

# **SUBSIDIARITY QUALITY ASSURANCE REQUIREMENTS FOR LOCAL ADMINISTRATION**

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## **Executive Summary**

*This article aims at a summary of the principles of subsidiarity in national and European level, as well as the perspective of increasing quality by implementing quality management activities in local activities.*

*Article aims to illustrate the full compatibility of subsidiarity, local autonomy, and quality management, the meeting point of which is the individual and his rights.*

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

- Concept and current development of the principles of subsidiarity and local autonomy;*
- Highlighting the main features of subsidiarity;*
- Concept and scientific content of total quality management (MQT) and lines of action in improving the quality of public administration activities.*

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

*I appreciate the importance of the article is determined by the objectives of the conclusions and recommendations that aim for interdisciplinary developed to increase citizen satisfaction Local Government acts.*

*The practical value of the article is to highlight the specific situation and practical public administration, so the focus is directed on the citizen and his rights.*

*The new European context, because more often speaks of a unique structure not only European but also global, qualitative administration is necessary, without being ignored social values, political, economic and cultural needs of each individual*

## **Structure of the paper**

Structure, volume and content of the paper were designed according to the subject and objectives. The work consists of introduction, two parts, conclusions + recommendations, and bibliography.

**Keywords:** *Subsidiarity, local public administration, quality management*

## **Introduction**

Local authorities are increasingly brought to light and the citizen occupies a central role in the evolution of the modern state. So local autonomy is a fundamental principle of operation of local and involves solving local interests by the representative authorities of territorial administrative units. This principle is enshrined in international instruments and the European Charter of Local Self discusses the application of the principle signatory states of the Charter.

News theme of influence is clear from the principle of autonomy of local government work in the context of European integration and properties values, values that support direct democracy and the rule of law,

Subsidiarity is a principle of operation of the European Union which supports local autonomy, allowing decisions to be taken by the authorities is as close to citizens and the central government acting only when their intervention is needed.

This principle expresses a community vision on society, they are in the spotlight individual. From the organizational point of view this principle requires that each power level must not have any powers other than those on which it is able to perform.

For this reason it was necessary to study correlated the principles of subsidiarity and local autonomy.

If the principle of local autonomy is approached by most specialists that of subsidiarity is studied tangentially.

## **Part 1 - Subsidiarity**

Basics subsidiarity principle otherwise in the current view, were laid by Pope Pius XI (1931) and subsequently clarified by Pope John Paul II (1991). In general, it means non-action by the state and the citizen needs help when. A general definition would be: "A community-level should not interfere in the lower level community life, depriving it of its functions, but must intervene when it needs help to be able to correlate activities them with the other components of the society to which they belong, seen, always, as a common good".

We can therefore say that the concept of subsidiarity and originated in the social doctrine of the Church, which has in view the relations between social groups and states the principle that large communities should not intervene in the communities than in issues can be better addressed the upper echelon, ie "center" does no more than a subsidiary manner in relation to local base. In this sense it is said that:

"The European Union must not lead to the creation of a super-centralized state. Therefore, in accordance with the principle of subsidiarity, the Union will not be awarded only tasks that Member States will be able to perform effectively. "

The above definition is what is called "initial subsidiarity". After the Treaty of Maastricht, the principle stated in this document formula being taken in the following form:

"The Community shall act within the powers and objectives conferred on it by the Treaty. In areas which do not fall within its exclusive competence, the Community shall take action - the principle of subsidiarity - only in so far as the objectives of the proposed action can not be sufficiently achieved by the Member States, as they are - the scale and effects which give birth - better achieved by action at Community level".

### **1.1. Subsidiarity in Romania**

The idea of subsidiarity is fundamentally different from other political concepts: be inspired by a religion and not the ideologies of modernity.

Subsidiarity underlying political project of the European Union. There went so far as to require the introduction of the principle of subsidiarity in the laws of European states. In Romania the regulation of this principle is confusing situation.

