

Law enforcement personnel management with the focus on Kosovo Police

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Abstract:

The objective of this paper is to analyze principles, procedures and legal infrastructure in personnel management with the special emphasis on the achievements and challenges in personnel management in Kosovo Police.

Social, technological, economic and political changes taking place in the region and abroad have also impacted in increasing the complexity of forms of threats to public safety especially forms of organized crime and corruption. Facing with these challenges impacts the necessity to strengthen and increasing the efficacy of the law enforcement organizations as main state institutions. This means investments in equipment, technology and legal infrastructure and undoubtedly well planned long term human resources investments.

Kosovo Police, as one of the main law enforcement institutions in Kosovo, is oriented in fulfilling its mission in investigation and prevention of criminal acts, increasing efficacy in its work, respecting constitutional and legal norms, respecting human rights and code of ethics. However, challenges remain to be addressed in personnel management regarding their rights at work, life insurance, health and pension insurance, carrier development and compensation.

Key words: Kosovo Police, personnel, law enforcement, management

INTRODUCTION

In the contemporary world law enforcement organizations, especially police organizations are challenged while fulfilling its

mission. Complex nature of threats of law and order such as organized crime, terrorism, trafficking, corruption, critical incidents and emergent situations in the contemporary world challenges police organizations in realizing their legal obligations. “Modern groups of organized crime use complex and sophisticated methods. Therefore, the necessity for trainings and proper equipment for agencies and agents of law enforcement is greater than ever” (Özeren, Yilmaz 2014:22). Facing with these challenges impacts the necessity of strengthening human capacities in order to increase the capacities of police organizations as one of key state institutions of law enforcement since “police as an institution of state administration in the democratic system is established to serve the individual and the society.”(Yzeiri, 2002:119)

After the deployment of United Nation Mission in Kosovo (UNMIK) in June 1999 based on the Resolution of the United Nation Security Council (UNSCR) 1244, Kosovo Police was established among the first law enforcement institutions. Initially named Kosovo Police Service, Kosovo Police was established on 6th September 1999 on the date when first generation of cadets began basic training at the School of Kosovo Police Service.

Kosovo Police, as a new organization in the sense of establishment and development, is one of the main law enforcement and public safety institutions in Kosovo established under the pressure of time and difficult circumstances. Bad economic, social and political situation in post war Kosovo was serious challenge for establishing a police organization based on the highest democratic values of respecting human rights and freedoms as well as rule of law. In such emergent situation where except the lack of legal and administrative infrastructure, the level of unemployment and poverty was very high, there was an urgent need for creation of a police organization that would serve to the community in a Kosovo’s specific social, ethnic and cultural environment.

With the current police Law No. 04/L-076 for Police, general duties and authorizations of police determined by the article 10 of this law are:

- protects life, property and provides security for all individuals;
- protects basic rights and freedoms of all individuals;
- prevents danger toward citizens and provides public order and security;
- prevents and detects criminal acts and perpetrators;
- investigate criminal acts and their perpetrators;
- controls and oversees traffic safety;
- manages and controls state border;
- provide assistance during natural disasters and other emergent circumstances, and
- performs other duties determined by effective law.

Fulfilling these duties foreseen by law is possible only when police personnel are well trained and equipped. Therefore police organizations should pay special attention to personnel considering them as a most valuable capital of the organization.

The complex nature of threats of order and security in contemporary world such as organized crime, terrorism, trafficking, corruption as well as emergent situations caused as a result of natural disasters challenge police organizations in realizing their legal obligations. This reflects in the necessity for analyzing and studying the human resources management as well as a scientific approach in professional planning and preparation of personnel. "Police personnel will be able to demonstrate sound judgment, open approach, maturity, impartiality, communication skills and, where required, leadership and managerial skills." (Council of Europe, 2001:9). Professional development of Kosovo Police was supported by international community since its establishment and today. Development and professionalization of Kosovo Police, training, education, implementation of contemporary policing practices

and capacity building in general was supported by the presence of international missions as well as other various international organizations in Kosovo through various projects. Therefore it is fair to say that the role and importance of international presence in development of Kosovo Police is of a great one. Among them it is worth mentioning the role of UNMIK police, of Organisation for Security and Cooperation in Europe (OSCE) and the role of European Rule of Law Mission in Kosovo (EULEX).

