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### **Criteria For Assessment of Decentralization in Provision of Public Administrative Services in Vietnam Today**

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In the context of the country's socio-economic development, the trend of integration and democratization of all aspects of life of the State and society, the superiority of society is reflected specifically in the provision of public administrative services. If public administrative service delivery is postponed or provided inadequately with low quality, it will cause disturbances in society. Therefore, in recent years, our State has actively and proactively implemented delegation and decentralization in the provision of public administrative services. In this article, the authors take in-depth research on the criteria for evaluating the effectiveness of decentralized activities in public service delivery in Vietnam today.

#### **1. Conception of decentralization of public administrative service delivery in Vietnam**

Decentralization aims to define the authority of each administrative level and transfer the authority of superiors to subordinates by specific decisions. Delegation, decentralization or state governance involves the reorganization or restructuring of the system of co-responsibility among state administration agencies at all levels (central, regional, and local) according to the principle of interdependence to increase

the efficiency and quality as well as to increase the authority and capacity of local government. Delegation and decentralization aim to increase the basic elements of governance in economic, political and social decisions, support people's capacity development, expand government's responsibility, be open and accountable (September, 1997). Decentralization is the assignment of functions, assignment of tasks and powers to each administrative level, if viewed from the management mode, the essence of decentralization is the transfer of tasks and powers to subordinate administrative levels to perform on a regular and continuous basis by promulgating legal documents, or by transferring to subordinates to Binh Duong University perform tasks and authority by making specific decisions (Lim & Lee, 2018). Decentralization of tasks and authority is reflected under specific rights and responsibilities in each field such as budget, finance, human resources, education... Thus, decentralization is understood under the following two basic meanings: (1) decentralization is the division of management authority between levels of government - horizontal decentralization; (2) decentralization is the transfer of tasks and powers from the upper level of government to the lower level of government - vertical decentralization. This is an important criterion to evaluate the legitimacy, responsibility and efficiency in providing public administrative services.

Public administrative service is a term that refers to activities serving basic needs for human development both physically and mentally, such as education, training, vocational training, health, culture, sports and information, media and journalism, science and technology (Due, 1974). "Public administrative service" means services in the fields of education and training; job education; health - population; culture, sports and tourism; information and communication; science and technology; economic activities and other fields (including: agriculture and rural development, natural resources and environment, transportation, industry and trade, construction, justice, labor invalids and society, non-business is different) (T. N. Nguyen, 2021). Provision of public administrative service means the provision of services according to the list of public administrative services prescribed by law to meet the general, basic and essential needs of citizens and the whole society as determined by the State or non-state organizations providing for non-profit purposes, in which the state plays a decisive role in the provision of public services.

*Decentralization of public service delivery is the division of tasks and authority among state agencies. Specifically, a state agency at a higher level transfers one or a number of tasks and powers under its authority by issuing legal documents or specific decisions to a lower state agency.*

## **2. Contents of evaluation criteria for decentralization and decentralization in public non-business service provision**

The term criterion is used in almost all areas of social life. Criteria for evaluating effectiveness are signs, standards and measures of things and phenomena in society. Criteria are defined as: "*characteristics, signs as the basis and grounds for recognizing and classifying things and concepts*" (Q. X. Nguyen,

1999). Criteria are commonly used to evaluate an object. Each criterion includes one or more quality control indicators that determine specific outcomes and range from low to high.

Evaluation is understood as a periodical, systematic and objective review of the achieved results of the assessed object, based on the analysis of the obtained information o in comparison with the stated objectives and criteria in order to propose appropriate decisions to improve the status quo, adjust and enhance the quality and efficiency of operations. The Government's evaluation criteria for delegation and decentralization in public service provision will help relevant agencies to fulfill their tasks well. According to the provisions of the 2013 Constitution, the Law on Organization of the Government in 2015, amended and supplemented in 2019; Law on Education in 2019, Law on medical examination and treatment in 2009; Law on Science and Technology 2013; The 2010 Law on Public Employees, amended and supplemented in 2019... has not yet specified the criteria for delegation and decentralization in the provision of public administrative services.

