professional practice shows that the CSts with shorter work experience agree more with the claim that their colleagues are experts with whom they consult and therefore progress. This trend is particularly noteworthy for the CSts group who are shorter than a year in the CS, of whom up to 44% fully agree with the above statement compared to the 23%, which is average.

The CSts with shorter work experience also appreciate their colleagues as open-minded and friendly - up to 47% of the respondents think this about them from the CSts group who are in CS for less than a year. This trend is declining with the number of years spent in the CS.

The results suggest a positive perception of colleagues in terms of friendliness, interest in education and expertise. The smallest number of them agree that their colleagues are moral models, again signalling the need to pursue ethics in service offices.

The CSTs commented on how **they perceive their superior** in the survey from several aspects:

Chart No. 40 (Source: CSC Questionnaire for Civil Servants, 2019)



A: he/she is an ethical model for me, B: I recognize him/her as an expert, C: he/she has managerial skills, D: he/she can provide feedback, E: he/she differentiates the quality of work and the benefits of individual civil servants, and, on this basis, fairly rewards, F: he/she enables career development, G: he/she reflects my opinion and suggestions for improving the work, H: he/she motivates for a better work performance, I: he/she provides more autonomy/independence to more efficient employees, J: he/she is a natural authority

Overall, a **rather positive evaluation of the superiors** prevails. The average values for individual statements on a scale of 1-5, where 1 = totally disagree and 5 = totally agree, are as follows:

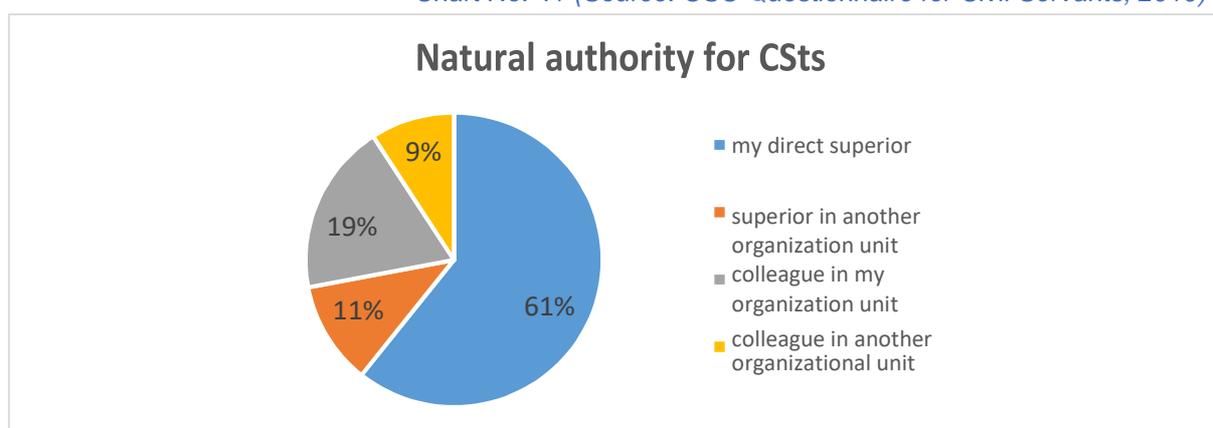
Table No. 24 (Source: CSC Questionnaire for Civil Servants, 2019)

Statements on the superior	Average value	Median
I recognize him as an expert	3.9	4
He/she can provide feedback	3.8	4
He/she provides more autonomy/independence to more efficient employees	3.8	4
He/she takes my view and suggestions for improving the work	3.7	4
He/she has managerial skills	3.6	4
He/she is a natural authority of	3.6	4
He/she differentiates the quality of work and the benefits of individual civil servants, and on this basis rewards fairly	3.5	4

He/she is a moral model for me	3.5	4
He/she motivates to better work performance	3.5	4
He/she allows for career development	3.4	3

Although a moderately positive assessment of the superiors prevails, the results show that there are reserves to improve governance and management of employees in civil service, in particular in enabling career development, labour quality evaluation and the related remuneration. Only a slight agreement is seen in the perception of superiors as moral authorities and natural authorities. This again suggests the need to devote more attention to leadership and ethics issues.