Perhaps it is premature to introduce subsidiarity principle legal and / or constitutional. However, it is however necessary that subsidiarity to be more present in the discourse and political action.

Subsidiarity can have a decisive role in the public - private partnerships and apply only between equal partners. The relations between the state and local authorities should be strengthened at the expense subordination coordination dimension.

Subsidiarity can bring out more clearly the role of local communities and applied economic, cultural and educational (among others, university autonomy).

Applying the principle of subsidiarity in relations between the state and disadvantaged social groups means posting welfare-state vision, discourages dependence of assisted and populist manipulation from the government.

State aid is more effective the closer is only for people / social segments that are in difficulty, time is delineated and has a level so high as to be considered an alternative to abusive own work.

## **1.2. Subsidiarity in the EU**

Subsidiarity - the principle of the European Union, trying to solve the fears of failure by member states of the prerogatives of sovereignty. It can be said that subsidiarity is used in two ways:

- a. the argument that supports the expansion of Community powers rather than a national;
- b. as an argument against extending the powers and their location at national or regional or local communities.

Maybe abused by using these arguments and counter-arguments, the European Union aims to capture all the prerogatives of sovereignty - would be politically impossible. The decision belongs ultimately all member states.

Subsidiarity is seen in two views: politics, to approximating national decision. When it refers to the realization of interests and must fall under the authority closer to the citizen.

If it does not have the necessary competence and ability to act, belongs to other authorities and legal intervention, which is governed by a series of treaties, protocols, especially at Maastricht.

Subsidiarity competition occurs only in the European Union. Where are the duties of the Union, the principle finds its applicability. Ability to intervene is allowed only if member states are unable to solve national problems in an effective way. Regulate the exercise of powers principle and not distribution. Its application must not alter the balance of these powers, must act in the application of Community rules.

The Treaty of Maastricht the foundations of the European Union establishing some guidelines as follows:

- European Communities, to enable the EU institutions to develop common policies in various areas such as the single market, single currency, health, environment, etc; foreign policy, in other words, the actions taken by member states may be common in this area;
- cooperation in criminal justice, to finalize the modalities of cooperation between police and justice. However, the Treaty directly regulate subsidiarity, but do indirect reference, its use being made simultaneously with proportionality, which limits Community action only in areas covered by Community competence.

Amsterdam Treaty and the Protocol annexed thereto contain provisions on foreign policy and common security, protection of fundamental rights of citizens. Through these intervention Increases consumer protection, environmental sustainability, etc. In terms of subsidiarity, resumes and completes the Treaty of Maastricht. It wants broadening the possibility of taking decisions as close to the citizen. Union action is limited, but gives the possibility to act when it comes to an exclusive area of interest thereof. Community legislative proposals must motivations, including those relating to the compliance of the principles of subsidiarity and proportionality. If these conditions are not met, there is a risk to be canceled legislative proposals by the Court. It must be demonstrated that the Union's intervention is more useful, but it should be pointed to where it goes with this intervention.

Treaty of Nice refers to rules ensuring efficient work of the EU institutions, establishing these institutions and their functioning, the decision procedure of the Council of Ministers and the European institutions cooperation.

Treaty not resume the concept of subsidiarity, but according to other provisions, it develops and establishes local autonomy, establishing a correlation between the two principles.

Treaty of Nice is a necessary precondition for the enlargement process any country wishing to join the European structures, as it contains provisions on the balance of power and decision-making in the European Union.

The relationship between state and local autonomous, the principle is covered, even if the term is not used subsidiarity of the European Charter of Local Self-Government, by recognizing local government, within the law, the full capacity to exercise initiative in all areas Why not assigned to any other authority. The exercise of public responsibility should be shared to other authorities that are closer central and the conferral by another authority must take into account the extent and nature of the task and the conditions of efficiency and economy. Subsidiarity combat excessive state intervention, but this does not mean stripping the state of its powers. At this point the state authorities are materialized through deconcentration of public services. Thus, a number of tasks are delegated to the local community.