The authors found that the concept of criteria has a very wide scope and complexity; There are very broad criteria but there are also very specific and detailed criteria. According to the authors, *the criteria for evaluating effectiveness in public administrative service delivery are the requirements and demands during the course of task performance, the role of the Government is to evaluate the decentralization in provision of public administrative services.*

### **2.1. Criteria for rationality in the field of public administrative service decentralization**

The organizational model of local government in different areas must be different; There cannot be a uniform model for delta, mountains, islands or seas. And similarly, not all localities and provinces are equally delegated and decentralized, because this depends on the conditions and implementation capacity in each locality (Prud'Homme, 1995). Therefore, the delegation and decentralization of the government in the provision of public services should ensure the difference between criteria such as population, geography, area, rural and urban areas, delta, mountainous areas, islands... It is necessary to ensure the rationality in delegation and decentralization of powers of the Government in providing public administrative services in the fields of culture, education, health, science and technology. ...according to the different characteristics of each locality.

In Congress XII, the Communist Party stressed: *"Ensuring equality between business units of public and non-public. Diverse forms of socialization of public service units such as pilot equitization of the public units; assign the community to manage and lease facilities, assets of State for doing business in providing public services and the implementation of the mechanism for the public administrative units to operate as public enterprises"* Development trends of the countries in the world today is that the state only directly performs public service that society

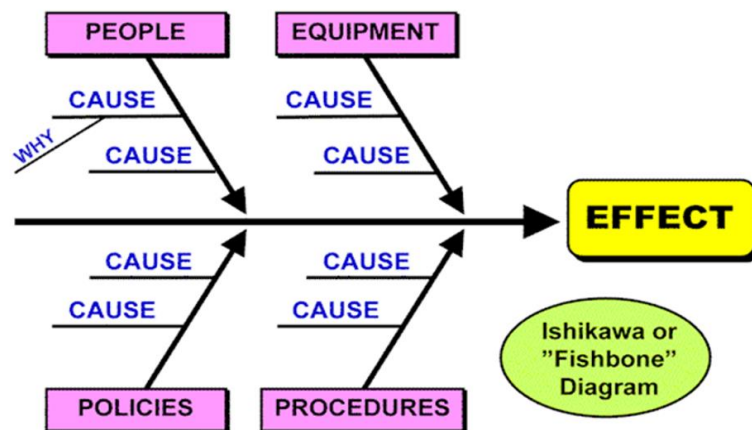
cannot do or will not do. Government is responsible for the highest and ultimate responsibility for the provision of full, appropriate public services directly or indirectly through other organizations. Government should have rational recognition and evaluation of which organization or agency can undertake partial socialization of public services, and which services are directly implemented by state agencies because the people entrust. The Government, the Ministry only directly provide important public service, which requires high quality and level. The government transfers, encourages and facilitates the social organizations, economic organizations, private sector to engage in the socialization of public administrative services under the direction and support of the Government. Government should promote the socialization of public services, model transformation of public services in accordance with Decision 31/2017/QĐ-TTg dated 17/07/2017 of the criteria, the list of sectors and fields subject to the requirement for the transformation of public service delivery units into joint stock companies. Decree No. 16/2015/ND-CP, dated 14-2-2015, "Regulation the autonomy of public service units"; Decree No. 141/2016 / ND-CP, dated 10-10-2016, "Regulation the autonomy of public service units in the field of economic and other fields"...specifically stipulate about the autonomy in the decentralization of public service units to perform public services in general and professional services in particular. Besides, the legal text must use appropriate and understandable language in line with the level of knowledge of the citizens.

## **2.2. Criteria for ensuring the effectiveness of public administrative service delivery**

The main function of the state is to exercise governance and serve. In the current context, the state administration is under pressure for effective use of state resources, the competition to meet the increasing demands of society, both in terms of quantity and quality of public administrative service. In the context of (Crous, 2004; Thanh et al., 2018).The development of the economy, the demand for public services of the people and society is increasingly high and diversified, especially in education, training, healthcare, information and cultural services. A part of the population in society can afford to enjoy high-quality services according to their needs, especially education, training, medical examination and treatment, they even choose high-quality service facilities abroad. Therefore, in order to meet that demand, and at the same time ensure the competitiveness of public administrative units, it is necessary to improve the quality and operational efficiency of public administrative units".

