

# *Performance of Authorities in Administrative Procedures: Lessons from Statistical Data*

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The performance of public administration, especially of general administrative units, is at the heart of every reform. Administrative units conduct administrative procedures as their core activity, thus safeguarding public interest and ensuring individual parties' rights. The purpose of this article is to determine the performance of 58 administrative units in Slovenia by using statistical data for the period 2004–2015. Temporal sets of data were analysed in detail and presented in the form of graphs. This was followed by a calculation of the coefficients (e.g. the number of unre-

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solved cases per official) and a correlation statistical analysis. The results reveal mixed trends over time; however, the validity of the current measurement system is called into question. Hence the authors call for a redefinition of the role of statistics and statistical indicators in order to enhance the principles of good governance.

*Keywords:* performance, administrative procedures, statistical indicators, good governance, Slovenia

## 1. Introduction

Over the past few decades, there have been many efforts to promote efficient governance and thus efficient public spending (Johnes, 2006; Kotnik, Klun & Škulj, 2014). Measuring the performance of administrative bodies is one of the main elements of good public governance. In fact, in today's society, a democratic and rationally functioning administrative system is the basis of sustainable development at all governance levels (see Bevir, 2011; Kovač & Bileišis, 2017). It seems, however, that the performance of public administration as a whole or of its constituent parts is, particularly in Eastern Europe, often only a cliché that neither those in charge nor any other external professionals are able to conceive in specific terms and therefore describe it only superficially or in terms of principle. Hence there is no comprehensive approach to assessing the performance of public administration which would also include empirically verifiable elements. Likewise, there are few measures to assess and monitor the performance of administrative units (AUs) and even fewer measures to improve the functioning of public administration. The aim of this article is thus to elicit activities that would provide for future monitoring and improvement of AUs and the entire administration, based on comparable and relatively objective indicators.

The purpose of the analysis of Slovenian AUs presented herein is to establish, by means of selected indicators of administrative statistics, how AUs perform in relation to the parties involved in administrative procedures in terms of the legal framework of formal or artificial statistical goals of “productivity”, such as legally set deadlines. In Slovenia, administrative statistics are based on the General Administrative Procedure Act (Official Gazette of RS, No. 80/99 and amendments; APA) and the Rules on the Keeping of Records of Administrative Procedure (Official Gazette of RS, No. 18/03

and 7/06; Rules). This legislative framework is only one of the many aspects of broader performance, efficiency, and effectiveness, which also include political legitimacy, optimality of regulations, and issues of organisation and resource management, to name but a few (Pirnat, 1993, pp. 141; more Kovač & Virant, 2011). Despite the complexity of the issue, the data monitored for some years now offer an insight into specific systemic aspects on which to build strategic and operational improvements.

The research problem thus relates to the analysis of the system of administrative statistics in the light of the principles of good governance. Our two hypotheses are:

*H1: Statistically speaking, individual AUs present different levels of performance.*

*H2: The performance of AUs grows over time.*

The performance of AUs is measured by indicators of administrative statistics, such as the number of administrative cases resolved and the share of backlogs (unresolved cases). The perception of AU performance quality is also measured, i.e. by the share of complaints lodged with second instance bodies. All data are based on annual reports drawn up by AUs and the Ministry of Public Administration (MPA) in the period 2004–2015. The study of AUs focuses on the analysis of all AUs together, with particular emphasis on the following sectors: internal affairs (Ministry of the Interior (MoI)); labour, family, and social affairs (Ministry of Labour (MoL)); and agriculture, forestry, and food (Ministry of Agriculture (MoA)). These three have far more cases to deal with than other sectors, but have also been very stable over time as opposed to, for instance, the environment (Ministry of the Environment (MoEnv)), and therefore offer better comparability of results. The analysis includes standard AU-related indicators. Both hypotheses are further verified by a literature review in order to understand performance and a normative analysis as a statistical research framework, as well as the axiological-deontological method to evaluate the situation and suggest improvements.

## 2. Performance and Performance Measurement in Public Administration – Literature Review

Performance is one of the main elements of good public governance, complementing other fundamental principles such as democratic authori-

ty, legality, transparency, participation, and the like.<sup>1</sup> However, the actual content of the principle of performance is unclear and subject to different interpretations. Therefore, the article commences by providing a definition of performance in administrative procedure as a typical process in public administration. It must be stressed that performance is often associated with *efficiency* or *effectiveness*, with most sources repeatedly using these two terms inconsistently or even interchangeably, e.g. in administrative and legal sciences.<sup>2</sup> In the case of AUs, performance refers to the implementation of sector-specific public policies through regulations that define competences and goals in sector-specific procedures.

The concept of administrative organisational performance in public sector organisations is widely recognised to have several dimensions (see Walker, Boyne & Brewer, 2010). It is open to a variety of interpretations and could be seen as politically contestable (Andrews, Boyne & Walker, 2011). In our case, administrative performance is understood as acting in accordance with the laws of public administration (Upadhaya et al., 2014). It comprises the implementation of public policies, and the law in particular, within the sphere of public administration. It refers to rationality in the sense of compliance of the legal and administrative system with societal reality. In the event of deviations, a regulatory feedback loop shall provide grounds to change the law accordingly (Pavčnik, 2007, p. 408; Hofmann, Schneider & Ziller, 2014, pp. 14, 33). According to Pirnat (1993), the category of performance stands for achieving goals at lowest possible cost, while rationality is conditional on known facts as well as on values, alternatives, and consequences relative to the social situation. Considering different sources (Pavčnik, 2007, p. 405; Rusch, 2014; Bevir, 2011, p. 402), only an efficient and proportional administrative supervision provides for legal certainty and other elements of the rule of law. Therefore, the state must provide not only for the adoption but also for the consistent implementation and, not least, for the improvement of regulations and their adaptation to social reality.