Chart No. 41 (Source: CSC Questionnaire for Civil Servants, 2019)



Based on the results of the survey, it can be stated that for most of the CSts, their **direct superior is a natural authority** and for 19% of the employees the colleague of their organizational unit is the natural authority. This suggests that it is rather formal leaders who are authority.

The survey also investigated what the CSts considered the **biggest problem in their SOs**. The respondents were asked to give a maximum of three options and they most often reported the following:

- motivation: 64%,
- formalism and bureaucracy: 41%,
- interpersonal relationships: 37%,
- political influence and instability: 30%,
- HRMZ: 21%,
- low professionalism: 17%,
- nepotism: 13%,
- leadership: 8%,
- cronyism: 8%,
- corruption: 4%.

In their comments, the respondents mainly reported financial valuation, bureaucracy, non-professional management, lack of space for young workers development, politicization and nepotism as the biggest problems.

The results suggest that, in addition to motivation (for more details on that see section 4.2 *Motivation*), employees perceive a high level of bureaucracy and formalism as a problem. Interpersonal relations and HRM are quite strongly perceived as a problem, suggesting a space for improvement. The results confirm the perception of the problem of politicization (for more details see Chapter 3 *Characteristics of CSts*).

Overall, in the area of HRM, several results from the 2019 CSC survey and their comparison with the 2013 survey results show that there is a **positive shift in HR management**, e.g. education, analytical capacity building, workplace perception and teamwork. Similarly, the European Commission is also evaluating it in the *Report on Slovakia 2019*.¹⁴³ Even though a slightly positive assessment of superiors prevails, the results show that there are reserves in improving the management and leadership of people in civil service.

Recommendations

- **Continue to professionalize the HRM**, focus on motivation, career development, evaluation of the work quality, remuneration, providing feedback.
- **Modify and communicate procedures in cases of suspected corruption, discrimination, sexual harassment and bullying.** According to the perception by the CSts expressed in the 2019 survey, there are occasional cases of cronyism, corruption and rarely discrimination, sexual harassment and bullying. It is important, therefore, that the CSts know exactly who they should contact in such cases and how they should proceed.
- **Devote attention to leadership, including ethical leadership.** In the survey, employees less perceive their superiors as both moral authorities and as natural authorities. This suggests a need for more attention to leadership and ethics issues. The GO SR is currently developing a *Concept of Leadership Introduction and Development* within which it will collect and analyse the data.
- **Systematically address formalism and bureaucracy**, review whether all the formal requirements are still needed and whether best practice has been used.

4.9 COORDINATION OF CIVIL SERVICE MANAGEMENT

The civil service management organization can be more centralized or decentralized. Centralization may contribute to de-politicization of civil service, greater transparency and fairness in the management practice, but the downside may be in slowing down the processes and weakening the responsibilities between the superiors and the subordinates.

¹⁴³ Report on Slovakia 2019. European Commission. Available online: https://ec.europa.eu/slovakia/sites/slovakia/files/sprava_o_slovensku_2019_1.pdf

The degree of centralization determines the demands for coordination of civil service policy. Centralization assumes that there is some central authority in charge of management; in a decentralized model, civil service management is in the hands of individual authorities, ministries, and so on. Most of the countries are somewhere in the middle of this model, which means that some management features are more centralized and some less.¹⁴⁴

Horizontal coordination helps to increase the efficiency and effectiveness of public policies implementation in civil service. According to the OECD, the civil service requires a certain central authority, equipped with sufficient powers to effectively coordinate it.¹⁴⁵ Models may be variegated, may be separate institutions or government structures.

In the SR, such an institution was the Office of the Civil Service established in 2002 with the aim of creating a unified, professional and ethical CS. It was set up as a central state administration body for the state administration and its main task was the apolitical coordination of human resources management. The Office was abolished in 2006 and its powers in the area of CS were transferred to individual SOs, the Ministry of Labour, Social Welfare Affairs and Family and to the Government Office of the SR. The Government ceased to fix the number of CSs, it was the decision of the relevant service offices, which and how many and what employees it would perform its tasks through, the limit was only in its funding. However, this also resulted in an increase in the politicization of the CS, for example through political nominations by SO chief officials, returning to the practice before the year 2002. However, it has been shown over time that some degree of coordination has been necessary for the strategic management of the civil service. In 2013, the Department of the Civil Service and Public Service, which was also in charge of the preparation of the new Civil Service Act, was shifted from the Ministry of Labour, Social Welfare Affairs and Family of the SR went to the Government Office of the SR.

