Phasing of the Contest for the Occupation of Public Office, a Solution to Increasing Competition and Transparency in the Process of Recruiting Candidates

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Abstract

In Romania, the process of recruiting civil servants suffers from obvious deficiencies in terms of attracting the most qualified individuals to the public sector. In order to correct this problem, an important measure was recently introduced - based on the Administrative Code: a new type of competition to fill vacant positions in the public administration. We refer to the "two-stage national competition" and its aim is to ensure a transparent recruitment, based on skills and merit, in direct accordance with the identified needs and requirements of the institutions. The new model was the result developed by NACS/National Agency of Civil Servants and GGS/General Secretariat of the Government in collaboration with the World Bank and is aligned to a performance-oriented general competence framework. The purpose of this paper is identified by x-raying the current reform of the recruitment and selection of civil servants, in the context of the need for a better fit between the newly recruited human resource and the requirements of the employing institutions.

Key words: Romanian Administrative Code, public function, recruitment, selection, two stage competition, advantages

J.E.L. classification: M12, H83, M19

1. Introduction

With certainly, the achievement of high standards in the field of public administration depends decisively on the professional performance of the human resources integrated into this system. Whether it is civil servants or contractual staff, their activity ensures successful results - individual and organizational - if the best human resource management principles and norms are established and applied (Bercu 2009; Morariu 2010).

In this paper we mainly capture: a critical look at the recruitment system applicable to the public office prior to the adoption of the Administrative Code; the new model of public office recruitment (conditions for acquiring the quality of civil servant; holding public positions through the two-stage competition; advantages regarding the new way of holding the public office competition) and conclusions.

2. Theoretical background

Over time, at the level of those who take decisions on a national scale, the issue of the imperative to redefine the professional trajectory of civil servants has repeatedly been raised. Although in some cases this was only formally mentioned, the aim was to transform the career into a more attractive option with an extended pathway that would truly provide the framework for performance appraisal, thus guiding the civil servant body towards achieving results and accountability to citizens. (Profiroiu 2002; Onofrei 2007; Porfiroiu 2010; Vazquez et al. 2010).

It is important to remember in this context that the Recommendation of the EU Council of July 20, 2020 regarding Romania's National Reform Program for 2020 is to improve the performance of the public administration, as well as the predictability of the decision-making process, in the short term. The respective pro-European noted that "Public administration reform is stagnant (…)"; "High
The administrative code, adopted relatively recently in Romania, includes a series of essential priorities and directions for the development of human resources management within the public administration and civil service. These directions are as follows: (i) Rigorous design and implementation of competency frameworks. These frameworks offer for the recruitment process: i.1 – better structure aimed at the necessary skills/knowledge, in accordance with the requirements of public institutions; i.2 - concrete specifications regarding the expectations for the various positions; i.3 - increased transparency in relation to vacant positions in the public administration; i.4 - improving the fairness and quality of the recruitment process. (ii) Introducing a significant reform in the recruitment system by implementing the national competition for the central public administration. (iii) Creation and implementation of a computerized system regarding the record of personnel and employment in the state sector, as well as the record of all employees from public financial resources. (iv) Performance management reconfiguration and other relevant reforms. These directions represent important steps in the transformation and modernization of public administration, with the objective of improving the efficiency, transparency and quality of public services (RG2019).

It should be emphasized that the public administrative structure in Romania is quite extensive. During 2022, the total number of public authorities and institutions registered in the records of the National Agency of Civil Servants (NACS) reached 4,344 (compared to 4,335 registered on December 31, 2021), with a total of 176,471 public positions (more than in the previous year, when there were 174,568 such positions).

The evolutionary trend of the total number of public positions in the period 2013-2022 is presented in Figure 1.

*Figure no. 1. Evolution of public functions as a total number at the end of the year (2013-2022)*

Source: (ANFP/[NACS] 2023)
Although the process of achieving quality administrative actions for the benefit of citizens and the business environment involves the joint effort of civil servants, dignitaries and contractual staff, our approach focuses exclusively on the sphere of public function. This is very important due to its involvement in the exercise of the prerogatives of public power: the drafting of normative acts and specific regulations, the development of public policy proposals and strategies, as well as the management of the acts necessary for the implementation of laws, the administration of human resources and public funds, authorization, control, etc.