<sup>1</sup> More on good governance and related principles in Bevir., 2011; Raadschelders, 2011; Kovač & Virant, 2011; Jerovšek & Kovač, 2017. On the balance between these principles, also for Slovenian AUs considered in this article and in administrative procedures, see Kovač et al., 2016.

<sup>2</sup> See Pirnat, 1993; Raadschelders, 2011; Bevir, 2011. See also the draft 2016 EU regulation on administrative procedure that starts out by referring to *efficient* administration in the title. On the regulation of administrative procedure in the EU and comparably see Kovač, 2015; Jerovšek & Kovač, 2017. The two terms are used interchangeably in e.g. Hofmann, Schneider & Ziller, 2014, pp. 11, 45; Galetta, Hofmann, Puiggelat & Ziller, 2015, pp. 11, 16, 20. *Efficiency* is more often used in relation to public administration, while *effectiveness* is used in relation to legal remedies, although the two terms fit into the same conceptual category.

In public administration, and particularly in administrative procedures, performance should be defined more specifically. The main objective of administrative procedures is a balanced protection of public interest and the legal interests and/or rights of the parties. This indeed affects the understanding of performance, as certain elements cannot be applied in relation to authoritative tasks but are, on the contrary, very useful when it comes to the delivery of public services (e.g. user satisfaction surveys).<sup>3</sup> Therefore, performance is generally – and more specifically for individual sectors and sector-specific regulations – monitored by indicators that are defined or interpreted with due consideration of the conflict present in the administrative relationship. In addition, it should be understood that administrative procedures represent instrumental public governance; i.e. the implementation level of institutional decision-making on policies and legal solutions (Jerovšek & Kovač, 2017, pp. 2–13). Performance will thus necessarily be interpreted at least slightly differently, depending on whether it refers to regulation or of the implementation of regulations which are more or less determined (Rose-Ackerman & Lindseth, 2010, p. 342). Even typical quantifiable indicators, such as duration of procedure, must be understood in the context of the purpose of the procedure and the circumstances of the case. Finally, the importance of procedural equity is also demonstrated by other studies, suggesting that people obey the law as long as they trust basic procedural guarantees and institutions as the bearers thereof, even if this is to their own detriment (Rose-Ackerman & Lindseth, 2010, p. 350; Rusch, 2014). Considering this, performance should be understood in a broader sense, yet at the same time more specifically in administrative terms; i.e. in terms of AUs operating in line with their competences and mission.

We assume that the indicators of administrative statistics will answer the question about the performance of administrative decision-making. According to certain analyses conducted in the case of Slovenia (Gajić, 2014;<sup>4</sup> Kovač et al., 2016), administrative statistics have shown a noticeable improvement, for instance, in the reduction of backlogs and decrease of the share of complaints to second instance bodies, as opposed to other indicators. The results

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<sup>3</sup> More on local AUs in Kovač, 2014/15; it is necessary to distinguish between (1) authority as an institution and (2) authority as an organisation, which has more opportunities to, e.g., rationalise the use of resources. More in Schuppert in Bevir, 2011, for details see Kovač, 2015, and Aristovnik & Kovač, 2017.

<sup>4</sup> Taken from Gajić, 2014, indicators for selected AUs in the period 2006–2011. Some of the indicators cover the objective aspect (also “hard” law, i.e. complaints and backlogs), while the others cover the subjective aspect (also “soft” law, e.g. user satisfaction).

further show considerable differences between the AUs themselves. Yet despite these limitations, in the understanding of performance (of administrative procedures), this aspect is seldom considered in more detail in official documents and regulations, or even analyses and studies outside the realm of public administration. The importance of administrative statistics for the entire administrative process and the accompanying implementation challenges have also been determined by the Slovenian Public Administration Development Strategy by 2020 (PADS) (MPA, 2015).<sup>5</sup> It is, however, unclear whether and how the system is to be improved, even in terms of AUs, which are practically the only entities comprehensively reporting on their work. It can thus be concluded that no systemic use has been made of the analyses of the measures taken to optimise the regulations in the regulatory feedback loop or to ensure better organisation.

### 3. Research Methodology on the Performance of Slovenian Administrative Units

Administrative units (AUs) constitute one of the most significant bodies in Slovenia regarding performance in relation to parties in procedures. They are organised as autonomous first-instance state administration authorities, operating at the territorial level and answering substantially to sectoral ministries whose legislation they implement (e.g. the Ministry of the Interior regarding internal affairs or the Ministry of Environment regarding the issuing of building permits). However, in terms of general

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<sup>5</sup> Jerovšek & Kovač, 201, pp. 269, 337ff. Taken from MPA, 2015, pp. 95–97: “The established method does not provide a comprehensive, reliable and accurate image of the situation in various administrative fields and in various bodies. Except for rare authorities of the same type (e.g. administrative units), various informational and other more or less pragmatic solutions are used for resolving administrative matters. This impacts the reliability, availability, completeness and quality of data, and consequently the basic application for monitoring the operation of the administrative system at the organisational and normative levels, and their adjustment to modified situations.” *The text continues:* “The collected data should enable the heads of authorities, supervisory institutions and the Government to regularly monitor the situation with the possibility to act in appropriate time, and thus switch from the mere monitoring of the effectiveness of the operation and delayed responses to the strategic and proactive management of the administration. With the independence of authorities constitutionally and legally guaranteed, constant monitoring of data on administrative matters can be ensured by using uniform common rules and applied solution, which is used by all bodies and holders of public authorisation. This will significantly improve the reliability, availability, completeness and quality of data ...”

governance AUs are subject to the Ministry of Public Administration, which coordinates their general work and performance.

