

# MAIN APPROACHES TO CIVIL SERVICE REFORM IN UKRAINE

## Justification of the need for reform: the new role of the Government and civil service

The need for public administration and civil service reform is caused by the gap between modern requirements of the society and the way government acts.

The new role of government (in a broad sense) lies in policy development (strategic planning of societal development) and addressing those societal problems that cannot be solved through market mechanisms. In addition, the government fulfills regulatory function with regard to the society while ensuring oversight over observance of established rules and norms. The function of asset management should be minimized.

As a consequence, governmental sphere shall be clearly defined and limited exclusively to those issues where its interference is vital from the prospective of government policy development and public service delivery.

Government policies addressing various societal needs should take into account diversity of legitimate interests, which voice themselves through elections, lobbying and participation in decision-making process.

With regard to this, there are three key tasks that need to be addressed to build modern public administration:

- Legislate principles of development and organization of the system of public administration and civil service;
- Create public administration mechanisms in accordance with legislative framework and societal needs (creation of new institutions);
- Introduce public policy principles and procedures in government decision-making.

The new role of the government puts forward new requirements for the civil service and a civil servant as a key instrument of the government.

## Logic of Reforms in Public Administration and Civil Service



Factors of stability of the government aparat are ensured by the basic principles of its organization and activity stipulated in the Constitution and the law. Factors of change are the societal needs. In its activity, the government shall keep to the above-mentioned principles and fundamentals and be sensitive and quickly adjust to constantly changing societal needs.

## **Key Stages of Further Reform in the Civil Service**

### **STAGE ONE. Development of legislation regulating fundamental principles of activity and organization of the civil service (2005)**

The key task at this stage is to adopt new Civil Service Law based on the Concept of Civil Service Law approved by the Presidential Decree dated 5 January 2005, #1. The Concept is founded on key EU

#### **In the short-run, the following tasks are crucial:**

- Legislation ensuring effective mechanisms of prevention of a conflict of interests in civil service and combating corruption;
- Legislative delimitation of political and administrative positions and introducing special status of the higher corps of civil service;
- Improvement of activity of the National Academy for Public Administration under the President of Ukraine in order to direct the system of professional training of civil servants at satisfaction of real needs for training. Civil servants should acquire knowledge necessary in the context of the above-mentioned new role of the government and civil service. Principles of professional training of civil servants different should be separated from approaches of general system of higher education. Competitive environment should be created in the sphere of professional training of civil servants. The central government agency in the field of civil service should be assigned with the authority to coordinate professional training system.

principles and approaches to legal regulation and organization of civil service, including:

- Division between state (public) and private spheres;
- Delimitation of political and administrative activity;
- Development of individual responsibility of civil servants through overcoming of former collective processes of decision-making. This requires well-educated and experienced managers of the sphere of public administration;
- Protection, stability, remuneration and clearly defined rights and responsibilities of civil servants;
- Selection, appointment and promotion based on competency and merit.

### **STAGE TWO. Introduction of new legislation (2006 – 2007)**

#### **I. Development of Regulations Necessary for Implementation of New Laws.**

#### **II. Public Campaign on Key Issues of the New Legislation for Civil Service:**

- regulation of relation between civil servants and the state based on public law principles;
- delimitation between political and administrative positions, establishing the higher corps of civil service and definition of its legal status;
- limiting the sphere civil service legislation and criteria for assigning jobs to civil service positions;
- laying down foundations for the new position classification of civil servants based on the content of their work; relation between general and specialized civil service; and ensuring civil service mobility between general and specialized corps;
- introduction in the system of civil service of management of personnel based on the principles of law, competency and personal merits;
- legislative stipulation of foundations of the system of remuneration of civil servants;
- assignment of coordination of government order for civil servant training and oversight to the central agency of the executive branch for civil service;

- regulation of civil servant disciplinary liability.

### **III. Personnel Development in the Civil Service:**

#### **1. Ensuring leadership in the process of change through establishing the higher corps of civil service:**

- School for higher corps of civil service;
- Independent collegial agency for selection of candidates for positions in higher corps of civil servants.

#### **2. Basic on-the-job training of civil servants related to a new role of the government, in particular, in:**

- Public policy analysis;
- Strategic planning and its link to the budgetary process;
- Change management as a permanent process of improving performance.

#### **3. Modernization of personnel services in the system of civil service:**

- Training of HR units to gain modern skills and approaches in personnel management:
  - development of competency profiles for all positions of civil servants;
  - selection and promotion based on merit and competency;
  - civil servant career planning;
  - identification of quantitative and qualitative need for professional training;
  - planning of continuous skill-based training.
- Informational and technical support of HR units.

#### **4. Introduction of independent assessment of civil servants based on personal merits and competency:**

- Development of competency profiles for all positions in the system of civil service;

- Development of a toolkit for assessment of candidates for positions of civil servants;
- Creation of the network of independent centers of assessment of civil servants.

### **IV. Improving social and pecuniary status of civil servants:**

- Establishing a flexible and transparent system of remuneration based on performance appraisal;
- Increasing salaries for civil servants. This would become possible due to regularization of the civil service sphere and downsizing of government offices.

### **STAGE THREE. Institution building based on the process and result-oriented approach and informational technologies (2008 – 2010)**

At this stage, due to enhanced capacity of civil service it will become possible to achieve long-term reform objectives throughout entire public administration.

#### **1. Introduction of quality management, in particular, based on the EU experience (i.e., CAF, TQM and ISO 9001:2000):**

- Ensuring efficiency and effectiveness of processes;
- Guaranteeing quality services.

#### **2. E-governance:**

- Corporate network for the civil service;
- Database for personnel development and assessment;
- Electronic document filing;
- Continuous distance learning for civil servants.

**Published by:**

**Main Department for Civil Service of Ukraine**

15 Prorizna st., Kiev, 01034, Ukraine

Tel.: (044) 2540600

Fax: (044) 2290529

<http://www.guds.gov.ua>

email: [infau@guds.gov.ua](mailto:infau@guds.gov.ua)

**Editor:**

**Timofiy Motrenko**

**Coordinator:**

**Andriy Vyshnevskiy**

**Printed by:**

**Center for Support of Civil Service Institutional Development  
under the Main Department for Civil Service of Ukraine**

January 2005