

DECENTRALIZATION OF ITS QUALITY ASSURANCE REQUIREMENTS

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Abstract

This article aims to offer a synthetic presentation of the principles of local public administration autonomy and decentralization at national level as well as the perspective of increasing the quality of local administration through the implementation of quality management activities of local authorities.

The article aims to illustrate the full compatibility between decentralization, local autonomy, and quality management, the meeting point of which is the individual and his rights.

To achieve this target, I proposed to address the following issues:

- Concept and current development of the principles of decentralization and local autonomy;

- Highlighting the main advantages and disadvantages of decentralization administrative area;

- Concept and the scientific content of total quality management and the lines of action in improving the quality of public administration activities.

The present article has the basis the sources and papers from experts in the field of administrative law, Community and studies by sociologists on public administration, legislation and quality management, having as starting point the European Charter of Local Self-Government.

We appreciate the importance of the article is determined by its objectives. The conclusions and recommendations are developed interdisciplinary; both of them are oriented on the increase of the citizen's satisfaction towards local government acts.

In the new European context, because there is increasing talk of a unique structure not only European but also at global level, what we call a qualitative administration is required, without ignoring social values, political, economic and cultural needs of each nation.

Keywords:

Local government, decentralization, quality management

Introduction

Local societies are being more and more highlighted, each citizen occupying a central role in the evolution of the modern state. Therefore, the decentralization process is a fundamental principle of the functioning of local societies and involves solving local interests by the representative authorities of the territorial administrative units. This principle is enshrined in international documents, the European Charter of Local Self extensively discussing the application of this principle by the signatory states of the Charter.

Our paper's actuality emerges from the influence of the decentralization principle on the quality of local public administration in the context of European integration properties values that directly supports democratically principles and the rule of law, as well as the importance of quality management to overcome the disadvantages of decentralization.

Local public administration

By local public administration we refer to all state organizations that are called upon to satisfy the interests that are not general, but concern primarily the local societies, and are characterized by the fact that holders entrusted with the administration of these interests have no power from the central authority, but from the local electoral body, by election. These holders are subordinated to the central authority, represented by the Government, exercising its right of coordination and unity of the state by means of guardianship and control.

The characteristics of local public administration

The analysis of the legal dispositions regarding the local public administration, highlights the following key features:

1. The local public administration is no longer a state administration, but an autonomous administrative structure that allows local communities to solve local public affairs through their own administrative authorities, under the guidance of the central authorities¹;
2. The functioning of the local public administration is based on the decentralization principle, local functional autonomy and the distribution on a wider space of public services, are an expression of administrative decentralization regime applied to the Romanian government;
3. Local public administration includes within its autonomous administrative authorities: villages, towns, mayors, county councils (also chairman of the county council) and public services organized under the authority of the local public administration;
4. Relations between the local public administration organized in villages and cities and the county level administration are based on the principles of autonomy, legality and cooperation in solving common problems; there is no subordination between the two public administrations;
5. The relations between local public administration and the specialized central government, we include here the decentralized public services, are the specific relations of collaboration, cooperation and collaboration, which is a co-management regime;
6. Local public administration solves the public problems of the county, through elected administrative authorities, or by local referendum. In other words, their power does not come from the state powers, but on the contrary –their strength is drawn from the will of local voters whom they represent and on whose behalf they act;
7. Local government is a concept that designates a body of civil servants who provide public services (which can be considered in terms of SR EN ISO 9000) for national and local collectivities.

The Constitution, in Title III Public authorities at Cap. V Public Administration, Section 2 of the local government or administrative, art. 120, establishes only three constitutional principles underlying the organization and functioning of public administration in Romania, namely:

- Local autonomy;
- Decentralization;
- Distribution on a wider space of public services.

Legal provisions on local government include six basic principles²:

- The principle of decentralization;
- The principle of local autonomy;
- Principle of public services;
- The principle of eligibility local authorities;
- The principle of legality;
- The principle of consultation of citizens in solving local problems of interest.

¹ Constitution, *Official Gazette No. 758*, 23 October 2003

² Law 215/2001 *on local government published in the Official Gazette no. 204*, in April 2001, as amended by Law no. 286/2006.