In order to provide an accurate answer to the initially formed hypotheses about the performance of 58 AUs as the fundamental public administration bodies in relation to the parties in administrative procedures by means of selected indicators of administrative statistics, a combination of qualitative and quantitative methods of social research was used (Campbell & Holland, 2005; Brannen, 1992; Lobe, 2006).

Quantitative statistical data processing was used to study, analyse, and comprehensively present the temporal development of administrative concepts. Within this framework temporal sets of administrative data were analysed in detail and presented in the form of graphs, followed by a calculation of the coefficients (e.g. the number of unresolved cases per official) and a correlation statistical analysis. This last, along with the Pearson's correlation coefficient, serves to establish the existence of a linear correlation between two temporal instances (Pearson, 1895; Galton, 1886; Stigler, 1989, e.g. the number of officials and the number of unresolved cases per official). The power of correlation of pairs of variables is determined on the basis of recognised criteria (Evans, 1996).<sup>6</sup> This enabled the authors to analyse the correlation between two temporal sets of data and identify the relations between them.

The data on the AUs were analysed in Microsoft Excel 2013. Based on the statistical findings, the situation was evaluated and a proposal for improvement conceptualised, using a qualitative axiological-deontological method. Such a comprehensive approach and the integration of qualitative and quantitative methodology provided for greater reliability and validity of the results and findings. In the framework described above, the principles of good governance and good administration must, in fact, be integrated into a whole, so that no conflicts occur between the two and the potential question of priority between legality and economy becomes an artificial dilemma. In order to achieve the desired performance, the administration must also monitor the qualitative and quantitative results of the work of individual bodies and bodies as a whole, or place the quantitative results within the context of the objectives of the administrative function. Therefore, only those indicators were selected that are consid-

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<sup>6</sup> The connection is deemed very weak or non-existent if the value of the coefficient is less than 0.19, weak if the value is between 0.20 and 0.39, moderate if between 0.40 and 0.59, strong if between 0.60 and 0.79, and very strong if between 0.80 and 1.

ered to show the correlation between several administrative principles, in particular legality and economy.

In this context, AUs were chosen because they are typical first instance bodies with relatively standardised work procedures and organisation. Moreover, their number and common legal framework render comparison quite simple, despite the differences between individual sectors (internal affairs, environment and spatial planning, economy, agriculture, and others). Last but not least, AUs are among the best organised (as can be seen, for instance, in their regular reporting under the Rules on the Keeping of Records of Administrative Procedure) and most advanced administrative structures, aiming at good governance and service-mindedness, as well as at an awareness of the importance of protecting the public benefit (Kovač et al., 2016). AUs have been operating more or less in the same manner ever since they were established on 1 January 1995. They are extremely professional – i.e. apolitical – bodies. Around 850,000 administrative procedures are conducted annually by AUs, mostly at the request of the parties, which represents an important segment of the total statistics, with about 10 million decisions per year in Slovenia.

The analysis involved 58 AUs that were compared in the sectors of internal affairs (MoI); family and social affairs (MoL); and agriculture, forestry, and food (MoA). These three sectors have far more cases to deal with than other sectors, but have also remained very stable over time as opposed to, for instance, the environment (Ministry of the Environment (MoEnv)), and therefore offer better comparability of results. The study of the performance of AUs included the following (composite) indicators or pairs of indicators of administrative statistics: (1) the total number of cases, (2) the number of resolved and (3) unresolved cases, i.e. backlogs, (4) the number of officials and (5) the population, (6) the number of rejected cases, and (7) the number of complaints referred to a second instance body. The analysis and comparison included the established categorisation of AUs into four groups (according to MPA, 2018): (a) the AU of Ljubljana, with the highest number of inhabitants (359,648 as of 1 January 2016); (b) nine large AUs (with over 50,000 inhabitants); (c) 28 medium-sized AUs (with 18,000 to 50,000 inhabitants); and (d) 20 small AUs (with up to 18,000 inhabitants).

## 4. Research Results

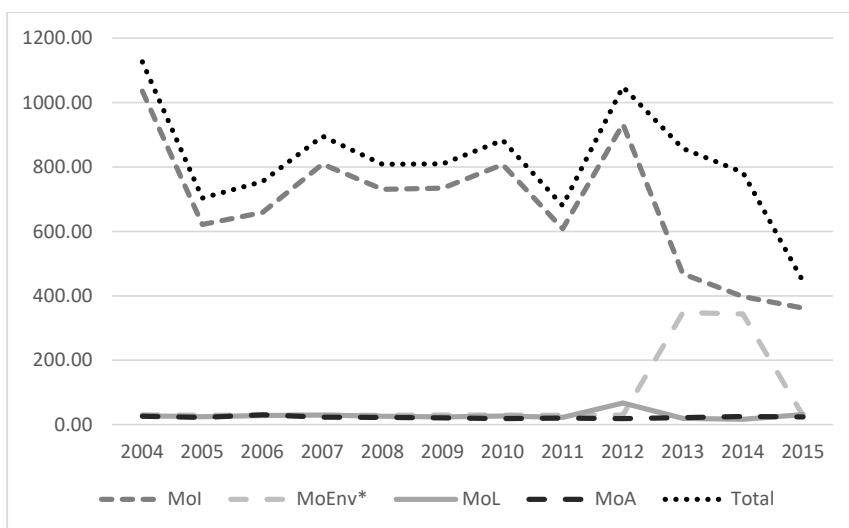
The results of the empirical analysis show that the total number of cases dealt with by AU officials in the period under consideration (2004–2015)



remained approximately the same annually (except in 2015; Graph 1). The AU environment is therefore deemed stable.