As the new Civil Service Act was being drafted, attention was paid to the central coordinating entity issue, as did the question of de-politicization of the CS. The *Strategy for Human Resources Management in the civil service for 2015-2020*¹⁴⁶ proposed a model of **human resources management division between the Government Office of the SR**, which is in charge of the Civil Service Act and is subject to political power and a politically independent **Civil Service Council**, which is the coordinating and monitoring body and its the basic mission is to protect the principles of civil service and ethics in the civil service. For certain competencies, e.g. planning, coordinating or implementing changes in the structure of human resources has an advantage of a political mandate, while others are subject to political power as an obstacle. This structure was enshrined in the Civil Service Act.

¹⁴⁴ Staroňová K., Staňová E., Sičáková-Beblavá E. : Public Service Systems. Concepts and trends. Comenius University in Bratislava, 2014, p. 114.

¹⁴⁵ European Principles for Public Administration; 27. OECD, 1999, p. 26. Available online: <http://unpan1.un.org/intradoc/groups/public/documents/nispacee/unpan006804.pdf>

¹⁴⁶ Strategy for Human Resources Management in the civil service for 2015-2020. Government Office of the SR, adopted by Government Resolution No. 548/2015 of 7 October 2015.

GOVERNMENT OFFICE OF THE SR

Pursuant to the Civil Service Act, the Government Office is also a central state administration body for civil service relations. The aim of this concept is, in particular, to ensure a uniform procedure for service offices in the application of the Civil Service Act and generally binding legal regulations issued for its implementation.

The Civil Service scope is in charge of the Civil Service and Public Service Section (hereinafter referred to as the Section), which, in cooperation with the academic community and representatives of some ministries, **develops strategies and analyses in the field of civil service**. In 2015-2017, the following documents were concerned:

- *Strategy for Human Resources Management in the civil service for 2015-2020*. Government Office of the SR, adopted by Government Resolution No. 548/2015 dated 7 October 2015, as well as the *Report on the Status and Implementation of the Strategy for Human Resources Management in the civil service for 2015-2020*, noted by the Government of the SR on 7 March 2018,
- *Performance appraisal in the EU Member States and the European Commission*. Katarína Staroňová, Government Office of the SR, 2017,
- *Remuneration and Benefits on Central Government Civil Service in the EU Member States and European Commission*. Staňová, Ľ. et al, Government Office of the SR, 2017.

Currently, the Section is preparing the following:

- the concept of civil service remuneration,
- the concept of establishing and developing leadership,
- the analysis of the work activities within the CSTs descriptions, the results of which will be used in the drafting of the Central Civil Service Information System,
- the analytical module that will prepare analyses and reports from the modules and registers of the Central Information System of the Civil Service.

As regards the training of CSTs, the Government Office of the SR established the **Centre for Education and Evaluation of Civil Servants**. See Section 4.4 *Career Development, Capacity Building and Education - Education Institutions* for more details.

The Government Office of the Slovak Republic also carries out **inspection activities**,¹⁴⁷ In 2018 it carried out seven inspections aimed at compliance with the Civil Service Act and implementing regulations. In the six entities audited, violations were detected, the most irregularities concerned the application of the transitional provisions of the Act and the announcement of the SP.

Methodical and training activities of the Section in the year 2018 aimed at uniform application of the law led to the elaboration of eight methodological guidelines on the most frequently asked questions of the Civil Service Act, 170 opinions on the basis of

¹⁴⁷ Act No. 10/1996 Coll. on Inspection in the State Administration as amended.

requests from SOs or natural persons; other opinions were provided in the form of personal consultations. The Section also carried out seven training sessions on the Civil Service Act, in particular for recruiters and employees of personnel offices.

Section staff are involved in **international structures** (OECD, EUPAN,¹⁴⁸ and EUPAE¹⁴⁹).

CIVIL SERVICE COUNCIL

The Civil Service Council was established as an independent coordinating and monitoring body that oversees the **compliance and protection of the civil service principles** and **oversees the ethics in the civil service**. It's a completely new institution in the SR.

