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Analysis of the Practice of Providing Administrative Services by the Member States of the European Union

1. Introduction

The relevance and importance of the analysis of the practice of providing administrative services by EU member states is explained by the dynamic transformation of society as a result of formation, large-scale dissemination and development of knowledge economy, formation of post-industrial world, information society with corresponding changes in the intellect, mentality, morality and spirituality of the people of the democratized and liberalized world – people for whom traditional methods of management and influence by the authorities are gradually losing their power and influence.

Scientific novelty. In recent decades, a significant number of countries around the world, and especially the countries of the European Union, are gradually forming a system of public administration that would be close to the needs of society. The priority direction in this area is the creation of an electronic government system that would ensure, on the one hand, free access of citizens to public services, and on the other, would create a transparent mechanism of public control over the activities of public authorities. However, the process of formation of this system, even in the developed countries of the world, is still going on, therefore,

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for the first time, we have proposed a mechanism of improving the quality of the provision of administrative services, which ensures an increase in the standards and usefulness of public services, improvement of the processes of their organization, distribution and provision.

The main objectives of the study are: to analyze the practice of providing administrative services by the member states of the European Union; to reveal the positive experience and problems of providing qualitative services by the authorities of these countries; study the legislation of the European Union and individual member states that regulate the activities of subjects of legal relations in the provision of administrative services.

Research tasks: to study the experience of the organization and functioning of legal relations arising from the provision of services by administrative authorities in the member states of the European Union; find a positive experience in the provision of qualitative services by authorities in the countries of the European Union and draw attention to the presence of problems in the provision of quality services by the authorities of these countries; to study the legislation of the European Union and individual member states, regulating the activities of subjects of legal relations in the provision of administrative services.

Research methodology. The following scientific methods were used to solve our research tasks: fundamental research, empirical scientific method, theoretical scientific methods such as analysis, generalization, explanations, etc.

2. Legal regulation of the provision of administrative services by the countries of the European Union

In the member states of the European Union, the issue of providing services to the population is quite important, as it is governed by both primary and secondary legislation of the European Community, in particular, the articles of the Treaty on European Union and the Treaty on the Functioning of the European Union ², a separate Protocol N^o 26 to it "On services of general interest", as well as several directives, the Charter of

² Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union with Protocols and Declarations. Retrieved from: https://zakon.rada.gov.ua/laws/show/994_b06#Text.

Fundamental Rights of the European Union, etc. In addition, the case law of the European Union, which include the decisions of the European Court of Justice, the European Court of Human Rights and other judicial bodies of the Member States of the European Union, plays a significant role in the legal regulation of public administration in general and in the provision of public services.

The European Commission approved “A Quality Framework for Services of General Interest in Europe”³. In these Standards, a distinction is made between related concepts used in the legislation of the European Union in order to define the scope of public services. For example, the term “services of general interest” is used to describe the services provided by the public authorities of the Member States of the European Union in order to satisfy the general interests which are the subject of special public service obligations. This term covers services that concern both economic and non-economic interests, but it should be noted that the latter do not fall under the legal regulation of European Union law.

Analyzing the legal regulation of public services in the European Union, we observe the regularity of the use of legislation, which extends its effect to the full range of administrative and procedural relations, including the scope of these services. Let’s look at the examples in more detail: in Germany, Austria, Switzerland there are laws on administrative procedure, in Finland there is the Act on Administrative Procedures, in the Netherlands public services are governed by the General Administrative Law Act, in Sweden there is the Public Administration Act, in Poland – the Code of Administrative Procedure, in the Czech Republic – the Code of Administrative Procedure, in Lithuania – the Law on Public Administration, etc.

In developed democracies, the ideology of public administration as a system aimed at providing services to the population is set out in special regulations, for example, the Citizens’ Charter (Great Britain), the Marianne Charter (France), the Civil Servants’ Charter (Italy), the Charter of quality in the provision of public services (Portugal), Charter of Clients (Belgium), etc.

³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A Quality Framework for Services of General Interest in Europe (2011). Retrieved from: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52011DC0900>.

Therefore, the introduction of public services standards together with a system of indicators and tools for measuring the degree of implementation of established standards in the European Union is, according to scholars, with whom we agree, a practical implementation of the constitutional right of citizens to receive public services of the same level and quality. At the same time, regulations adopted at the local level, are of particular importance for the legal regulation of the provision of public services in most member states of the European Union. Therefore, accordingly, each local government should ensure the provision of such services, taking into account the specifics of a particular area, which should provide the best satisfaction of the needs of residents of a particular municipality.