The results further show that in the period 2004–2012 the MoI sector accounted for 85.8–90.8% of all cases considered by AUs. In 2013 and 2014, the MoI share in the total number of cases declined gradually, reaching 79% in 2015. Compared to other fields (e.g. the issuing of building permits), the majority of MoI cases constitute relatively simple issues, at least with regard to procedures such as the issuing of personal documents or traffic-related acts, while a somewhat greater complexity is observed in the aliens, public events, or weapons sub-sectors. Both of these two characteristics – numerousness and relative simplicity – must be taken into account in order to understand the results in the sector and as a whole. Other sectors, with the exception of the environment which was subsumed for two years (2013 and 2014) within the infrastructure and spatial planning sector (Ministry of Infrastructure and Spatial Planning (MoIP)), never exceeded 9%.

Graph 1. Total no. of cases, sectoral & total, in the period 2004–2015 (in 1,000)



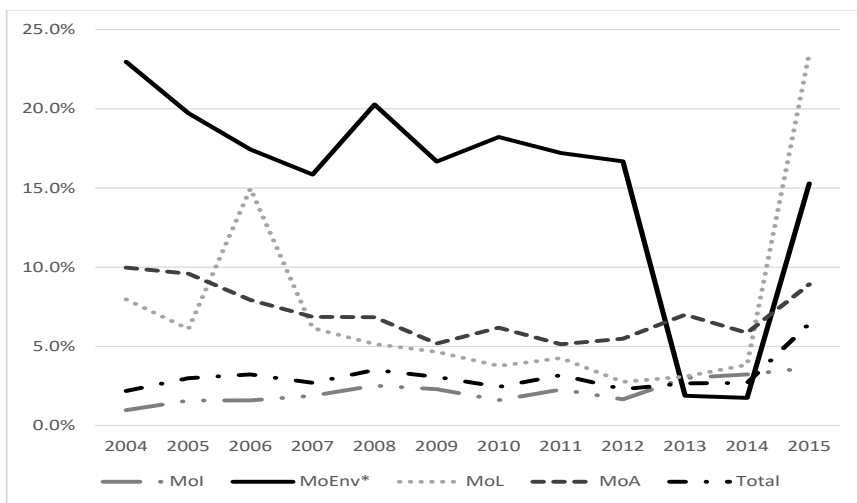
Note: In 2013 and 2014, MoEnv cases were subsumed under infrastructure and spatial planning (MoIP)

Source: MPA, 2018; authors' own research

As can be seen in Graph 2, the overall share of unresolved cases (and, similarly, the ratios between resolved and unresolved cases) remained rel-

atively low, i.e. between 2.2% and 6.4%. The share of unresolved cases in other sectors, with the exception of the MoL in 2006, also remained relatively low and stable. This result further confirms that the AU working environment is relatively stable.<sup>7</sup> In the light of this, it should be noted that the values of the indicators presented herein, i.e. the shares of unresolved cases, are expressed only in quantitative terms, without taking into account the complexity of the type of procedure. In the light of verifying H1, which states that there are significant differences between individual AUs, and taking into account the limitations of the survey, it can be concluded that the share of unresolved issues and thus the performance of individual sectors varies (e.g. in 2004–2012 and 2015, the MoEnv displayed markedly higher values than other sectors).

Graph 2. Share of unresolved cases, sectoral & total, in the period 2004–2015



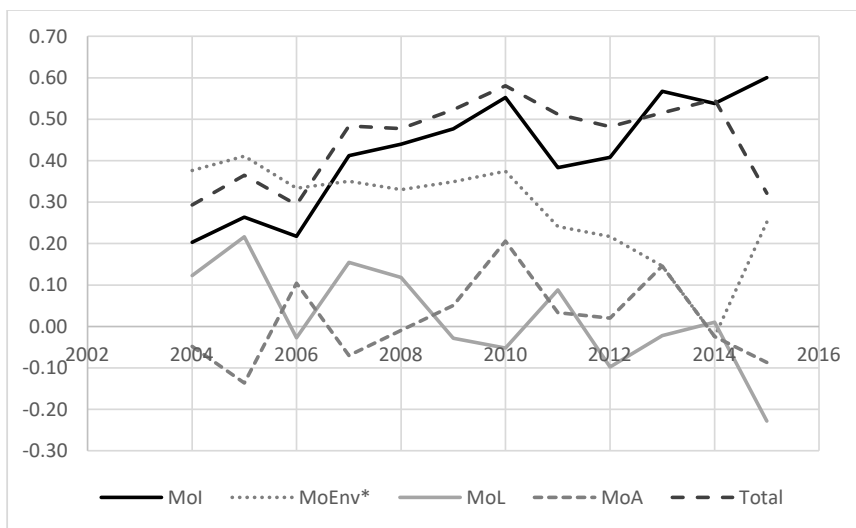
Note: In 2013 and 2014, MoEnv cases were subsumed under infrastructure and spatial planning (MoIP)

Source: MPA, 2018; authors' own research

<sup>7</sup> Among the sectors, the MoEnv stands out with a share of unresolved cases ranging from 15.3% to 23.0%, with the exception of figures for 2013 and 2014 (1.7% and 1.9%) when the MoEnv was under the competence of the MoIP. The MoEnv typically deals with relatively complex issues (e.g. the issuing of building and operating permits, procedures for the expropriation of real estate); therefore, a higher share of unresolved cases is to be expected, as is a downward trend therein because certain long-term procedures (e.g. denationalisation) are being concluded. However, this was not taken into consideration because it only accounts for a negligible share.

