

THE BREF ANALYSIS OF THE POSSIBILITIES OF TRAINING OF THE CIVIL SERVANTS IN FRANCE

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Abstract: Public administration means, in general conception, the term for the complex of all administrative activities that deal with governing on the central and local level and with the aim of providing of public services to the citizens, or the term for the activity of the organizational units and individuals, by which they are the administrative bodies as the direct bearers of public administration, or official persons performing the tasks of administrative nature. For providing of public administration services to the citizens in quality, it is necessary the continuous formation of the Civil Servants. Like the example analysis it is mentioned the possible training of the Civil Servants in France, from the reason, that French public administration is considered to be the branch, whose employees have the special position for example during the decision-making process.

Keywords: Civil Servants, training, France

1 Public administration in France

What is the term of public administration? They are a lot of definitions originated from various authors, so I would like to mention the concept of some Czech authors¹, in which public administration is seen as material or formal ones. The concept of material one means the complex of all administrative activities that deal with governing on the central and local level and with providing of public services. Public administration in the concept of formal one is seen as the activity of the organizational units and individuals, by which they are the administrative bodies as the direct bearers of public administration, or official persons performing the tasks of administrative nature, or the establishment in the position of the indirect subjects of public administration. Public administration in the concept of material one is also indicated as the organizational concept and public administration in the concept of formal one as the functional concept.

French public administration is considered to be most important branch, because it is proved, that people who have been working in French Civil Service have special position for example in decision-making. From this reason, it is necessary, so that the Civil Servants who work in French public administration should be trained continuously. Many work positions are thus connected with executing of public power. That's why the Civil Servants have specific legal regulation concerning their statute in public administration. They are not subordinated to the Labour Code, but their work position is regulated by special law like by the General Statute of Public Function. This General Statute of Public Function deals with the rights and obligations connected with the Civil Servants and with access to work in public administration.

2 Administrative division of France

2.1 Administrative division

French public administration can be divided into state service and self-government. French central state administration is laid on the principle of specialization. The main institutions within central state administration are the ministries. The number of the ministries is not limited and can be changed during the electoral period. In terms of more effective solving of the problems it leads to deconcentration of the decision-making powers of central bodies and some powers are thus delegated on local self-

governmental territories. The basics of public administration are contained in the French Constitution that says, that territories of the French Republic are municipalities, departements, regions, units with special statute and overseas territories.

2.2 Public function

In France, public administration is divided into three categories². They are state employees, local self-government employees and health service employees. The state employees are the subjects of the individual budget capitol that are usually the same as the ministries. Public function employees are defined³ as public employees who execute their function in accordance with General Statute of Public Administration. These employees are nominated into their function on the unlimited period. These employees have fixed job and are titularized in the hierarchical grade of public administration. And the last, such employees have to be the employees of the public institution. They have the right on the career advancement and on the increasing of their income with regard to the worked years. They have fixed employment and that's why they can enjoy on the regular advancement in the job ladder. The employees inside public administration are independent and they have to serve to the citizens. They have the right to advancement of their career in public administration and they rest on their positions that are not dependent on political power. Due to the long stay in public administration, they can achieve high qualification.

Within career system the employees started their career in initial position and they are educated only for specific position. Their remuneration is set by law. Their knowledge and skills received in the private sector are not granted, only knowledge and skills received in public administration are granted. They have automatic salary achievement according to their worked years. They also have the age limit during starting their career.

But some positions have to be also occupied within merit system. They are some positions whose occupation by people is the right of the minister. Merit system includes the fact, that the positions are occupied in accordance with the qualification and work results of the adepts without regard to their age and to their working in private or public sector. Such employees have concrete position and they can not rely on their advancement.

3 Career and training of the Civil Servants

Training of public administration employees can be provided by the universities or by public administration itself. It can be said, that the universities provide education for the employees in term of their general view who often lack experience and contacts with public administration. The forms of education that come from public administration are often oriented on the practice, but education is very specialized and employees have the problem, when they want to change their position or working branch.

3.1 Career of the employees⁴

Nowadays, Civil Servants are educated in law, but the accent is also posed on knowledge of economic, political and sociological sphere. Each of them is also connected with the task of e-government and modern approaches of the communication to the institutions of public administration, to the citizens and to other subjects. Because of the fact France being the member of the European Union, it is also necessary to train the employees in European affairs, and next in management or in foreign

² See Rouban, L.: *The French civil service*. Paris: Documentation française, 1998. ISBN 2-11-003877-2

Colin, F.: *Accéder à la fonction publique en France*. Pafiz: Galiano, 2004

³ See Aubin, E.: *Droit de la fonction publique*. Pafiz: Galiano, 2004. ISBN 2-84200-603-8

⁴ See Aubin, E.: *Droit de la fonction publique*. Pafiz: Galiano, 2004. ISBN 2-84200-603-8

¹ See for example Pomahač, R., Vidláková, O.: *Veřejná správa*. Praha: C.H. Beck, 2002. ISBN 80-7179-748-0

languages or in e-government questions. It can be said, that working for French Civil Service is very attractive and because of the simplifying access to education many young employees have higher qualification than their post requires.

