



# HUMAN RESOURCES MANAGEMENT IN THE SPANISH PUBLIC SECTOR

# Human resources management in the spanish public sector

- **Civil Servants' collective rights**
- **Training of public employees in the different administrations**
- **Employment management in public service**

# **Civil Servants' collective rights**

# Civil Servants' collective rights

- ⦿ **Recognition of public servants' collective rights:**
  - Concession of collective rights to public servants, originating in the 1978 Constitution, constitutes a historic milestone and a radical change in the traditional model of Public Service employment relations, introducing the Public Administrations into a logic of dialogue and representation of the interests of public servants, until then unacknowledged.
  - Organic Act No. 11/1985 of 2 August, the *Union Rights Act*, legislates jointly and in unified form on the right of public servants and contracted employees to unionise. This means that the provisions in that Act on trade union freedom, the legal system of unions, union representation and action and the protection of union freedom apply directly to the Public Service.

- **The regime of collective rights is part of the basic statutory framework for public servants:**
- An important number of articles in the Consolidated Text of the Law regulating the Basic Public Service Personnel Statute (2015) deals with collective bargaining and the involvement and representation of Public Service personnel.
- There is a significant number of negotiable matters:
  - Remuneration
  - Public Service vacancies
  - Internal promotion
  - Training
  - Access, provision and job classification
  - Trade union and participation rights
  - Job-assessment
  - Working schedule, workdays, holidays and leaves
  - Strategic human resource planning
  - Social action
  - Etc

# **Training of public employees in the different administrations**

# Training of public employees in the different administrations

- Training is a fundamental tool of the Public Administrations for the management of Public Service employment.
- It is an essential requisite in the selection process (e.g. For many of the recruitment procedures a training course or a period of practical work after the tests phase is required in order to become a career public servant).
- It is a basic element in the allocation of posts (e.g. Internal and external training of Public Service personnel, directly related with the functions inherent to the post, may be taken into account as merit in the allocation of posts).
- It is a basic element of the professional career (e.g. Professional promotion of Public Service personnel is in large measure linked to training).
- It is an effective tool for the on-going professional recycling of public service personnel (adaptation to change, on-going learning)

# On-going learning programmes

- Since 1995 there is a system of On-going Training Programmes, based on an agreement between the Public Administrations and the Trade Unions representing public employees.
- The Trade Unions play a significant role in designing and managing the Public Administrations' On-going Training system.
- Training is implemented through Training Plans presented by the bodies promoting it: the General State Administration, Autonomous Communities, Local Bodies and the Trade Union Organisations signatories to the On-going Training Agreement.



- All Public Administrations have bodies specialised in the training of their employees.
- In the State Administration this is done by the National Institute of Public Administrations (**INAP**), although there are other specialised bodies entrusted with the training of certain groups of public servants (such as diplomats, judges, military corps, police, etc).
- INAP collaborates and co-operates with other General State Administration training centres and those of other Public Administrations with similar remits.



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**INAP**

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- There are also bodies in the Autonomous Communities similar to the National Institute of Public Administrations engaged in training their employees (e.g. In the case of region of Andalusia, the Andalusian Institute of Public Administration).



- Likewise the large local corporations have similar bodies for training their specialised corps (municipal police, fire-fighters).



# **Employment management in the public service**

# Employment management in the public service

- Management of Public Service employment is designed to be implemented in a general context in which all Public Administrations collaborate and coordinate.

- Management of Public Service employment is substantially decentralised:

Each Public Administration (State, regions and local entities) is responsible for dealing with its own employment. They must decide which bodies are to deal with this matter and which management tools they shall implement, taking account in all cases of those classified as basic.

- Despite their organisational independence, the distribution of powers and management responsibilities of Public Service employment is quite similar in both the **State Administration and the Autonomous Communities**:

- Both Administrations assign to their respective governments' powers to run and coordinate their Public Service employment policy
- Both Administrations have technical bodies for consultation, advice and documentation in the field of Public Service employment
- Both Administration have consultative bodies, in which the trade unions participate.

- In **Local Administrations**, powers to manage Public Service employment are distributed between two bodies:

- The Plenary Session of the Local Council or Provincial Council, which take up the most important authorities.
- The Mayor of the Local Council or the President of the Provincial Council, who take up those not assigned to the Plenum.

- ◉ In the Spanish model, regulation, planning and management of Public Service employment are shared among all Public Administrations.
- ◉ In order to ensure consistency it is necessary a framework of mutual collaboration, particularly between the State and the Autonomous Communities.
- ◉ Under the Basic Public Service Personnel Statute, the Public Administrations must act according to the principles of co-operation and collaboration, always respecting other Administrations' legitimate use of their powers.
- ◉ There are specific bodies or channels to implement collaboration and the coordination of the Public Administrations' actions in this field.

# Inter-administrative bodies coordinating on Public Service Employment

## ○ **Public Administration Sector Conference:**

- Composed by Representatives from the State, Autonomous Communities and Cities, and Local Administration.
- Its mission is the cooperation in the field of public administration between administrations

## ○ **Public Employment Coordination Commission:**

- Composed by Heads of General State Administration's HR policy management bodies, of the Autonomous Communities and Cities, and representatives of the Local Administration.
- It is a technical body whose mission is to ensure coordination of personnel policy between administrations (e.g. study and analyse draft basic legislation, preparation of studies on public employment).

## ○ **National Local Administration Commission:**

- Composed by State and Local Administrations representatives.
- Its mission is the coordination of local administration policy.

# Management tools

- All Public Administrations use similar management tools for Public Service employment:

- **Personnel Registers**

They provide the Public Administrations with the information they need on their employees

- **Budget Payrolls**

They link payrolls to budget allocations

- **Post Schedules**

They match the jobs in a given administrative structure with the personnel that structure has or needs.

- **Public Service Vacancies**

Staff requirements for which there are budget allocations must be announced in a Public Service Employment Offer or some similar management tool to cover these needs.

- **Human Resource Planning**

Its goal is to forecast trends in specific areas of public service and to take the measures needed to ensure optimal use of the human resources.



# Performance evaluation in the public service

- ⦿ Public administrations shall establish systems which make it possible to evaluate the performance of their employees.
- ⦿ The performance evaluation is a procedure by means of which professional behaviour and performance or the achievement of results are measured and assessed.
- ⦿ Performance evaluation systems shall in all cases meet the criteria of transparency, objectivity, impartiality and non-discrimination and shall be applied without detriment to the rights of public employees.
- ⦿ Public administrations shall determine the effects of the evaluation on horizontal professional careers, training, filling positions and receipt of the supplementary pay.

- It is not possible to have one single Performance Evaluation System (PES), since there are different Administrations.
- It is necessary that the PES determines who is going to be evaluated and who is going to evaluate, what is going to be evaluated, how the process will be, what effects will produce in the professional career, etc.
- Each administration can develop their PES, within the limits of the State legislation.

Thank you