Furthermore, the correlation between the variables *number of officials* and *number of unresolved cases per official* was analysed (Graph 3). Here, all AUs showed a statistically significant correlation –  $\text{dsf } r(56) > 0.29, p < 0.05$  – over the entire 2004–2015 period. This means that the more employees there are, the more unresolved cases arise per individual official. This result can be attributed to a more highly specialised and consequently more efficient conduct per employee in smaller units (see also Graph 3 and its explanation further on). A more detailed analysis by sector reveals a weak (0.2–0.4) or moderately positive statistically significant correlation (0.40–0.70) –  $r(56) > 0.26, p < 0.05$  – in the MoI in the period 2005–2015. There is also a weak or moderately positive statistically significant correlation –  $r(56) > 0.33, p < 0.05$  – in the MoEnv in the period 2004–2010. Here the regression coefficient  $\beta$ , which expresses the inclination of the trend line, is the highest in the MoI sector (+0.03), with a total average positive trend of 0.01. In the MoL and MoA sectors, no statistically significant correlations were detected.

Graph 3. Correlation between no. of officials and unresolved cases per sector in the period 2004–2015



Note: In 2013 and 2014, MoEnv cases were subsumed under infrastructure and spatial planning (MoIP)

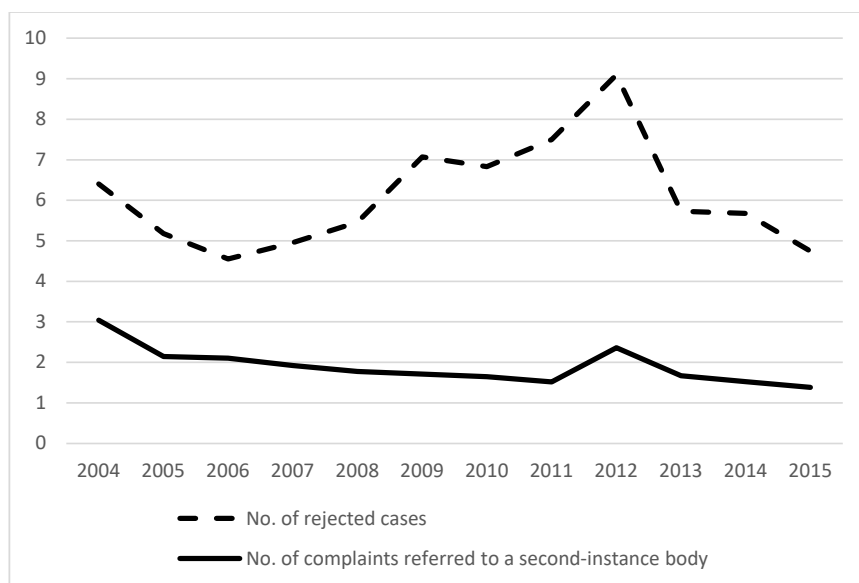
Source: MPA, 2018; authors' own research

In order to determine whether a larger number of unresolved cases per AU official depends on AU size (similarly as in Srakar et al., 2017), test

data for 2014 and 2015 were classified according to AU size into 20 small AUs, 28 medium-sized AUs, and 10 large AUs. The analysis of the correlation between the variables *number of unresolved cases per official* and *number of inhabitants* (expressed in 1,000) in all AUs in 2015 shows a positive statistically significant correlation, i.e.  $0.36$ ,  $r(56) = 0.35$ ,  $p < 0.01$ . Along with an increase in population, there is an increase in the number of cases received by the AU and the number of unresolved cases per official.

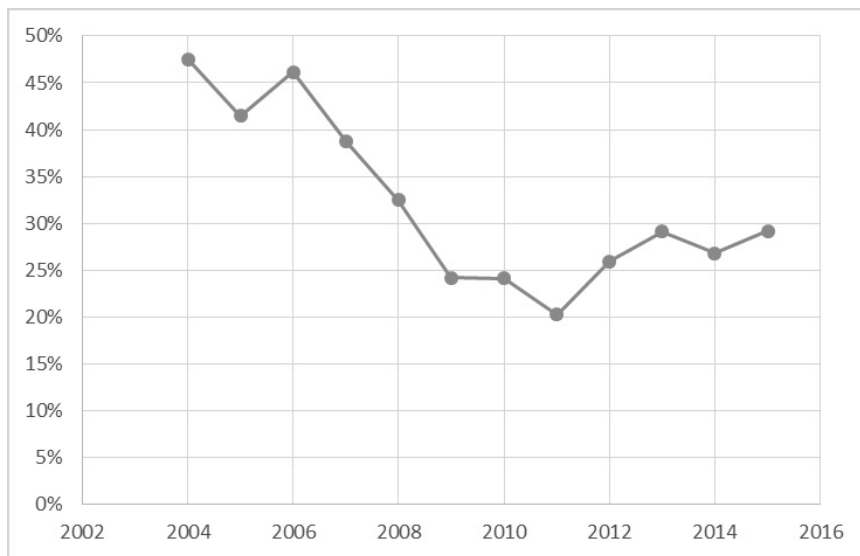
A more detailed analysis reveals that there is a statistically significant positive correlation only between large AUs, i.e.  $0.61$ ,  $r(56) = 0.63$ ,  $p < 0.05$ , while no correlation is detected between medium-sized and small AUs, which are both below the  $0.20$  threshold. A cumulative empirical analysis shows that AU size represents an important factor in AU performance. H2, stating that AU performance increases over time, was tested using three selected administrative indicators. Graph 4 shows the number of rejected cases and the number of complaints in all the sectors taken together. The number of complaints is constant throughout the analysed period 2004–2015, while the number of rejected cases varies slightly (peaking in 2012). Graph 5 shows the share of complaints per number of rejected applications.