In the conditions of building a socialist-oriented market economy and international integration, implementing state governance, the state's functions have changed from ruling to serving. Although the government has undergone many reforms and renovations, it still has the imprint of a centralized and bureaucratic subsidized mechanism, which has not yet met the requirements of the new management mechanism as well as the requirements of serving the people in

new conditions and with low management efficiency (Hoa et al., 2018). In addition, the operational model of public administrative service units is organized mainly based on the structure and operation of the state administrative apparatus, with little attention paid to planning by sectors and fields, regional characteristics and actual needs. The effectiveness of the Government's decentralization for public administrative services is reflected in the extent to which the desired goals are achieved in terms of quantity, quality, delivery time, and service costs.



Efficient management of public services(Al-Ibrahim, 2014)

The effectiveness of the Government's delegation and decentralization in the provision of public administrative services is reflected in the following aspects: achieving the goals set out for the law on the delegation and decentralization of the Government in providing public service to a certain extent with as little cost as possible; with the cost of certain resources, implementing delegation and decentralization to achieve the highest possible results; in order to achieve the set goals for the delegation and decentralization of powers between the Government and public administrative service units, not only in relation to the cost of resources such as finance, human resources, etc., but also in relation to social efficiency.

The government's delegation and decentralization of public service delivery need to ensure efficiency: "The effectiveness of public services is the method of providing directly to each citizen in a convenient way without delay, interruption, inconvenience, authority, or omission in terms of quantity or quality of service. Public services do not have a hand-to-hand agreement like in business services, but rather a "social agreement" between the State and citizens (Dudzik & Nguyen, 2015). The delegation and decentralization of powers of the Government in the provision of public services must be thrifty, the financial resources for the delegation and decentralization of the Government in the provision of public services must be sufficient to ensure for the subject performing decentralization to boost its roles, tasks and capacities to achieve the highest results.

Resolution of the 13th National Congress of the Communist Party of Vietnam emphasized: "*Promoting delegation and decentralization in a reasonable and effective manner, and at the same time strengthening the inspection, supervision*

*and control of power by the legal system* ". Resolution 99/2020/NQ-CP of the Government dated 24 June, 2020 about the decentralization of state management by industry and the field has clearly set out goals of defining the functions, duties, authority, responsibilities of each level, each state administrative agency, especially the centralized and unified management of the Government. Therefore, in the coming time, in order to ensure efficiency in the decentralization of public administrative services, there should be decentralization for subordinates to perform their duties. It is necessary to specify the specific decentralization in the promulgation of legal normative documents such as the Government's Decree on decentralization in the field of education; healthcare, culture, science and technology, etc., to avoid the situation when competent state agencies decentralized public administrative service units to perform the work or when public administrative service units do the work but competent state agencies do not give up their management role for the industry or field. The Government also advises the National Assembly to promulgate more specifically regulations of the 2015 Law on Government Organization, revised and supplemented in 2019, the 2015 Law on Organization of Local Government, amended, supplemented in 2019, the Education Law in 2019... To ensure effective state governance, it is necessary to promote delegation and decentralization in an open direction, for example, autonomy and self-responsibility in the collection of tuition fees and hospital fees, creating conditions for society to choose public services, and to assess financial and human resources in public administrative units. Promoting active accountability to replace passive accountability, besides accountability in the system of state agencies, there is also accountability to society.

To ensure quality and efficiency in delegation, decentralization and provision of public administrative services, it is necessary to take the initiative of competent state agencies. However, in terms of institutions, according to the provisions of the Law on Higher Education, it is stipulated:

**"Article 16. School councils of public universities**

*1. The School Council of a public university is the governing organization, exercising the right of representation of the owner and relevant interested parties.*

*2. The School Council of a public university has the following responsibilities and authority:*

*a) To decide on the university's strategy, development plan and annual plan; advocate the development of universities into academy or the merger with other universities* ". Therefore, according to the current law, the university's development into an academy, or merger with other universities, will be done directly and actively by the university. However, in fact, when doing the above, universities still have to implement the stage of "getting opinions from competent authorities" with many unwritten regulations that make it difficult for educational and training institutions when being assigned.