3. The practice of providing administrative services in the UK

In 1991, the United Kingdom developed the concept of the Charter of Citizens – a ten-year program aimed at raising standards of quality and usefulness of public services, improving the processes of their organization, distribution and provision. Already in 1997, the British government made this program an integral part of a large-scale program of improvement of the performance of the executive branch. In addition, another British project in this area – the Modernizing Government White Paper, published in March 1999, is a long-term program for reforming public administration in England.

The Citizens' Charter has introduced the basic principles of the functioning of public institutions and organizations that provide services to citizens, as well as the obligations of government agencies in the organization, distribution and provision of administrative services. These principles contain clear standards for the quality of such services, the reliability and completeness of the information provided, the provision of advice and explanations, as well as their usefulness, timeliness and effectiveness, etc.

In order to assess the practical results of the work of government agencies, institutions and organizations that provide administrative services to citizens in the UK, the so-called tables of compliance with the quality standards of the services they provide have been introduced.

The nationwide Charter Mark award, approved by the British gov-

ernment in 1992 is one of the means of regulation of the quality of administrative services in the UK, advanced training and rewarding civil servants, dissemination of best practices, increasing the responsibility of the authorities for adhering to quality standards and meeting the administrative needs of citizens. In the United Kingdom, the above-mentioned competition performs significant regulatory and stimulating functions in the field of improving the quality of administrative management and bringing it closer to the demands and interests of citizens.

Under the British government, a special working group has been created to develop measures in order to introduce modern technologies in the administrative management system, to study the administrative demand of various social groups and to improve the quality of administrative services.

In the UK, there are 150 public social agencies for assessing needs and planning the provision of social services (identification of needs, assignment of social services, assignment of social assistance).

The function of public social agencies is primarily to identify needs, define and empower providers to provide social services in order to overcome certain problems and monitor compliance with the quality standards of social services.

There are 31 000 providers of social services for adults in the country, of which about 70% are non-state or private providers of social services, 30% are combined. 76% of services are provided locally.

To ensure that clients receive the services they really need, a system of various social services is being formed, flexible schemes for receiving money are being developed.

One example of the modernization of the social services system is the "Individual Budgets" Project, which aims to improve the system of social services, especially home care, and increase their efficiency. The ambitious goal is to evaluate the effectiveness of existing social services and to develop a so-called "gold standard" of social services. The focus is on the speed and efficiency of social service delivery, and the issue of quality is already an axiom⁴.

⁴ Zherlitsyn D.K. (2010). Some aspects of the practice of providing qualitative public services by the authorities in the United States, Great Britain, Canada, Poland, Ja-

A feature of the subject composition of the provision of administrative services in the UK is the presence of a special entity – Public Services Ombudsman, which was formed by combining the posts of the ombudsman for health, the ombudsman for local government, the ombudsman for social services and for the activities of administrative bodies. Public Services Ombudsmen were introduced by separate acts of parliament in Wales and Scotland in 2005⁵.

The activities of the Public Service Ombudsman in the United Kingdom are important for protection of the rights of citizens against violations by public administrations, as the ombudsman is empowered to deal with complaints about actions, decisions or omissions of public administrations in the provision of public services. Thus, the activities of the ombudsman contribute to improving the quality of services provided by administrative bodies and improving their activities.

4. The practice of providing administrative services in Poland

Since May 1, 2004, Poland has become a member of the European Union, and partly due to this fact, there is a growing awareness that mastering the legal framework and administrative mechanisms of the European Union, as well as the possibility of using structural funds, will require improving the efficiency of management at the local level. In practical terms, in Poland this is reflected in the “Friendly Administration” Programme. This program has been implemented since 2000 and is aimed at all levels of government seeking to build friendly relations with customers and introduce the latest methods of customer service. It plays an important role in building a positive image of the Polish civil service and serves as a framework for a number of initiatives.

The ideological aspect of the program is based on the consideration of the authorities as providers of services to citizens and institutions. Accordingly, the following basic principles can be defined:

pan, Sweden, France. State building, Issue 2. Retrieved from: http://nbuv.gov.ua/UJRN/DeBu_2010_2_35.