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Decentralization

Decentralization regime of public administration is specific to the state of law and involves solving local problems by the authorities chosen by local societies (not appointed by the central authorities), not hierarchically subordinate to the central authorities, operating autonomously, under the law, and their acts (even illegal acts) can be canceled only by authorities from a different sphere of state powers, respectively – the courts of law.

In the Romanian constitutional system, the decentralization process regards on the organizational and institutional plan elected local authorities such as: local councils, mayors and county councils, including public institutions that are subordinated to the elected local public administration. Functionally speaking, the powers and duties of the authorities mentioned above are conferred by law.

Decentralization of public services consists in the recognition of a certain autonomy and granting legal personality for a certain type of institutions or public services organized in administrative units. Many specialists analyze and focus simultaneously and decentralization of public services principle and the principle of local autonomy, considering them in many ways, inseparable.

In the Romanian doctrine, largely influenced by the French, it was felt that government represents all public services and that public services are the means by which government operates.

Considerations on decentralization

The main advantages of decentralization are:

1. One of the advantages is that decentralization is a fragmentation and dispersal of political power. It must be said that governments remain the most powerful institutions in the society. The establishments of the governments not only include rules that coordinate the economic system, but governments, and not only them, have the authority, ability and power to legitimate dispose of wealth, freedom, and even the life of the individual. In this conditions it's very important to establish and maintain a balance. Decentralization is the best way, maybe the only way to achieve such a balance. This balance in the state power separation can be achieved by:

- Decentralization of the decision-making capacity even within the state.

As Montesquieu and Madison have shown, it is essential that a "branch" or "actor" (a person) is not entitled to exercise the power alone. In most cases this has resulted in the establishment of independent judicial and legislative bodies

- Setting up multiple levels of government, each with a degree of independence and autonomy in relation to the other.

The objective is to avoid an excessive concentration of power and authority and to promote the creation of competing elites.

2. A second advantage of decentralization is that it serves the creation of additional civic space. Generating more centers of power, inevitably creates more space in which civil society organizations (interest groups, employers, trade unions, media, etc.) can develop and find the means of subsistence. Such centers of power, especially when you have a certain autonomy, can contribute to the consolidation government accountability to society.

3. The third advantage of decentralized governance is that it creates opportunities for the emergence of opposition political parties groups and especially resources for opposition political parties. Decentralization provides opposition political parties the opportunity to mobilize themselves, to concentrate their efforts and earn experience from the exercise of local responsibilities.

4. The fourth advantage of the decentralization is that it creates many opportunities skills development and democratic practices. Many observers, beginning with Rousseau suggested that Local Government is not only a springboard to higher positions, and experience in the field of negotiation and compromise - necessary elements of democratic governance.

5. The fifth advantage of the decentralization is that it provides more options for the citizens in search of a certain service. If the solution obtained at one level is not satisfactory, citizens can implement strategies which are meant to cause a positive reaction in relation to a third party.

6. The sixth advantage of the decentralization is the adaptation to the diversity of popular expectations. In several countries, regions have income needs and accommodate many different ethnic groups, regional and tribal. Decentralization allows the combating of a certain uniformity with the possibility to make local adjustments. In this way the needs and interests of the people will be followed and respected.

7. The seventh advantage of the decentralization is that it creates a stronger sense of political efficacy among citizens. Generally people tend to react positively to a government closer to them and tangible, even if the policies pursued by the government are not the most favorable for individuals.

8. Decentralization offers more economical initiative at local level. The conditions of a successful local economic development are: a high degree of local autonomy, extensive powers given to the local authorities (fiscal and legislative).