Besides, according to the provisions of Article 24, Law on Public Employees 2010, amending and supplementing in 2019, in regards to the recruitment

*"For non-autonomous public non-business units, their managing agencies shall recruit public employees or authorize heads of such units to recruit public employees".* Or according to Clause 4, Article 31 of the Law on Public Employees 2010, amended and supplemented in 2019: " 4. The Government shall specify the process and procedures for examination or selection and appointment of public employees to hold professional titles, and assign and delegate the organization of examinations or selection and appointment of public employees to professional titles". According to the law, the recruitment and appointment of public employees still need to get the consent of the competent authorities, thereby causing difficulties and reducing the actual efficiency of the units when being delegated and decentralized in recruitment and management of public employees.

In practice, decentralization must ensure flexibility, so with good human and infrastructure conditions, the delegation and decentralization of powers of the Government to public non-business service units in the field of health and education sectors are very good also. However, in contrast, there are units that perform poorly in decentralization when being assigned public non-business service units by the Government in the field of health and education. Therefore, there should be a suitable change in the conditions when implementing decentralization. "By conducting surveys, we can determine the dominant level of the market, the market's responsiveness to each type of service, and can effectively compare the supply from the state and the ability of the market to respond to each type of service. Those investigation results will be the basis for implementation to gradually improve a public management institution for all kinds of services (Phan & Pham, 2021).

One of the important channels to ensure the government's delegation and decentralization for public service units is the system of criteria and standards for classifying hospitals, for example, medical non-business units are divided into 5 classes: Special grade (applicable only to some large hospitals), Grade I, Grade II and Grade III and Grade IV. The ranking of medical non-business units is determined on the principle of scoring according to 5 groups of standards: standard group I: Position, functions and tasks; standard group II: Scale and content of activities; standard group III: Labor structure and staff qualifications; Standard group IV: Professional ability, work quality efficiency, standard group V: Infrastructure, equipment. Besides, in the field of education, there are also application-oriented university ranking standards; The standards for ranking higher education institutions that are practice-oriented ... These are important legal frameworks for public service units to know where their agencies and units are standing.

The decentralization of the Government with public non-business units also ensures international standards and Vietnamese standards. The ISO 9000 standards were developed to help manufacturers effectively documentize the

quality system's elements that need to be implemented to maintain an effective quality system. They are increasingly applicable to any organization or industry. ISO 9001 is currently being used as the basis for quality management in the service, education and government sectors.

Individuals and organizations cannot be ISO 9000 certified — it simply lays out the fundamental principles and vocabulary of a quality management system. ISO 9001 is the only standard in the ISO 9000 family to which organizations can certify, which is a process that takes more than a year and requires significant documentation to demonstrate conformity.

The ISO 9000 series includes the following standards:

- ISO 9001: 2015: Quality management systems — Requirements
- ISO 9000:2015: Quality management systems — Basics and vocabulary (definitions)
- ISO 9004: 2009: Quality management systems — Management for the sustained success of an organization (continuous improvement)
- ISO 19011:2011: Audit Management Systems Guidelines

Quality control (QC) is an important part of quality management and assurance, through which a public agency seeks to ensure that the quality of products and services is maintained or improved with a decrease in error or without error.