Therefore, we focus our attention on the implementation of the new recruitment model in the sphere of the public function, as regulated by the Administrative Code. This model is characterized by the organization of a system of contests that gives importance to the competence and integrity of civil servants, encouraging them to orientate themselves towards obtaining optimal performance.

3. Research methodology

The approach of our research topic ["The phasing of the Competition for the occupation of public positions, a solution for increasing competition and transparency in the process of recruiting candidates"] is based on the analysis of several specialized works. In this sense, we have examined the official documents of IBRD-BM/International Bank for Reconstruction and Development - World Bank, EC/Council of European Union and the Government of Romania, as well as documents issued by NACS, together with European/national normative acts and other works related to the topic of our research.

4. Findings

4.1. A critical look at the recruitment system applicable to the public function prior to the adoption of The Administrative Code

The recruitment system used for a significant period in the sphere of the civil service brought with it numerous shortcomings, which led to difficulties in attracting and adequately integrating people into the available positions. It is important to emphasize that this situation was also compromised by the lack of proper human resource planning and the proper development of job descriptions. Other notable issues include: (i) HR planning was not approached strategically (institutions focused only on the total number of vacancies); (ii) The various points of entry into the system were not considered; a lack or weak connection between the strategic or operational needs of the institutions and the required competences was evident; (iii) Human resources planning was carried out without being correlated with strategic plans, being carried out from the bottom up; coordination between institutions on this subject and consultation on human resources planning were non-existent; (iv) Management level commitment to strategic human resource planning was low. These problems made the recruitment and human resource planning process inefficient and inadequate, preventing institutions from achieving their objectives properly (BIRD-BM 2022).

In practice, the recruitment process at the administration level for civil servants was based on the written assessment and an interview, and for the competition, the competition committee and the committee for the resolution of appeals were constituted. However, the main criticism is directed at the assessment criteria that favored candidates able to accurately memorize legal texts, neglecting verbal, numerical, abstract and situational reasoning skills (BIRD-BM 2019). Thus, even if the recruitment procedures for civil servants were complex, the effective recruitment practices used in other European countries were underestimated (Androniceanu 2007), which affected the ability to attract and fit suitable candidates for positions.

ANFP carried out a form of almost "real-time" surveillance or recruitment for positions related to the public office, by organizing, approving or (indirectly) monitoring compliance with recruitment procedures based on notifications from institutions and petitions submitted by candidates. Even if it is true that the recruitment procedures, including the supervision/monitoring function of the ANFP, ensured the necessary legality, they imposed a complex procedural burden both on public institutions and on the ANFP and candidates for public office positions, but not always meeting the requirements of performance required in the selection process.
The table below (Table 1) gives us an insight into why a new model is needed, a model that encompasses all aspects of the recruitment system: processes, institutions, people involved, tools, test content, etc.

<table>
<thead>
<tr>
<th>Structural problems HRM</th>
<th>Problems related to recruitment</th>
<th>Proposed solutions for the new model</th>
</tr>
</thead>
<tbody>
<tr>
<td>Politicization and cronyism</td>
<td>Issues of integrity in testing Alternative access points in the system</td>
<td>Competition Commission system IT tools Test methods Varied decision-making body in the different stages Minimum guarantees The new RU planning process</td>
</tr>
<tr>
<td>Absence of planning strategic of RU Fragmented practices and disunity</td>
<td>Low coordination and recruitment capacity</td>
<td>The Competence Framework (CF) as the main pillar The centralized model Institutional mechanisms Regular training Capacity building and assurance the necessary tools</td>
</tr>
<tr>
<td>Lack of clarity and transparency regarding public posts</td>
<td>Ineffective advertising campaigns</td>
<td>The Competence Framework (CF) and standard job sheets Multiple channels + new advertising messages</td>
</tr>
<tr>
<td>Low ability to improve processes</td>
<td>The content and way of applying the tests is ineffective Limited Warranties Regarding Process Quality Burdened processor</td>
<td>Advanced testing based on CF Selected panel of expert evaluators Adequate institutional and procedural framework Simplified process, IT tools</td>
</tr>
</tbody>
</table>

Source: (BIRD-BM 2022)
https://www.anfp.gov.ro/R/Doc/2022/Proiecte/SIPOCA%20136/Prezent%C4%83ri%20webinarii/3.%20BM%20prezentare%20Noul%20model%20de%20recrutare_webinarii.pdf

From the perspective of the financial impact on the public budget, we highlight that in the previous system, the average cost per recruited person was significantly high (similar to Great Britain, but much higher than in Slovakia): 11,777 lei (2,505 Euro) for management positions; 5,746 lei (1,220 Euro) for execution positions (BIRD-BM 2022).