Typical Civil Servant holds his position in public administration the whole life. He has a motivation for staying in public administration – he has many advantages like the certain employment or good remuneration for his work and the right to the career advancement. The advancement is possible on basis of the years of service or on the basis of abilities of the employee. The employee can receive higher financial remuneration within the same place or can receive higher financial remuneration connected with higher position and more responsibilities. The advancement according to the years of service is possible each 2-3 years, but some exceptions can exist. The advancement according to the abilities is followed by the change of the working position and assignment of higher grade. The advancement register exists and it contains the names of the relevant candidates which are ranged on basis of their abilities and skills. These adepts were evaluated before that by the independent committee. When the post are occupied by the candidates, their order in the register has to be respected. The advancement is not automatic, the adepts have to wait quite for a long time, because it is not possible to create new working position for the purpose of advancement of the employee.

Employees of public (state) administration are divided into corps – they are the groups of employees with the same status, which have the competencies to same grades. The grade means the title that enables to their holders performing the function, which is set for them. The grades are next divided into classes and job ladders. The employees with corps have the right for keeping their grade, but they have not the right for keeping their function. The right for keeping the grade results in certainty of the employment and this factor serves as the motivation element in working in public administration. When the employee starts his career in public administration, he starts in certain corps, within which he tries to develop his career. State administration corps are divided into three categories that represent the different conditions in financial remunerations and in labour recruitment. The employees of category A create the conceptions and managing functions. Some employees do not perform these functions because, although they have required qualification (at least the bachelor study), they have not the work with equivalent job description. The employees of category B do the implementing function and they have to have at least the leaving exam. The employees of category C do least hard works or functions and they have to have the finished compulsory school attendance. The employees of category C mean more than 50 % from all employees in public (state) administration.

In public administration, the employees without corps also exist. They are persons on short-term attachment, contract workers and auxiliary force. These people can be signed on the specific work and then can be sacked much easily. Their content of working can be changed and their financial remuneration can be adapted due to their actual working position.

Training of public administration employees can be provided by the universities or by public administration itself. It can be said, that the universities provide education for the employees in term of their general view who often lack experience and contacts with public administration. The forms of education that come from public administration are often oriented on the practice, but education is very specialized and employees have the problem, when they want to change their position or working branch.

3.2 Training by the universities⁵

⁵ See Institut internationale d'administration publique.: *La formation dans la fonction publique: enjeux et perspectives: actes du premier forum de la fonction publique*. Bratislava: Network of Institutes and Schools of Public Administration in Central and Eastern Europe, 1998. ISBN 80-967616-6-8

The universities usually serve in initial training of future public administration employees. They usually choose the study of law or study of economic and social administration and after it they specialize on administrative law. They can also study Institute of the political studies that belongs to the universities, exception of the Parisian institute, which has its own statute. The duration of the study is about 4-5 years and it serves as good preparation for the application into the functions of public administration or into admission application at National School of Administration⁶. National School of Administration offers for example cycles in initial formation and cycles in continuing formation. Initial formation was in year 2009 about 38 %. The formation for the preparation to the administrative concours was about 19 %.

3.3 Training by the non-university subjects⁷

French public administration wants to train its employees by its own powers. People who are in very high managing position or are expected they will have such position, are trained at National School of Administration. Other managers can achieve relevant education at Regional Institute of Administration. These institutes are subjects to the individual ministries, it depends on the branch of study. In the sphere of the social security, it is possible to choose National School of Social Security. The employees of local self-government are educated by special institutes⁸. They are National centres of territorial public function that provide relevant education for them. People who want to achieve their career in European affairs or within European policy or within European government can study at Centre of European Studies of Strasbourg.

The institutions operating in public administration or local self-government hold for their employees special training courses or they can also finance to them the courses that are not the main specialization within the employees' job. In the same case, when the situation allows it to the employees, the employees can study within their working hours. Nowadays, employees of public administration have the individual right to be trained. It means they have set number of days, in which they can be trained during calendar year. The employees can also apply for financing of other course that can help them in their working. Some employees can be sent on short-term studying attachment to other institution of public administration. The employees are trained the most often in development of specific technical competencies and next in information technologies.

4 Final evaluation

Performing the function in public administration means to acquire high level of knowledge, abilities and skills. For this reason, it is necessary to train continuously all employees in public administration, both in different schools or other institutions. The great potentiality in education can be seen in development of other modern forms of education – like education through information and communication technologies through development of e-government and new forms of communication, i.e. e-learning or m-learning. E-learning or m-learning mean the training of people in any time, in any place, with the suitable place of studying. Such training can be in most cases very effective, because the employee can have the possibility to try, if he understands the study text through the associated tests. The “students” can also receive some certificate on passing their e-learning or m-learning studies to be able to prove their qualification and abilities.

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⁶ See Internet pages L' École National d'Administration [online]. See <<http://www.ena.fr/>>. [From 12 april 2011]

⁷ See Institut internationale d'administration publique.: *La formation dans la fonction publique: enjeux et perspectives: actes du premier forum de la fonction publique*. Bratislava: Network of Institutes and Schools of Public Administration in Central and Eastern Europe, 1998. ISBN 80-967616-6-8

⁸ See Internet pages of Centre National de la Fonction Publique Territoriale [online]. <<http://www.cnfpt.fr/>>. [From 19 april 2011]

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