### **2.3. Criteria for ensuring the stability of the public non-business service market**

Market relations and public non-business services do not experience too many fluctuations, significant changes, thereby contributing to stabilizing people's lives, increasing people's trust in the legal executive branch that is headed by the Government. Ensuring the stability of the public service market creates legal security and social trust. The Government ensures in the delegation and decentralization of public service delivery a specific and clear classification of public non-business units with full autonomy and public non-business units without full autonomy. The Government decentralizes and promulgates the calculation of the price for the provision of public administrative services according to the market principles. Public non-business units calculate necessary costs for providing public administrative service and balance revenue and expenditure. The delegation and decentralization by the Government to public non-business service units must ensure a change in operation mode and renewal of organizational and operational mechanisms; accept an equal, open and transparent competition mechanism between the public and private sectors; and reduce the burden on the state budget. The Government ensures delegation and decentralization in the provision of public non-business services by increasing decentralization for public service-providing agencies in matters of procurement, repair and liquidation of assets; performing



professional tasks; step by step abolishing the administrative status of public non-business service activities.

When formulating legislation on the delegation and decentralization of powers of the Government in the provision of public administrative services, it must be in harmony with the flexible, adaptive and dynamic characteristics of the public service market, especially the increasingly strong competition between public non-business units and public service units of the private sector in the fields of education, health care, culture... Therefore, when building legal documents, it should avoid the situation that the newly issued legal documents are immediately subject to be amended and supplemented. Therefore, in order to ensure the criteria of ensuring the stability of the public administrative service market, it is necessary to adjust the legal system on decentralization of the Government for public administrative units in line with the development of the market economy.

The decentralization of the Government in the provision of public non-business services requires a stable transformation in the quality of the fields of education, health care, culture, etc. To plan and rearrange universities, college; to have a supporting mechanism to develop a number of large universities and pedagogical universities into prestigious training centers in the region and the world. To develop harmoniously between public and non-public education, between regions and regions, giving priority to areas with special difficulties, ethnic minority areas, borders, islands and policy beneficiaries. Competent state agencies need to stipulate a legal framework for public non-business units in the context of delegation and decentralization of powers by the Government with a legal basis to ensure recurrent expenditures according to their functions and tasks. In terms of the units without revenue or with low revenue sources, the superior competent authority assigns a stable budget according to a reasonable cycle to avoid disturbances in the process of performing tasks of the public service units.

#### **2.4. Criteria for assessing the identification and implementation of roles and responsibilities of the Government in delegation and decentralization of public non-business service provision**

How big must the government be? This question has intrigued economists for decades and of course has no right answer. The growth of government over the past century and a half has allowed a significant expansion of public services (Afonso & Schuknecht, 2019). In the context that countries around the world are promoting the implementation of the model: "Building a small government, big society", it is necessary to separate the management function of the Government from the public service function. The government should not do what the private sector is doing, even if the government can perform that work slightly better or worse, but must do what no one else is doing, but is necessary for society (Kirshner, 1999). The role and responsibility of the Government in delegation and decentralization of public service delivery is reflected in the accountability, monitoring and policy implementation. The Government must implement

accountability in the decentralization of public services not only within the system, but also outside the system. It is necessary to introduce a Section or Chapter on principles and mechanisms for accountability to the people, to gather and reiterate what exists in many current legal documents. For example, the mechanism for the spokesperson, the organization of regular or irregular meetings with the people, the mechanisms for collecting and handling suggestions, requests, complaints and denunciations, the results of the people's supervision, as well as institutionalized accountability channels including the People's Inspection Committee and the Community Investment Supervision Board should be mentioned in the Law on Organization of Local Government (Wong & Welch, 2004).

The role and responsibility of the Government in the decentralization of public non-business service delivery is reflected in the disclosure and transparency of information and the introduction of options for exclusion of corruption situations in the public sector for decentralization to ensure the role of public non-business service provision, public non-business service organization, and state management of public service provision. Specifically, in formulating policies, strategies and development plans for the public non-business service sector, the Government needs to ensure socialization of education, public health, disease prevention activities, transportation network, development, scientific research... The government is constantly improving the state management capacity in industries and fields, so that disadvantaged groups and people who are unable to pay for public non-business services directly can still access education, health, etc., especially in remote, isolated and disadvantaged areas when private sector services do not want to invest in because they are not profitable.