The requirement of independence of the Council from political influences was reflected in the way of its creation. The chairperson of the board and members of the board are elected for the office and removed from office by the National Council of the SR, while each of them is proposed by another entity, and the demise of the board member is also precisely defined by law. The activities of the Council are financed from the organizational, technical and personnel perspective from the budget of the Government Office of the SR.

The Council is accountable for its activities to the National Council of the SR; more details on the Council activities may be found in Chapter 5 *Principles of Civil Service and Ethics in Civil Service*.

As regards the application of the Civil Service Act, the Council oversees the application of the CS principles. It also supervises the Code of Ethics of a civil servant. If violations are found, the SO recommends the adoption of a remedial measure and at the same time informs the Government Office of the SR about such a procedure, which can carry out a review and consider taking further steps, such as methodological guidance of the SOs, propose legislation and so on.

Recommendations

In connection with the performance of the Council activities and the provision of the Civil Service Act, which declares the Council's accountability for its activities towards the National Council of the SR, we consider it necessary to amend the provisions on the Council's operation as follows

- If the Council finds a **breach of the civil service principles** by the SO, it is obliged by law to notify the GO of the SR in writing without delay. However, if the Council is accountable for its activities to the National Council of the SR, we think that the **National Council of the SR should also be notified** of the breach of the civil service principles.

¹⁴⁸ European Public Administration Network: European Public Administration Network.

¹⁴⁹ European Public Administration Employers: Employers' Association in Public Administration.

- Motions for **amending or supplementing the legislation** regulating the performance of civil service may be submitted by the Council to the Government Office of the SR, which need not accept these motions. Regarding the position of the Council as an independent body set up to protect the CS principles, we believe that, on the basis of problems with the application of the provisions of the legislation governing the exercise of civil service in the application practice, **motions for legislative changes should be submitted to the National Council.**

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5 PRINCIPLES OF CIVIL SERVICE AND ETHICS IN CIVIL SERVICE

Supervision over compliance with the Civil Service Act is as to competences divided between the Government Office of the SR and the Civil Service Council. It is up to the Council to **oversee the principles of the civil service** and it may exercise the supervision on its own initiative or on the grounds of a breach of the civil service principles. It is also accountable for **overseeing the civil servant's code of ethics**, but since this legislation has not yet been adopted in 2018, it is only concerned with the activities of protecting civil service principles.

5.1 SUPERVISION OVER COMPLIANCE WITH CIVIL SERVICE PRINCIPLES

The principles of civil service¹⁵⁰ represent a certain value framework and basis for applying specific provisions of the Civil Service Act. By linking them to the values arising from the Constitution of the SR, they help to explain the various institutes of the law in which they are projected and are the basis on which to build a professional, trustworthy, efficient and stable civil service. Thus, the law entrusted the Council with an irreplaceable role in the exercise of control over the observance of fundamental ideas of the law.

The law stipulates **who** (citizen or civil servant), **in what form** (in writing) **and in what matter** (violation of the CS principles) is entitled to file a complaint. If the complainant fails to comply with the above requirements, the information provided by the complainant may serve the Council for its own investigative activity, but it will not formally address the complainant's complaint.

When dealing with complaints, the Council is entitled to request **assistance** from the Service Offices, it may also use information from the complainant or other relevant sources.

In case of detecting the violation, the Council recommends the service office to take **corrective action** and at the same time informs the Government Office of the SR, which can carry out the inspection¹⁵¹, and consider further steps (methodical guidance of service offices, draft legislative changes, etc.). At the same time, the Council's conclusions may serve a civil servant in protecting his/her rights, for example in court proceedings.

Conclusions arising from the handling of complaints do not serve only to remedy a particular case. The Council also uses them to formulate **general recommendations**

¹⁵⁰ Act. 1-9 Civil Service Act.

¹⁵¹ Act No. 10/1996 Coll. on Inspection in the State Administration as amended.

for improving the civil service status through the Civil Service Status and Development Report, in the drafting of expert studies or in motions to amend legislation.

OVERVIEW OF SUBMISSIONS RESOLVED

Since its inception, the Council has received various submissions from citizens and civil servants. At the same time, it became clear that many service offices or civil servants did not have a precise knowledge of the Council competences.¹⁵² Thus, the number of submissions that are not within framework of our competence (e.g. requests for interpretation of the provisions of the Civil Service Act, filings regarding employment relations governed by other regulations, etc.) was relatively high; however, it can be assumed that in the future the number of complaints by law will increase.