Graph 4. *No. of rejected cases and complains in all sectors, expressed in 1,000*



Source: author based on MPA, 2018; authors' own research

Graph 5. Share of complaints per no. of rejected cases in all sectors



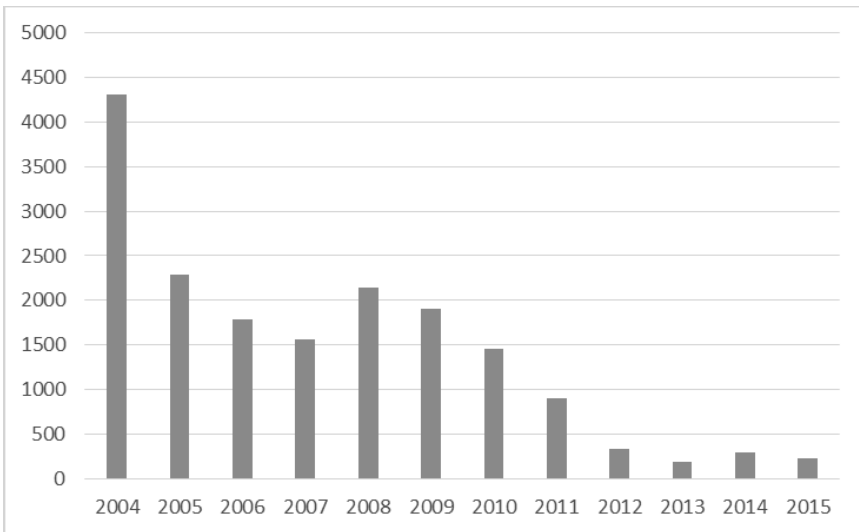
Source: author based on MPA, 2018; authors' own research

During the period under consideration, the parties complained about rejected requests referred to second instance bodies in 32.16% of the cases on average. In 2004, the share of complaints reached a peak of 47.51%. After 2006, the share of complaints began to fall steadily and reached its lowest value of 20.23% in 2011. In the following years (with the exception of 2014), the share of complaints increased, reaching 29.15% in 2015 (Graph 5). The results show that according to the indicators of administrative statistics, AUs became increasingly efficient in the period under consideration, insofar as performance is understood in terms of legality and other quality indicators as a higher share of AU decisions or rejected complaints. However, appeals do not necessarily reflect the illegality of contested acts but illustrate the parties' perception thereof. When cross-referencing the number of appeals with their rate of success, one can clearly see a very low share of appeals lodged but an even lower share of appeals granted. This confirms the second hypothesis.

Additionally, in order to understand performance in terms of time, the duration of the procedures at the AU was examined. The analysis of backlogs at all AUs (Graph 6) shows that, on average, there was a decline in the number of backlogs in the period 2004–2015, much like in the share of successful complaints. Compared to over 1,000 backlogs in the period

2004–2010, in the last four years the number of backlogs has levelled off at around 250 annually. This finding confirms H2 on the increasing performance of the AU over the 12 years under consideration.

Graph 6. *No. of backlogs per AU in all sectors*



Source: author based on MPA, 2018; authors' own research

The above results show clearly that the analysis of administrative indicators, such as the number of backlogs, extent and outcome of complaint resolution, or the duration of procedures – despite the inability to fully quantify the research – demonstrates a correlation between legality and the performance of work of the AU (see similarly Kovač et al., 2016).

## 5. Discussion

The analysis of the results relating to temporal administrative statistics data types shows clearly that there are differences between both sectors and individual AUs, depending on their size. These findings are consistent with the results of other analyses (e.g. Gajić, 2014), suggesting that there are greater differences between AUs than between single years. It must be stressed that administrative records often contain only indicators on the number of issued acts, without considering the overall effects of

the purpose of conducting procedures. Nevertheless, the results of our research which show a decrease in the number of complaints to ministries in the period 2004–2015 are also consistent with studies conducted outside Slovenia (e.g. Rusch, 2014). These show that people are likely to accept the decisions of administrative bodies insofar as they trust basic procedural guarantees, the functioning of the institutions, and the rule of law in general. In this respect, the results of our research also confirm the findings of other analyses presenting mixed trends. Thus in recent years the indicators of administrative statistics in Slovenian AUs have improved considerably, e.g. as regards the decreasing share of complaints and backlogs, while other indicators demonstrate deterioration, e.g. the greater the number of full-time employees, the more unresolved cases there are per employee.

The results of the empirical analysis further show that there are statistically significant differences between the AU sectors themselves. For example in the MoI sector, the indicators mentioned above deteriorate on average more rapidly than in all the sectors taken together. As the main challenge of the survey, we would thus like to stress the finding that a greater number of employed officials means more unresolved cases per official. Even though the total number of cases does not increase or decrease in volume over time, the workload should be distributed among available employees; hence the overall efficiency of the AUs should remain the same regarding the system as a whole.