The Government needs to set standards for the quality of public non-business services in the fields of education, health, culture, society... In which, the Government needs to clearly determine customers and citizens' requirements for each type of public non-business service. Referring to the standards and evaluation criteria in the pilot survey, the Vietnam *Patient Satisfaction Index (PSI)* has the following objectives:

*Firstly*, to develop a toolkit that allows hospitals and management agencies to assess substantively, reliably, meaningfully, regularly and at a reasonable cost about patient satisfaction with the quality of medical examination and treatment service in hospitals.

*Second*, the survey was designed to allow the collection of objectively comparable data about patients' experiences with medical examination and treatment at departments in the same hospitals or between different hospitals, focusing on the content that patients can feel and care about most during medical examination and treatment, thereby promoting feedback, solutions, and improvement initiatives of hospitals.

*Third*, the PSI Index survey results and the results of grouping and ranking hospitals are publicly disclosed to motivate public hospitals to pay attention and take initiatives to improve the quality of medical services based on the feedback of

people using the service. The publicity will help strengthen the accountability of public hospitals by increasing transparency about the quality of medical examination and treatment of hospitals, strengthening supervision by the people and state management agencies for health services, especially in the context that the Government is advocating to promote socialization of public services, increase autonomy for hospitals, increase prices of medical services according to the roadmap towards "correctly and adequately calculate" medical examination and treatment costs by 2020. The average patient satisfaction index reached 3.98/5, corresponding to the satisfaction level of inpatients with the quality of medical examination and treatment services of 79.6% compared to the patient's expectation.

Among the 29 surveyed hospitals, the results are as follows:

- 05 hospitals in the Excellent rating group
- 16 hospitals rated Very Good
- 08 hospitals in the category of Good
- 02 hospitals are in the Average rating group (Lien et al., 2018)

In the field of science and technology, there is an assessment of the use of professional knowledge and skills in science and technology organizations. There are 8 groups of criteria such as:

- Group 1 - Evaluation of development orientation and operation plan
- Group 2 - Evaluation of human resources
- Group 3 - Evaluation of equipment and facilities
- Group 4 - Evaluation of funding sources
- Group 5 - Evaluation of the organization of activities
- Group 6 - Capacity assessment and publication results
- Group 7 - Evaluation of technology development capacity and results of technology deployment
- Group 8 - Evaluation of capacity and results of training activities and provision of science and technology services.

In addition, other fields such as education, culture... need to have specific criteria to complete the establishment of criteria for classifying public non-business services with good quality and efficiency.

## **2.5. Ensure consistency and science**

The policy of delegation and decentralization in state administration cannot be effective without a synchronous, complete and unified legal framework. Delegation and decentralization, if only in principle, without clearly defined mechanisms, implementation methods, sanctions, etc., will be difficult to put this policy into practice. Research on the policy of delegation and decentralization of state administration in Vietnam today, it can be seen that this is the biggest "gap" that needs to be filled (Malesky, 2009). In the Government's decentralization of

the structure of public non-business service organizations, it is necessary to unify all decentralized activities. Specifically, in the process of decentralization of the Government, it is necessary to have consistency in the promulgation of legal documents, the organization of implementation and management of the decentralization of public administrative services. The promulgation of new or amended legal documents must ensure consistency, ensure close association, do not exist independently, but be placed in a whole, be binding with each other in legal documents in general and the law on decentralization in particular, must not contradict or overlap with other legal documents, especially the applicable legal documents. The Government's decentralization of public non-business services is still very limited: In recent years, the situations that the competent state agencies and individuals issued legal documents that do not meet the legitimacy and rationality are mostly not discovered by the monitoring activities of the National Assembly in general and of the National Assembly members in particular, they are mainly detected by the authorities (Omran et al., 2021). When there is a contradiction or conflict, the agency in charge of the Government will be the one in charge to solve the problem.

*Regarding the guarantee of science*, the Government's decentralization of non-business services must be scientific, suitable to the operating conditions of each subject and the nature of the decentralization.

The science of the Government's decentralization of public non-business services must be demonstrated first of all in that each stage in the decentralization process is specified in terms of time, in accordance with the content and requirements. Therefore, it is necessary to have the Government's decentralization for public service units, which is a matter of extreme caution and science, otherwise, it will affect the political reputation of the organizations and individuals involved.