When evaluating the number of complaints addressed, it must be taken into account that this is the first year of operation of the institution and **a new element in the system of protection of civil servant relations** with which the entities concerned have had no experience. It has also turned out that the submissions are very different in fact and law, which is reflected in the varying difficulty and length of their solution. Some of the submissions contained suspicions of violations of several civil service principles at the same time.

In 2018, the total number of submissions amounted to 41, out of which 22 were qualified complaints. The Council found a breach of the CS principles in six cases. In these cases, it also recommended the adoption of remedial measures, in one case the service office adopted measures other than those recommended by the Council.

Areas resolved:

- **Handling of complaints** from civil servants against service offices (service offices did not handle civil servants' complaints within 60 working days, thereby violating the principle of legality pursuant to the law),
- **performance appraisals** for 2017 (violations of the principle of legality were committed by the Service Offices in particular by incorrect application of the legal provisions to this Institute),
- **awarding disciplinary measures** to civil servants,
- **organizational changes**,
- termination of the civil service employment,
- changes in salary grade and allocation of personal allowances,
- conducting selection procedures.

The suspected violations related to the following CS principles: the principle of legality, the principle of transparent employment, the principle of effective management, the

¹⁵² For example, Prachárová, V., Kačur, J.: Employee Fluctuation Rate and New Civil Service Act in the State Administration Context. SGI, 2018.

principle of transparent and equal pay, the principle of equal treatment, the principle of professionalism, the principle of stability and the principle of impartiality.

Principles of CS violations detected:

- Principle of legality: six times,
- Principle of effective management: four times,
- Principle of professionalism: twice,
- Principle of transparent and equal pay: once.

In cases where, after reviewing the facts, the Council has found a violation of one of the following Civil Service Principles, advised the Authority to take **corrective action to eliminate the illegal state of affairs and to ensure that the undesirable state of affairs does not recur in the future**. The detected violations of the principles of the civil service by the service offices were mainly due to misinterpretation of certain provisions of the Act, unprofessional or inattentive procedure of the responsible civil servants. There have also been cases of suspicion that service offices or specific employees have acted consciously in violation of the law and the principles of civil service, and neither the measures recommended by the Council have been received positively by the Service Office.

There is no doubt that most of the shortcomings of the Service Offices can be avoided in the future. Especially important will be the organization of training in problematic areas of law, professional approach to service tasks, inspection by managers and continuous development of capabilities and knowledge of civil servants. The incentives for breach of the civil service principles themselves are a good tool for improving the functioning of the civil service, as they provide information on specific practical problems. Their solutions will then help not just the case to be handled, but can be translated into targeted legislation or methodological guidance.

However, the main requirement remains that there should be as few misconducts and breaches of the civil service principles as possible by the civil service authorities and that, in cases where they occur, civil servants who are not afraid to inform of them, thereby contributing to a better situation in the performance of civil service.

Right at the start of its work, the Council was actively working to provide guidance to civil servants and citizens in submitting their incentives. On its website¹⁵³ it published a **procedure for complainants and a complaint form**. It has also adopted an **internal procedure for handling complaints**, which are observed by its members and professional staff. The Council Office also provided e-mail and telephone consultations.

It is important to direct citizens and civil servants not just in relation to the formal aspects of complaints but also in terms of their content. The Council prepared and published on the website an overview of the **principles of civil service in conjunction with the provisions of the law** that are related to the principle. The overview will enable the

¹⁵³ Civil Service Council. Available online: radaprestatnuszbu.vlada.gov.sk.

complainants to better assess in a specific situation whether a violation of one of the principles, or which of the principles, while the relevant principles will be elaborated by the Council in **expert studies** and other outputs. So far, the Council Newsletter *Service* has clarified topics such as "Conflict of Interest" and "Political Neutrality" alongside with some model examples.

The Council also recommended the CSts to use, in cases of suspicion, the means of protection in the service office (e.g. a complaint by the CStI in matters relating to the execution of civil service) and also to substantiate their arguments with relevant background when filing a complaint. The time lag from the moment of breach, as well as its insufficient documentation at the given time, make it difficult to investigate and settle the complaint, or even subsequent review by the Government Office of the SR or court proceedings.