These costs were also accompanied by considerable advertising expenses - 40,000 Euros per month for all announcements (related to recruitment at the national level). ANFP incurs similar costs for advertising related to recruitment contests, ranging from 5,000 to 8,000 Euros per month.

4.2. The new model of recruitment in the public service

Starting from the shortcomings of the recruitment system previously used in the public service, the Strategy for the Public Service Domain for the period 2022-2027 (ANFP 2021) and the Administrative Code (RG 2019) have forseen the introduction of an objective, more professional and performance-oriented recruitment system for civil servants. This new system presupposes that a process organized in two stages, according to article 467 of the Administrative Code, is implemented regarding the filling of vacancies at the central/local level:

(I) First stage – ANFP will organize a national competition that will lead to the pre-election of a group of candidates. In this phase, a wide range of skills and competences are targeted for assessment, including verbal, numerical, abstract and situational reasoning skills, and not just general knowledge of legislation.

(II) The second stage involves the competition for the specific position, the organization of which falls to the employing public institutions, in which the only candidates from the previously preselected group participate. At this stage, members of the competition committee, including staff
from the Human Resources departments, must evaluate the candidates in a more complete way, using interviews, simulations and other appropriate methods. At the end of this stage, the position put up for competition goes to that candidate who has been declared admitted.

The objectives targeted by the care system are shown in Table 2.

### Table no. 2. Objectives of the new recruitment system (based on competences)

<table>
<thead>
<tr>
<th>Objective</th>
<th>Performance Indicators (PI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased use of strategic human resource planning in relation to the skills required in central public administration</td>
<td>% of vacancies included in the recruitment plan for which a justification was formulated in relation to the skills framework and institutional needs</td>
</tr>
<tr>
<td>Increasing the number of new recruits in junior level positions to solve the problem of the inverted pyramid of recruitment by professional grades in the civil service</td>
<td>% of vacancies at entry level and assistant level that are put up for competition as a share of the total number of positions covered by annual competitions</td>
</tr>
<tr>
<td>Ensuring merit-based recruitment</td>
<td>% of staff/applicants who perceive that the new model ensures merit-based recruitment</td>
</tr>
<tr>
<td>Improving the efficiency of the recruitment process</td>
<td>% time saved per candidate/recruit (compared to baseline as identified in this report)</td>
</tr>
<tr>
<td></td>
<td>Cost per candidate</td>
</tr>
<tr>
<td></td>
<td>The cost per preselected candidate in the national competition</td>
</tr>
<tr>
<td></td>
<td>Cost per recruited person</td>
</tr>
<tr>
<td>Improving the effectiveness of advertising methods used to promote recruitment contests</td>
<td>% increase in the number of candidates for the position</td>
</tr>
<tr>
<td>Improving the suitability of newly recruited staff to the requirements and expectations of employing institutions</td>
<td>% of staff turnover for newly recruited staff</td>
</tr>
<tr>
<td></td>
<td>% managers satisfied with the selection result after six months</td>
</tr>
<tr>
<td>Improving the skills of the members of the competition commissions for the evaluation of skills</td>
<td>% of competition committee members who have received recent (at least one year before the competition) and relevant training (aimed at skills assessment)</td>
</tr>
</tbody>
</table>

*Source: (BIRD-BM 2022)*

https://www.anfp.gov.ro/R/Doc/2022/Proiecte/SIPOCA%20136/Prezent%C4%83ri%20webinarii/3.%20BM%20prezentare%20Noul%20model%20recrutare_webinarii.pdf

We note that a pilot experiment regarding the competition for the filling of vacant positions in public positions and how to forecast the need for public positions for the implementation of this pilot project (RG 2022), for which only certain intermediate results have been made public (being ongoing at the time of writing this paper), provides a solid foundation to achieve the aforementioned goals (ANFP 2023).

This pilot project, generic, applies to entry-level professional public positions in general, for central and territorial public authorities and institutions, but also to those specific to senior civil servants.