⁵ Public Services Ombudsmen: A Consultation Paper № 1961. Great Britain Law Commission (2010). Retrieved from: <https://books.google.com.ua/books?id=Da4f3kEB7soC&printsec=frontcover&hl=uk#v=onepage&q&f=false>.

- consideration of the citizen as a client of the whole administration;
- defining the tasks of each of the employees in accordance with the desire to achieve the best quality of services;
- the dependence of the program on the depth of interest of both managers and all employees of the administration in growing the image of the authorities;
- consideration of the public as a partner in creating a friendly administration⁶.

Within the framework of the “Friendly Administration” Programme, the actions of administrations aimed at improving services are regularly evaluated.

Since 2001, the competition “The friendliest institution of government administration” has been held, the purpose of which is to disseminate the experience of improving the quality of services and reducing customer dissatisfaction among public institutions.

In 2005, the competition “The most modern institution of government administration” was introduced. The purpose of the competition is to promote the introduction of modern approaches to work in the executive branch⁷.

Today in Poland more than 100 local authorities have received the ISO 9001: 2000 certificate, which confirms that their management systems comply with the ISO requirements for quality management in the provision of public services to the local population.

Poland’s experience in implementing the principle of mutual complementarity, which includes three main postulates, is valuable to us:

- society should not deprive a person or a group of persons of what he/she (they) are able to do for themselves for their own good;
- if a person or group of persons is not able to perform a certain function, society, first of all, should support this person or group in the implementation of self-help;
- if the support turned out to be effective – the state of the person

⁶ Pearch C., Kitka J. (2000). ISO 9001: 2000: New quality. Center for Scientific Research (Berdyansk). Retrieved from: <http://center.berdyansk.net/2002iso/iso/Iso90012000.htm>.

⁷ Lewandowski S. (2006). Nowoczesna administracja, wygoda dla klienta. Biuletyn zporr. no. 2, pp. 114–115.

or group has become stable, they should be allowed to develop independently. Further support will generate the “alienation effect”.

Currently, Poland is developing a third, corporate sector, which aims to make a profit from the provision of social services.

5. The practice of providing administrative services in Sweden

In Sweden, the law on local self-government allows local governments (municipalities and landstings) to form their own organizational structure. Local governments themselves determine which committees to set up and for which issues a committee will be responsible. For example, school education and other issues related to children and youth are usually combined in one committee – the Committee on Children and Education.

All local government committees are obliged to ensure that the measures of their respective sectors are consistent with the goals and guidelines adopted by the council and the special laws relating to these activities. The committees also prepare an agenda item for decision-making by the meeting and carry out these decisions. All committees are elected by the assembly, mainly on the basis of proportional distribution of seats for representation on the Council of political parties. Since 1980, municipalities have been given the right to create a territorially decentralized system of district committees or boards responsible for certain issues on their territory. Today, about 20 municipalities have a fully or partially decentralized system of territorial committees.

The so-called “buyer-supplier” model is another organizational model that has become widespread. This model is designed, firstly, to introduce market mechanisms by creating more competition for the public sector. Secondly, it will allow a clearer delineation of the functions of elected deputies and civil servants of bodies of local self-government. The task of deputies is to represent the interests of local voters. They can choose from whom to buy services – from their own state-owned company or private supplier. And civil servants are responsible for production, i.e. carry out current management⁸.

⁸ Local government in Sweden (2021). Retrieved from: <http://cityukraine.info/?ch=3&fl=sweden>.

6. The practice of providing administrative services in France

The experience of France in the field of administrative services is quite exemplary and interesting. Let's start with an analysis of the history of the development of the public service delivery system and the improvement of relations between their consumers. The following stages can be distinguished:

- Stage 1. 80s of the 20th century – creation of “quality circles”.
- Stage 2. 1989 – development of a circular on the restoration of the provision of public services, including activities in the field of “policy of organizing the reception of citizens and the provision of services to consumers”.
- Stage 3. 1992 – creation of the Charter on Public Services.
- Stage 4. 1994 – recognized as “the year of improvement of the quality of reception of citizens” by the Minister of Civil Service.
- Stage 5. 1995 – development of a circular on state reform in the field of improving the analysis of needs and expectations of citizens.
- Stage 6. 2000 – the issuance of guidelines on the quality of services by the Inter-ministerial Committee on State Reform.