However, some caution is indeed necessary when interpreting the results, considering the purely quantitative comparison of indicators, the absence of classification of administrative indicators by complexity of procedure, and other limitations of the research. In order to verify the results, a detailed analysis should be carried out of the complexity of the various categories of the cases at the AUs as they appear in real terms and not by formal categorisation – at least, for instance, over the last two years. Hence, H1 on statistically significant differences between individual AUs can be confirmed with some reservations.

The reasons for this lie, *inter alia*, in an inconsistent definition of indicators, which does not take into account the complexity of administrative procedures, including measuring the rates of achievement of sector-specific objectives and efficiency in terms of the complexity of the procedure. This is also why the measurement system needs to be supplemented. Namely, one cannot compare or apply the same performance indicators in the case of authoritative decision-making and the provision of public services. In addition, the nature of the work needs to be at least similar in

order to be comparable, which is often not the case even within the AUs in question.

Based on the results of this empirical analysis, we find that public administration and good public governance in the Slovenian administrative space are developing gradually, which is also a characteristic of the region (Kovač & Bileišis, 2017, p. 479ff). Development indeed requires stability, as is seen in the case of the AUs. Moreover, good administration is reflected in the reduction of the share of complaints and backlogs. In this respect it is not surprising that formal legality and equality of parties are among the highest accomplishments of good governance (similarly Kovač et al., 2016). These are the prescribed norms, but in practice they have not yet been fully implemented.

Likewise, our analysis shows that at a declaratory level the existing indicators of administrative statistics are properly prescribed, yet no systematic implementation can be traced in practice. Data are collected without the (occasional) redefinition of indicators. Moreover, no corrective measures are adopted. It is worth pointing out that the Public Administration Development Strategy 2015–2020 (PADS) is clearly deficient when it comes to addressing the performance of measuring administrative organisations by means of administrative statistics. PADS states that administrative statistics will be reformed to monitor the performance of public administration because the established method does not provide a comprehensive, reliable, and accurate image of the situation in various administrative fields and in various bodies (MPA, 2015, p. 95). It can also be said that the entire system of administrative statistics lacks a complete PDCA (plan, do, check, and act) cycle. In other words, data are merely collected and no measures are taken thereupon. This is partly due to the problems inherent to Eastern Europe as a whole. The first of these problems is the situation following the change of the system; for instance, Slovenia ended up with 58 AUs with specific organisation, territory, and resources (Pirnat in Kovač & Virant, 2011). This is followed by other issues, including austerity measures and the overall relative rigor of public administration management. Another problem is the conceptually questionable categorisation of cases carried out by the AU, i.e. (1) into administrative procedures and “other administrative tasks” and (2) by level of complexity (summaries and more or less demanding special fact-finding procedures). Such classifications are merely formal(istic), because it is only by looking at individual cases that one can identify their legal nature and actual complexity (see examples in Kovač, 2015). The main shortcoming of PADS is, however, the absence of defined methods or mechanisms for reforming and verifying the per-



formance of the implementation of PADS by means of administrative statistics. Due to an incomplete list of relevant comparable and relatively objective administrative indicators, as well as the absence of relevant target values that would permit verification and consistent comparison of data on and in administrative procedures, across a number of areas and levels, at an annual level, an integrated and consistent evaluation of administrative performance is rather limited. The analysis can thus provide only partial understanding of the principles of good governance.

The task of the state is not only to adopt, but de facto implement, the regulations and improve the administrative system. Public policy planning should, amongst other things, be based on performance measurements that are derived from administrative statistics. In this view, administrative statistics enable predictability and evidence based policies. This could, for example, constitute an empirical foundation for the decentralisation or rationalisation of administrative tasks. In this regard, the current system of 58 AUs is questionable and some efforts have already been made to integrate the existing territorial structures of the state administration (e.g. the attempt to set up administrative districts in 2014).<sup>8</sup> This project ran a comprehensive analysis of administrative statistics related to the AU, together with the criteria for weighting individual indicators which introduce the understanding of the importance of cases into sometimes formalistic statistical elements. This move and the successful performance of the evaluation prove that the indicators currently included in the Rules on the Keeping of Records of Administrative Procedure are not optimal (neither for the AU nor for other bodies, because it is too often that only the number of issued acts is taken into account, without considering the overall effects of the purpose of certain procedures (Kovač, 2015, p. 281). Thus, for example, a larger number of participants in individual (groups of) procedures at a greater distance could be taken into account as the basis for deconcentration. In other words, due to specialisation, the complexity of the procedure requires the transfer of decision-making to the centre, which also leads to rationalisation.

Finally, we call for a redefinition of the indicators of administrative statistics, both at the national level and with reference to good practices in

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<sup>8</sup> More in internal MPA documents (e.g. groups in charge of drawing up a list of tasks and administrative services, whose delivery will be specialised and centralised at the seats of the envisaged districts or will remain at the seats of the AUs, Partial Report of December 2013). See also explanations of the draft amendments to the State Administration Act ZDU-1 (MPA, 2018). More in Kovač, 2014/15; Pirnat & Trpin in Kovač & Virant, 2011.

comparable countries in the region. The current manner of measuring the performance of AUs can be misleading if the overall concept is lacking.<sup>9</sup> The concept is represented by the key starting points of the administrative procedure as the basic form of operation of the AU and several hundred other administrative bodies. In this regard, the indicators should measure the degree to which goals have been achieved and the performance of approaches that enable the goals to be achieved (Nemec, 2001; Jerovšek & Kovač, 2017, p. 2ff). This should be guided by the understanding that administrative procedure accounts for a considerable share of the instrumental level of public governance, which, through the regulatory feedback loop, also gives public policy makers a basis for institutional public governance. Administrative procedure is a constitutionally supported guarantee against the abuse of authority in relation to individual natural or legal persons, as well as a tool for ensuring the protection of the public benefit and for weighting between the rights and interests of the parties and the public interest. Last but not least, administrative procedure is a basic business process within public administration and is thus both the object of and the tool for its modernisation and rationalisation. These represent the framework within which the results of the empirical research presented in this paper should be understood. Without proper interpretation, access to data – which individual countries as well as the EU strive towards through a cohesive development of national public administrations – can do more harm than good.