SELECTED CASES

Handling the complaint does not only serve to remedy a particular case. It is clear from the cases under consideration that violations of the CS principles have affected a much larger number of CSts than reported as complaints to the Council - for example, in cases involving an organizational change or performance appraisal. The Council has therefore launched an analysis of the cases it has dealt with on its website and in the *Service* newsletter. These outputs are used to prevent violations of the civil service principles and can also be a tool for civil servants to protect their rights vis-à-vis the service office or in court proceedings.

Analysis of selected cases:

Principles of legality, professionalism and effective management - organizational change

There were organizational changes in the service office made in the form of an amendment to the organizational rules. However, the Civil Service Office informed civil servants of the amendment to the Organizational Rules only on Friday afternoon at a time when civil servants were no longer required to be in the workplace under the flexible working time rules, with the organizational change taking effect on the following Monday. The civil servants affected by the organizational change were only submitted for signature after the entry into force and retrospective date of the amendments to the service contracts.

The service office made a mistake in its failing to inform civil servants of the amendment to the organizational plan in good time before its entry into force. At the same time, the law obliges the service office to make organizational changes so that the civil servant does not have a notice period after the organizational change takes effect. In such a case, a civil servant whose post has been cancelled would not be able to carry out the duties or duties of a civil servant or the service office would not be able to assign them

any work. As the law provides for a two-month notice period, the effectiveness of the organizational change can occur no earlier than two months after the service office receives the comments of the civil servants concerned on the proposed change.

This also applies in relation to the duty of the service office to discuss in advance draft regulations and measures relating to a greater number of civil servants with the relevant trade union body. According to the information provided by the Service Office, the organizational change was submitted to the relevant trade union authority on Friday, with effect from the following Monday. The law requires that proposals, or measures, be discussed with the relevant trade union body before they are received, and result in the foreseen facts, for example, a notice period begins to run for a civil servant whose place has been cancelled by organizational change.

The above mentioned procedure of the Service Office failed to meet the principle of legality, as the organizational change was contrary to the law and it cannot be described as professional, when the civil servants in charge for the drafting and implementation of the organizational change, including informing the civil servants about it, did not act professionally and conscientiously.

Organizational change is a significant intervention in the management of the service office and the performance of official duties by civil servants, and it is therefore necessary to plan and implement it in a manner that is smooth, cost-effective and does not interfere with the performance of the service.

In the case under consideration, as a result of the service office procedure, there was a situation where the civil servants concerned were not aware in good time of which organization department they were assigned in, who their superiors were, how their job was changed, and so on. Such a procedure according to the Council does not correspond to the requirement for efficient management of civil servants.

Based on the finding the facts, the Council recommended the Service Office to take the following corrective measures:

- retraining the employees involved in the drafting, implementation and communication of organizational changes in the service office,
- drawing responsibility towards the employees who have prepared and implemented the organizational change in question,
- taking into account the violation of the civil service principles in the performance appraisal of these employees.

The Service Office has taken the following corrective measures:

- it informed the civil servants concerned of the legal procedures for the preparation, implementation and communication of organizational changes,
- based on the advice of the Council, it prepared methodological guidance on the statutory process of organizational changes taking into account also the new duty of service offices to notify the prepared organizational changes of the

Government Office; methodological guidance will be presented and made available to senior civil servants at the SO management meeting.

Principles of legality, effective management, professionalism, transparent and equal pay - Secretary-General

In this case, the informer expressed suspicion of a breach of the civil service principles by the service office represented by the Secretary-General of the Service Office. In particular, there was a long-term violation of the principle of legality, the principle of effective management, the principle of professionalism and the principle of equal treatment defined in the law.

In dealing with the complaint, a multiple breach of the principle of legality was found by the service office. Its violation was made by the Secretary-General failing to appoint a civil servant or a civil servant in the service by substitution for the time of his incapacity. A breach of the principle of legality and at the same time a breach of the principle of transparent and equal remuneration took place when the Secretary-General carried out a performance appraisal of civil servants despite the fact that they were not directly subordinate to him but they were the employees in lower organizational units with their own managing employees. The Secretary-General advocated such a procedure in the performance appraisal by not having undergone performance appraisal training and therefore not being entitled to evaluate subordinate civil servants. The Council argues that no provision of the law implies that managers are required to take part in a performance appraisal training which would then entitle them to carry out a performance appraisal. In violation of the principle of legality and the principle of transparent and equal remuneration, the Council also evaluated the fact that the manager was not granted a management fee to which he was legally entitled by law.