The limits of decentralization relate to:

- a. One of the targets is the fiscal field. The dangers are higher when the local actors don't have the responsibility to collect their own revenues, but on the contrary, depend on the income we are transferred to a higher level. This situation contributes to fiscal irresponsibility.
- b. Another potential danger of decentralization is that local institutions can be captured by local elites very well placed and organized. Madison pleaded in favor of a larger and more uniform district organization, considering that they are less susceptible to be captured and controlled by local elites.
- c. Another problem is that local institutions, even when run by well intentioned individuals who take a stand, they are likely to have a narrow perspective compared to the the government in terms of public policies. Therefore, the efforts to achieve political interest may be, deliberately or not, countered by the action of the local authorities. This occurs in a particularly fashion, when the public policy issue is not clearly acting in the interests of the local level.
- d. Another real difficulty which is becoming increasingly evident in many countries, as they adjust their policies for decentralization, is that such a strategy can serve as a front to allow the central government to avoid responsibility regarding essential services. Thus, increasingly, more and more national governments, under the pressure of the financial regime, tend to transfer powers to the local authorities without providing them with the necessary resources to sustain their new status.

The public administration and the quality management

The importance of quality management in the local public administration stem from the following considerations³:

1. for the administrative authorities achieving and maintaining the desired quality of people, under efficiency conditions, is a social necessity; to achieve this goal one is conditioned by the proper usage of the human resources and the available material and financial resources.
2. people want to have faith in the ability of the administration to provide the required quality and maintain the quality of public services; the administration must be able to demonstrate that it has implemented an effective quality system.
3. the administration must take more under account the requirements of electors - aimed to protect the life and health of the individual and the environment.

³ LAZAR, I., *Quality Management*, Agora University Press, Oradea, 2011.

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Given the succession of the stages that correspond to the management process in general and the specific activities to achieve quality, it is considered that the quality management functions are planning, organizing, coordinating, training, control, quality assurance and the improvement of quality. Taking into account the concept of "quality trilogy" defined by Juran, we can see, as follows, the three main functions of quality management:

- the planning;
- the control;
- improve quality.

Planning processes are aimed primarily to the development of products and processes that comply to the citizen`s requirements. Quality control ensures a small range of variation as to its prescribed level. The corresponding processes of improving the quality should ensure the elimination of inconsistencies due to "chronic" quality problems.

The basic principles applicable to MQT services offered by public administration are:

Principle 1. It all starts with a commitment by the management and all is perpetuated because of this commitment.

The general direction has launched and continued the movement due to:

- the enunciation of a quality policy at administrative level
- the existence of a quality Committee, responsible with implementing quality management strategies and monitoring it through specific barometers
- Investment of resources by naming a director of quality and quality coordinators at the level of the operational and functional units. These resources serve to catalyze the actions of these essential functions and the proposed strategies and of action plan of the direction mentioned above. This investment is added to the existing investment of maintaining the quality of services provided;
- the decision groups from the administrative level will take into account the specific quality improvement projects.

General Management:

- Promoting actions to improve quality management;
- provides the education for its own personnel and recognize its merits;
- Key decision makers from the administrative level invest their own time in order to have a quality administration.

Principle 2. Adhesion to promote the quality of the staff of an administrative structure on all functions and at all levels.

This adhesion is part of quality education, either by tracing individual objectives, either by participating in working groups (groups for quality improvement, quality clusters).

Principle 3. In order for a rational action to improve quality to exist, the next conditions are needed:

- The definition of quality in quantitative terms, by expressing the needs that result from the administration - citizen relation;
- Measuring quality through data acquisition, in terms of a "non-compliance " level of the products delivered or services rendered, by reference to the residents needs;
- Searching and analyzing the causes of non-compliance, the use of traditional means and methods (brainstorming, consensus, Pareto diagram, cause and effect diagrams, etc.).
- Eliminating the causes of non-compliance, through preventive action plans; in this problem supervision is needed to prevent the recurrence of the same effects due to the same causes.

Conclusions

It's very important for the manager (mayor, councils president) and the organization he leads to plan the activities regarding the setting, documenting and implementing of a quality system. Activities within the organization are dynamic activities and contracts should run, while the staff affects a large part of its efforts to implement SQ. Before engaging in this effort, the manager must be prepared and develop a plan of activities in order to establish the documentation and implementation of SQ. This plan can serve as a basic document to control and track the performance of daily activities. The plan can be improved as new or planned activities diversify their object of work.

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