### 4.2.1. Conditions for acquiring the quality of civil servant

Under the Administrative Code (RG 2019), "the quality of civil servant is acquired through a competition, open to any person who (according to article 465): (i) is of legal age, holds Romanian citizenship and resides in Romania; (ii) knows the Romanian language; (iii) has full exercise capacity, is fit from a medical and psychological point of view to perform a public function; (iv) meets specific education and experience requirements, as well as other specific requirements, as applicable; (v) has not been convicted of committing certain crimes" etc.
In the case of public management positions, candidates must prove that they have completed university master's studies in the field of public administration, management or in the specialty corresponding to the public position (...).

If seniority is not required for entry-level public positions, the minimum seniority requirements in the specialty of studies for the occupation of the other executive public positions (RG 2019, Article 468) are as follows: (i) assistant position - minimum one year in the specialty of the studies necessary for the exercise of the public function; (ii) main professional degree - minimum 5 years in the specialty of the same studies; (iii) higher professional degree - minimum 7 years (...).

In the case of holding public management positions, the minimum experience in the specialty of the required studies must be at least 5 years for the positions of head of office/service/general secretary of the municipality and 7 years for other positions apart from those previously mentioned.

4.2.2. Occupying public functions through a two stage competition

The process of occupying available public positions is generally carried out through a competition (schematic shown in Figure 2), according to the rules stipulated in article 467 of the Administrative Code.

Figure no. 2. Scheme of the new recruitment model

<table>
<thead>
<tr>
<th>General skills</th>
<th>CENTRALIZED MODEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. planning the recruitment process (planning human resources and recruitment plan);</td>
<td></td>
</tr>
<tr>
<td><strong>STAGE I: THE NATIONAL COMPETITION</strong></td>
<td></td>
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<tr>
<td>ii. advertising campaign;</td>
<td></td>
</tr>
<tr>
<td>iii. selection and appointment of the competition committee;</td>
<td></td>
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<tr>
<td>iv. the application process;</td>
<td></td>
</tr>
<tr>
<td>v. eligibility verification;</td>
<td></td>
</tr>
<tr>
<td>vi. preliminary testing (including aptitude tests, tests of language, IT tests, tests of general knowledge in the field of public administration);</td>
<td></td>
</tr>
<tr>
<td>are you coming. advanced assessment/testing center;</td>
<td></td>
</tr>
<tr>
<td>vii. managing the pool of pre-selected candidates.</td>
<td></td>
</tr>
<tr>
<td>All testing stages (vi and vii) include specific actions related to appeal procedures.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Specific skills</th>
<th>DECENTRALIZED</th>
</tr>
</thead>
<tbody>
<tr>
<td>ix. advertisement and invitation sent to pre-selected candidates from the group managed by ANFP;</td>
<td></td>
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<tr>
<td>x. appointment of the selection committee;</td>
<td></td>
</tr>
<tr>
<td>xi. interviews, including appeals procedures;</td>
<td></td>
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<tr>
<td>xii. appointment to office.</td>
<td></td>
</tr>
</tbody>
</table>

**Source:** (BIRD-BM 2022)  

The contest is based on the principles of competition, transparency and competence, also respecting the principle of equality for access to public offices for all citizens who meet the legal requirements. Other ways of employment include changing employment relationships or redeployment to a vacant public position, but these aspects are not addressed in the present study.

In this type of competition, the topics and bibliography will also include topics related to respect for human dignity, the protection of fundamental human rights and freedoms, as well as the prevention and combating of incitement to hatred and discrimination.

It should be noted that those who successfully pass the national competition (Figure 3) do not immediately acquire the status of civil servant, but for the next three years after the promotion of the first stage, they receive the right to present themselves in the next stage of the competition to fill positions.
This competition is organized in accordance with the ANFP plan for the recruitment of civil servants (which requires the approval of the Government) and aims to forecast the needs of human resources for the public office - within the authorities and various public institutions - for a maximum period of 3 years. It should be noted that the responsibility for approving the Procedure for organizing and conducting the contests rests with the Government.

The announcement regarding the national competition is published in the Official Gazette of Romania and on the ANFP website, at least 30 days before the scheduled date for the competition.