The improvement of the quality of services was carried out through regular assessment of the existing practice of their provision and the management system itself.

Several significant experiments have been conducted in France to assess the quality of public service delivery. At the same time, the factors contributing to the introduction of new approaches to quality issues were identified:

- activities in a partially competitive environment;
- public pressure (so-called “food security”);
- proximity to the consumer (social security, National Employment Agency (ANPE));
- the system of trust (tax departments) necessary for the activities of ministries subordinated to the President of the French Republic;
- availability of funds for quality issues.

Obstacles to the introduction of the new approaches to improving the quality of services were also identified:

- weak connection with the higher levels of the hierarchy of authorities;
- lack of special management skills and knowledge in the field of improving the quality of services;
- insufficient attention to consumer problems and evaluation of achieved results.

At present, the Marianne Charter has been created in France, which specifically deals with improving the quality of reception of citizens. The principles and concepts of the Charter are as follows:

- consistent continuation of the started activity with obligatory use of the achieved results;
- collegiality of procedures and coordination: by the Interministerial Steering Committee, at coordination meetings at the national level;
- selection of a model Charter on the reception of citizens: a common base of obligations relating to the various forms of reception of citizens, or a combined standard Charter that adapts to the variety of tasks and services.

All information materials on the Charter's activities are disseminated at the national level. In France, there are currently 1,650 agencies using the services of the Charter, and 800 reception points have been opened.

Competition for the recognition of innovative initiatives is one of the achievements in improving the quality of service provision in France. This competition is held annually since 2003. During the year from 90 to 100 candidates are nominated from representatives of public services, associations dealing with social protection, medical and social associations. The winners of the competition are determined by the commission. This competition promotes the demonstration of achievements in improving the quality of reception of citizens, improving the level of quality management, activities on creation of partnerships.

As a further step to improve the quality of services in 2003–2004, a Commission on the quality of public services was established in France. It is an independent commission composed of high-ranking officials who have complementary views. Their competence includes making proposals on the formation of government policy on quality issues⁹.

⁹ Sharov Yu.P., Chikarenko I.A. Mamatova T.V. (2008). Development of approaches and mechanisms to ensure the quality of municipal management: science. Development. Kyiv: NADU. [in Ukrainian].

Therefore, it should be concluded that the mechanism for improving the quality of the provision of administrative services, which ensures an increase in the standards and usefulness of public services, the improvement of the processes of their organization, distribution and provision consists in a constant regular assessment of the existing practice of providing these services by the management system itself.

7. Conclusions

So, in conclusion, it should be noted that the experience of the European Union shows us that the most important aspect of the effectiveness and efficiency of administrative services is the quality of their provision. In order to ensure the quality of public services, it is necessary to perform a number of tasks, namely:

- to improve the legal framework in the field of providing qualitative public services to the population;
- create an alternative service delivery system;
- to prepare management and specialists in the field of public administration for the implementation of quality-oriented development of services;
- introduce the latest information technologies in order to better meet the administrative needs of citizens and the provision of services by state bodies using electronic networks;
- to modernize the civil service and the service in bodies of local self-government by improving the system of incentives for civil servants, to improve the monitoring of their activities, evaluation of indicators of its final results.

Further research in this direction should examine the problems faced by public authorities in providing administrative services to the population in specific areas of public life.

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Summary

The article considers the primary and secondary legislation of the European Community and normative legal acts of different European countries that regulate the provision of administrative services. Related concepts used in European Union law to define the scope of public services were distinguished. The practice of providing administrative services was analyzed on the examples of Poland, England, France and Sweden. Characteristics of the subject composition of public services were studied. The assessment of public service standards was made. The analysis of long-term programs of public administration reform in EU member states was carried out. The basic principles of functioning of state institutions and organizations that provide services to citizens, as well as the

obligations of government agencies in the sphere of organization, distribution and provision of administrative services were determined.

In addition, various ways of improvement the quality of the provision of services, which the countries of the European Community are already using and are planning to use in the future, were considered. Obstacles to the introduction of new approaches to the improvement of the quality of public services were found. The analysis of formation of systems of various social services was carried out. The activity of state social services on needs assessment and planning of social services was considered. The concept and direct implementation of the principle of "mutual complementarity" were analyzed.

Keywords: administrative management, public services, experience of the countries of the European Union, quality of services