As to the alleged violation of the principle of professionalism by the whistleblower, the Council found out that the Secretary-General also acted in breach of this principle when he did not act professionally and conscientiously in the exercise of civil service, in particular as regards the remuneration and evaluation of civil servants of the service office. The Service Office also did not proceed professionally in the withdrawal and use of the funds for the so-called representation fund, when the Secretary-General has repeatedly violated financial discipline within the meaning of Section 31 (1) (a) b) of Act No. 523/2004 Coll. on Budgetary Rules of Public Administration and on Changes of and Amendments to Certain Acts, when he used public funds beyond the scope of authorization, thereby increasing the increased withdrawal of public funds.

In this case, the Service Office, represented by the Secretary-General, has committed a long-standing violation of the Civil Service Principles, since it has long used the legal gap to virtually be "inviolable." It was only on the basis of a notice from civil servants about the long-term unsatisfactory state of affairs that the competent institutions began to act, resulting in his dismissal.

Based on the findings of fact, the Board recommended that the Service Office take the following corrective measures:

- *strictly adhere to the obligations of the Secretary-General of the Service Office under the law and other legislation in the management of the service office, the evaluation of civil servants of the service office and the use of public funds;*
- *carry out the evaluation of civil servants by their senior management;*
- *discuss in advance with the relevant trade union body any proposals for reducing or withdrawing personal allowances, staff regulations, measures to create conditions for the proper performance of civil service and measures involving a greater number of civil servants; if no trade union body exists in the service office, the service office is obliged to discuss these matters with the civil servants concerned.*

Based on the recommended remedial measures, the Civil Service Office issued an instruction imposing:

- *strictly observe the duties of the Secretary-General of the Service Office, resulting from the law and other legislation in the management of the service office, the evaluation of civil servants of the service office and the use of public funds;*
- *ensure that the civil servants of the civil service are consistently evaluated by their senior management;*
- *comply with the obligation to discuss proposals to reduce or withdraw personal surcharges with the civil servants concerned. This measure applies until a trade union body operates in the service office.*

Principle of legality

The alleged breach of the civil service principle was based on the fact that the evaluation date was communicated by the evaluator to the evaluated civil servants on the day of the performance appraisal by means of a service e-mail, with the evaluation interview not being carried out individually with each civil servant but in bulk, as only the period from the entry into force of the Civil Service Act to the end of 2017 will be evaluated.

The Civil Service Office did not question the suspicion of a civil servant of a breach of the principle of legality under Art. 2 of the Civil Service Act, but, on the contrary, admitted that there was a mistake in the performance appraisal procedure consisting in the failure to comply with the provisions of the Civil Service Act. However, he argued that procedural deficiencies in the implementation of the performance appraisal did not result in its content change and insisted on the result of the performance appraisal of the civil servant.

The Council could not agree with the statement of the service office, since the fact that an evaluated civil servant has the possibility to comment on the evaluated areas during the performance of his/her performance appraisal has a real impact on the result of the performance appraisal, as the evaluator is obliged to justify the deduction of points in the individual evaluated fields and the civil servant being evaluated has the right to

comment. Therefore, the Council could not accept the argument whose purpose was to legalize the illegal procedure.

Following an objective examination of the complaint, the Council concluded unequivocally that there was a breach of the principle of legality under Art. 2 of the Civil Service Act, as it acted contrary to Section 122 (10) of the Civil Service Act, according to which the evaluator or the chairperson of the performance appraisal commission is obliged to notify the civil servant being evaluated of the performance appraisal date at least three days before it is performed. Likewise, he also violated Section 123 (4), according to which the performance appraisal is carried out in the form of an evaluation interview between the evaluator or the performance appraisal committee and the civil servant being evaluated.