Competitions aimed at occupying public positions at the level of local public administration have the character of "competition for the position", assuming the evaluation of general/specific knowledge/skills. In these cases, the announcement of the competition is made through the web pages of ANFP and the employer, with at least 30 days (15 days in the case of temporary occupation of vacant executive public positions) before the date of the competition.

The competition for the position (Figure 4) is organized and carried out as follows: "a) By the competition commission and, as the case may be, by the appeals resolution commission, in accordance with the powers of these commissions, for the filling of vacant public positions intended for the category of senior civil servants;b) By the public authorities and institutions in which the public positions for which the competition is organized are established, whose leaders have the competence to appoint in the public positions for which the competition for the position is organized, for the occupation of vacant public management and execution positions" (RG 2019).
In order to conduct the competition for the occupation of a position of the type we referred to above, the composition of the competition committee and the appeals resolution committee is called (their members having the right to allowances and settlement of expenses related to travel).

It is important to emphasize that in the case of organizing job competitions, public institutions/authorities are obliged to inform ANFP at least 10 working days before the date on which the competition announcement is published.

4.2.3. Advantages regarding the new way of conducting the public function competition

Meritocracy implies transparent selection processes, characterized by impartiality, based on objective criteria (professionalism, independence, integrity, impartiality), with the aim of ensuring the choice of the most competent candidates (optimal fit for the position). Transparency is ensured by the existence of well-defined tender procedures, open communication, prompt notifications and extensive publicity.

Ensuring equal opportunities is fundamental for the new recruitment model addressed in the paper. Moreover, at the various stages of selection, specific measures are taken to ensure equal opportunities for candidates with special needs/disabilities. The evaluation of candidates is carried out by methods that guarantee an unbiased evaluation.

The recruitment model under discussion puts competences in a central position, in relation to the entire process that takes place - starting with human resources planning actions and ending with the selection of the most suitable candidates. In a synthetic form, it can be said that human resources planning aims to identify those profiles needed by employers in the public administration system, the national competition ensuring the selection of the best candidates, testing their general skills (with test batteries developed in collaboration with the academic environment; the cognitive tests are approved by the College of Psychologists), so that in the end the competition for the position identifies those candidates who will be selected according to the specific skills possessed.

Performance-oriented simplification and standardization are evident. From human resources planning, to the well-known media campaigns, the presentation of candidates, the testing/appointment of candidates, the processes are streamlined and, frequently, digitized (dedicated information platforms, automatically selected topics, online communications and notifications, online registration and testing, generated results automatic). For example, candidates submit their applications online (electronic application files, permanent access to information about the application) and take preliminary tests online.
5. Conclusions

The new model of public service recruitment, called the national competition, is the result of the collaboration of NACS, GGS with the World Bank, in close connection with an appropriate model of general skills cadres. The model provides a strategic approach, as unitary as possible, in the processes of human resources planning, recruitment and performance management in the public administration system.

Regulated by the Administrative Code, the two-stage competition formula introduced the reform regarding recruitment in public positions, based on the initial pilot project and later expanding the competition at the national level, taking into account the experience gained during the implementation of the respective pilot project. The aim is to ensure a transparent selection, based on skills and meritocracy, in accordance with the human resource needs identified at the level of the employing institutions.

ANFP manages the national competition, while the employing public institutions deal with job competitions. This approach involves optimal collaboration between institutions and/or public authorities, from human resource planning to appointment and close monitoring of the integration of new employees for one year after appointment.

The paper emphasizes that the recruitment system (competency/merit-based) provides the identified/planned human recruitment requirement for a period of 3 years, creating a pool of pre-selected candidates for this period. The efficiency of the processes outlined here and the effectiveness of the methods of promoting the competition are improved, aiming to ensure a better fit between the newly recruited staff and the requirements of the employing institutions.

On the other hand, the continuous improvement of the various skills that the members of the competition commissions must have in evaluating certain skills of candidates for public positions is highlighted.

The limits of the research. We gave our work a descriptive rather than an applicative character. The approach to practical aspects is partly limited by the fact that the analyzed model is relatively new, and the experiences accumulated within the pilot project regarding the implementation of the new model of recruitment in the public office in Romania are not fully known, the project being in progress, moving to a new stage.

Also, the research focused to a small extent on the norms and good practices found in other member states of the European Union.

Therefore, future research efforts should insist on these aspects and place the problematic of the work in a different, empirical light.

6. References