This is to avoid excessive centralization, to organize an efficient administration, and a democratic administration. Efficiency resulting from the management how to act decentralized public services. Decentralized public services leader is appointed by the minister with the advisory opinion of the prefect. Prefect, the representative in the territory, conducts general public services at county level. Leaders decentralized public services are vested with powers to manage and make decisions for the smooth and efficient conduct of business service. Organization approved by the Ministry, as well as budget - an approach characteristic of centralization, the above are specific to decentralization.

In relation state-local territorial collectivities, the principle of subsidiarity has a democratic dimension, meaning more developed (not just the multitude of opinions, but also the possibility of action) plus the efficiency, ie applying the principle of local autonomy and within the state administration, reasons related solely to administrative work efficiency. Subsidiarity favors local, and state that empower local importance.

Local autonomy materializes in a real and dynamic subsidiarity in the decisions that are taken as close to the citizen, that the authorities levers chosen by citizens through direct democracy: elections (political intervention by elected membership of a political party, rarely are independently selected) and public consultation in matters of local interest.

## **Part 2 - Local administration and quality management**

The importance of quality management in local government results from the following considerations:

1. For administrative shortcomings, to achieve and maintain the desired quality of people, in terms of efficiency, is a social necessity; achieving this goal is conditioned by planned and efficient use of human, material and financial resources that are available;

2. People want to trust the government's ability to provide the required quality and maintain the quality of service;

3. The administration must be able to demonstrate that it has implemented an effective quality system;

4. The government should take more account of the requirements voters intended to protect the life and health of the individual and the environment.

Given the proper sequence of steps managerial process in general and specific activities to achieve quality, it is considered that quality management functions are planning, organization, coordination, training, testing, quality assurance and improvement. Considering the concept of "quality trilogy" Juran defined follows three main functions of quality management:

- Planning;
- Control;
- Improving quality.

Planning processes aimed primarily at developing products and processes to comply with the requirements of citizens.

Quality control ensures a small range of variation as to the level prescribed it.

Processes to improve the quality of the function must ensure the elimination of inconsistencies due to problems "chronic" quality.

MQT Basic Principles applicable to services rendered by government.

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

General Directorate launched and continued movement because:

- A quality policy enunciation in administration;
- A Quality Committee decides qualitative strategy and ensure they follow;
- Investment of resources by appointing a director of quality and gearing through quality coordinators at the operational and functional units. Resources essentially serving catalyze actions related to the functions and the proposed strategies and action plans directorate. This investment is added to the existing investment in the quality of services offered;
- Consideration by decision makers in the administration of particular projects to improve quality.

Management generally:

- Promote actions to improve quality;
- Provides educate their staff and recognize its merits;
- Makers of Directors invest their own time for quality.

**Principle 2.** Adherence to promote the quality of the staff of the Administrative Structure on all functions and at all levels.

This adhesion is part of quality education, either by tracking individual targets, or by participating in working groups (groups for quality improvement, quality circles, etc.).

3. The principle of rational action there is a quality improvement are needed:

- The definition of quality in quantitative terms, by expressing needs resulting from administration-citizen relationship;
- Measuring quality through data acquisition in terms of level of "non-compliance" products delivered or services rendered, by reference to the needs of residents;
- Searching and analyzing the causes of non-compliance, by using classical methods and means (brainstorming, consensus, Pareto chart, cause-effect, etc.);
- Eliminate the causes of non-compliance, action plans, preventive, involving supervision to prevent recurrence of the same effects due to the same causes.



## **Conclusions and recommendations**

It is very important that the manager (mayor, council president) plan setting activities, documentation and implementation of a quality system in the organization he leads.

The activities of the organization are dynamic, activities and contracts must take place while the staff affecting much of the work on implementing SQ. It follows that before you engage in this effort, the manager must have to prepare a plan of activities to be undertaken in order to establish, documentation and implementation SQ. This plan can serve as a basic document control and tracking performance of activities. It can be improved as they appear new or planned activities diversify.

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