Based on the finding of facts, the Board recommended that the service office take the following corrective measures:

- take measures to ensure the lawful performance of performance appraisal of civil servants,*
- rectify the situation of unlawful performance appraisal with the civil servant concerned.*

The competent authority has taken the following measures:

- the civil servant concerned has been informed more than three days in advance that he/she will undergo a new performance appraisal for 2017 in accordance with the provisions of the Civil Service Act,*
- the new performance appraisal for 2017 was performed by a direct senior manager in the form of an evaluation interview all the executives were explicitly advised to act in accordance with the Civil Service Act and Decree No. 136/2017 Coll. laying down details on performance appraisal.*

Principle of legality and effective management - selection procedure

The complaint was filed by a civil servant (hereinafter referred to as "the notifier") for the suspicion of violation of the principle of legality, the principle of professionalism, the principle of stability and the principle of equal treatment under the Civil Service Act by its direct superior as well as other employees of the Office. At the workplace, there was purportedly an escalating pressure on the part of management to end the civil service relationship for the alleged lack of qualification of the notifier. The superiors purportedly questioned his work, found inadequacies or refused to sign the decisions made by the notifier. The whole situation purportedly culminated with threats from the superior that he will cause troubles to the notifier if he does not voluntarily leave.

In dealing with the complaint, the Council found that the Service Office had violated the principle of legality under Art. 2 of the Civil Service Act by placing the notifier in the selection procedure for the occupation of a civil servant's post in that service, who

subsequently became the only successful candidate, according to the selection board, despite the fact that he did not meet the requirements of the selection procedure, namely a specific qualification which was a prerequisite for the professional activity. The above facts were clearly demonstrated by the selection procedure notice and by the notifier's CV. At the same time, the chairman of the selection board, who was supposed to say that this was not a problem, should have been informed about the lack of qualifications. Such a procedure by the civil service and the civil servants concerned cannot be regarded as professional in the least.

The principle of effective management pursuant to Article 4 of the Civil Service Act was also violated, as the selection procedure in question cannot be described as effective and economical. Indeed, the selection procedure had to be repeated, which represents a re-spending of public finances for its implementation.

It follows from this case that service offices should be particularly responsible and rigorous in the selection process in evaluation compliance with individual legal conditions. This would prevent situations where, after completing the selection process, the vacant post remains vacant, which, on the one hand, constitutes a complication for the staff concerned in managing human resources and distributing work and, on the other hand, requires re-spending of the State, which could be used more effectively.

The Council recommended to the Service Office to take the following corrective measures:

- *reconcile the factual situation with the legal status of the case,*
- *in the future ensure conscientious identification of fulfilment of conditions for participation in selection procedures.*

5.2 CIVIL SERVANT CODE OF ETHICS

In accordance with the Civil Service Act, the Council prepares a draft Code of Ethics for the civil servant and also supervises its observance. In 2018, the **Council drew up a proposal of the CE** with the aim of **establishing uniform rules of ethics for all civil servants** in the SR. It was involved in this work in a participative manner and involved service offices, civil servants and experts in the field of ethics in the SR, and also consulted with experts from abroad.

In order to gain knowledge in the field of ethics, it addressed 52 selected SOs through a questionnaire, 19 of which had their own internal code of ethics. However, feedback on the creation of the Code of Ethics was also important for the CSts and the former CSts, who were also presented with a questionnaire survey conducted in May and June 2018. **5,827** individuals - 5,781 current civil servants - took the opportunity to comment (more than **15%** of all the CSts) - and offered a valuable look at the ethical challenges faced by civil servants in the performance of their profession.

The SOs and the experts on the issue also participated in the CE drafting process. A working group was created to nominate their representatives according to their interest.

This group dealt with collecting ideas, summarizing the experience so far and commenting on the proposals put forward by the Council. At the same time, several meetings of a working group of experts from the academic environment, the public sector, the law firm and non-governmental institutions were held, with active cooperation also taking place with the Civil Service and Public Service Section of the Government Office of the SR, which is in charge of the Civil Service Act.

It emerged from the knowledge abroad and from previous experience in the SR that it is not sufficient to define ethical principles and adopt a code of ethics as a formal document. It is essential to implement it by setting up preventive mechanisms, counselling, procedures for reporting violations and sanctions. Therefore, in addition to setting ethical principles, the Council also paid particular attention to these areas. The **draft CE was approved by the Council** by its Resolution of **04/09/2018** and subsequently submitted to the Government Office of the SR, while the inter-sectorial comment procedure on that document took place at the turn of February and March 2019. On the date of submission of this report, the comments and their processing are being evaluated.

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