## 6. Conclusion

Performance is an important principle for the functioning of modern public administration, which is why it certainly deserves greater attention, both in practice and systematically. If administrative statistics – as a tool for measuring performance – are managed selectively, there will be a counterproductive effect on the development of good administration. This should serve as an incentive for further study of the topic, consid-

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<sup>9</sup> For example, the administrative statistics indicator of the share of complaints is useless if not accompanied by data on the outcome of resolving the complaints, i.e. their (non-)justification (Gajić, 2014, p. 24ff). If the number of complaints is low, as in the case of the AU, case studies should be carried out because an individual case, an individual type of procedure, or the modification of an individual regulation in a given year is sufficient to skew statistics.

ering that a relatively basic comparison of selected statistical indicators already shows quite a few differences in the operation of an otherwise homogeneous object of research. In accordance with the initial hypotheses, the case of Slovenian AUs shows that monitoring indicators such as the duration of procedures or the extent and outcome of complaint resolution is important for making substantive conclusions and adopting systemic measures. This is true despite the fact that sometimes the activity under consideration cannot be fully objectified or quantified. The results of the survey should therefore be a call, primarily to competent public administration coordinators at the national and regional level, to improve the system of administrative statistics. Administrative performance should refer to politically legitimate, professional and lawful, and transparent and responsive action, which focuses on areas that are essential for the public interest. Establishing a system of appropriate administrative indicators that satisfy both authoritative and service elements in public administration is a demanding yet urgent task for emerging democratic (Eastern European) administrative authorities.

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## PERFORMANCE OF AUTHORITIES IN ADMINISTRATIVE PROCEDURES: LESSONS FROM STATISTICAL DATA

### *Summary*

*This article deals with performance of administrative units as one of the key goals of contemporary public administration reform. Administrative units conduct administrative procedures as their core activity, thus ensuring the protection of the public interest and of individual parties' rights. The purpose of this article is to determine the efficiency of administrative units in terms of resources and sectoral areas by using selected indicators from administrative statistics, such as the number of applications submitted and decisions issued, the timeframe of decision-making, the share and success of complaints filed, and the like. The administrative statistics used in this article incorporate 58 general administrative units in Slovenia in the period 2004–2015 and provide a case study that may also be relevant for the Eastern European region. Several social research methods are used: a literature review and a normative analysis as a framework for statistical research, as well as the axiological-deontological method to evaluate the situation and suggest improvements. The analysis of time series and correlations of selected indicators from administrative statistics reveal mixed trends over time, including a negative correlation between the number of officials and efficiency. In general, the question is whether the system currently in use to measure efficiency generates the most reliable outcomes. Therefore, the authors call for a redefinition of monitoring and of the indicators of administrative statistics in the European Union in order to enhance good public governance principles, particularly in developing democracies.*

*Keywords: performance, administrative procedures, statistical indicators, good governance, Slovenia.*

## UČINKOVITOST UPRAVNIH TIJELA U UPRAVNOM POSTUPKU: POUKE IZ STATISTIČKIH PODATAKA

### Sažetak

Rad se bavi rezultatima upravnih jedinica kao jednim od ključnih ciljeva suvremenih reformi javne uprave. Središnja je zadaća upravnih jedinica provoditi upravne postupke, čime se štiti javni interes i prava individualnih stranaka. U radu se nastoji utvrditi učinkovitost upravnih jedinica s obzirom na raspoloživa sredstva i sektore u kojima one djeluju. Koriste se odabrani pokazatelji iz područja upravne statistike kao što su broj predanih podnesaka i izdanih rješenja, trajanje odlučivanja, udio i uspješnost žalbi, i slično. Statistički se pokazatelji u ovome radu odnose na 58 slovenskih upravnih jedinica u razdoblju 2004 – 2015, te bi ova studija slučaja mogla također biti relevantna za istočno europsku regiju. Koristi se nekoliko metoda svojstvenih društvenim istraživanjima, uključujući pregled literature, normativnu analizu kao provedbeni okvir statističkim istraživanjima, te aksiološko-deontološku metodu kojom se vrši procjena situacije i predlažu mogućnosti poboljšanja. Iz analize vremenskih nizova i korelacije odabranih indikatora primjećuje se da su trendovi tijekom dužeg razdoblja nestalni, te da postoji negativna korelacija između broja službenika i njihove učinkovitosti. Općenito se postavlja pitanje nudi li sustav kojim se trenutno mjeri učinkovitost najpouzdanije moguće rezultate. Autori stoga pozivaju na izradu nove definicije praćenja izvršenja i pokazatelja uspješnosti u području upravne statistike u Europskoj uniji, s ciljem osnaživanja načela dobrog upravljanja (good governance), posebice u državama gdje je demokracija u razvoju. Ključne riječi: rezultati, upravni postupci, statistički pokazatelji, good governance, Slovenija