## 2.6. Ensuring people's satisfaction in providing public non-business services

In the Government's decentralization for the organizational structure of the public non-business units, it is necessary to measure and evaluate the performance of the public sector in order to improve the people's satisfaction rate with the state administration. This is one of the important tools to improve the quality of public service delivery in Vietnam today.

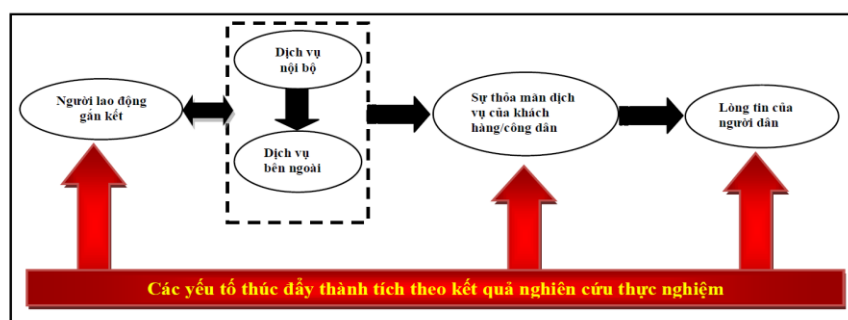


Table 1.3: Public service value chain (Doan et al., 2015)

The level of participation and satisfaction of the people in the decentralization of the Government to the organizational structure of the public non-business service is an important criterion to evaluate the effectiveness of the Government. Citizens are the customers of public service activities, therefore, citizens' participation and satisfaction are one of the most accurate measures in determining the decentralization of the Government for the organizational structure of public non-business services. In particular, the Government not only stops at decentralizing good public services but also establishes a mechanism for the effective and quality participation of the people by conducting sociological investigations through different channels. In particular, the Government should try to make people aware of its goals, adjust the quality indicators according to the needs of service users (Dang, 2020). The success of the Government in decentralizing public service delivery is to build people's trust.

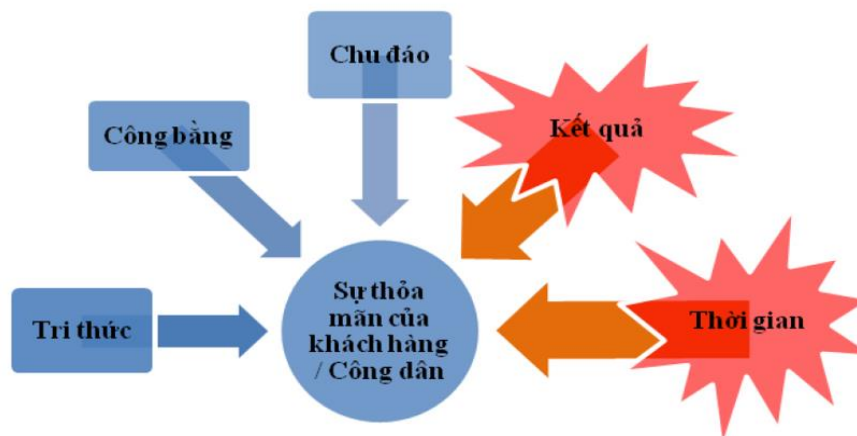


Table 1.4: Factors determining customer and citizen satisfaction (Ammer & Freeman, 1995)

One of the factors determining people's satisfaction in the government's decentralization of the public service organization structure is knowledge, fairness, thoughtfulness, results, and time. In addition, there are specific criteria such as the people's belief that their cadres and civil servants do their jobs well, the decentralization of the Government of the public non-business service organization structure to meet the demands of the people, civil servants and public officials treat people fairly, competent state agencies keep their promises.

### Conclusion

In the context of building "small government, big society", in developed countries such as France, the United States of America, Great Britain.., in recent years, the Government has directly provided only kinds of public non-business services that the non-state sector cannot or does not want to do. The government's evaluation criteria for delegation and decentralization in public service delivery will help relevant agencies to fulfill their tasks well, ensuring the goal of building a socialist rule-of-law state of the People, by the People and for the People./.

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