HUMAN RESOURCES MANAGEMENT PROCESS IN KOSOVO POLICE

Human Resources Management is a function within the organization about the issues related with personnel such as; planning, recruitment, employment, training, performance management, professional development, security and welfare, benefits, motivation, communication, administration and compensation. Due to these functions “there is no important thing in an organization than effectively managing people working in that organization.” (Denhardt, Grubbs 2007:205).

Theoretically this issue is treated and studied in most countries depending of their specifics, mainly considering contemporary challenges, expectation of public for efficient services, economic, political, cultural, social and demographical factors, regional and global trends of integration etc.

In Kosovo this is a timely and present topic within the public administration especially in Kosovo Police as a new organization in the sense of its establishment and development and it is a topic of special importance. Kosovo Police (initially Kosovo Police Service, KPS) is established by UNMIK based on the Resolution 1244 Security Council of the UN. Principles of leadership and legal documents were in accordance with European Codex of Police Ethics.

Initially, Regulation no. 2005/54 on leadership frameworks and principles of Kosovo Police Service approved by Special Representative of the Secretary General (SRSG) determined the legal basis for organization, structure and functioning of Kosovo Police, while by completion of legal infrastructure in Kosovo, legal basis of Kosovo Police was completed in accordance with international law enforcement agencies criteria and principles as well.

In this regard law on police and other legal acts regulate the functioning of police and define cooperation with Ministry of Interior of Kosovo. “The Police functions under the authority of minister of Ministry of Internal Affairs and under the control and supervision of general Police Director. The Authority of Minister does not involve police operational management. General Director reports and responds directly to the minister regarding police administration and management. General Director cooperates with the minister and provides him with information and reports according to law. (Law nr.04/L-076, 2012:4).

The process of Human Resources Management in Kosovo Police was administered independently by the police and it is based upon respecting constitutional and legal norms, respecting human rights and code of ethics. Planning process is among the first functions of personnel management aiming in filling the vacant positions for the needs of organization. During the personnel planning process, resources within the organization should be analyzed, as well as outer environment based on the demographical data, number or unemployment rate, economic growth predictions, technological development, labor market and competition, applicable laws and regulations.

RECRUITMENT AND SELECTION

One of the most important functions of human resources management is the process of personnel recruitment and

selection. This is critical issue especially for Kosovo Police. Being a multiethnic police organization and functioning in a multiethnic environment it should pay permanent attention to the concept of ethnic equality, diversity, ethical values and professional integrity

The recruitment and selection process should be preceded by an analysis of work position specifics in order to decide if there will be internal or external recruitment. "Internal recruitment may have a number of potential advantages. Recruits will have already understand something about how the organization operates and socialization and learning may be significantly reduced; it will be cheaper, as expensive advertising recruitment consultancy fees are avoided; it may be able to relieve an organizational problem of too many employees in other area; and it may provide motivation to existing employees who can see new opportunities available within wider organization." (Bach, Sisson, 2000:116). Regardless if the process of recruitment is internal or external, it is necessary to have written procedures and regulations. In cases when there are no sufficient resources within the organization the external process of recruitment is applied. In Kosovo Police the right of applying for employment enjoy all citizens meeting the terms and conditions determined by the public competition, which is based in the administrative instruction and other internal acts. Employment in police is open one and same opportunities should be offered for all interested regardless their ethnicity, gender, color, religion, political view or sexual orientation on condition that they meet terms and conditions determined by announced competition. The process of testing candidates for employment in Kosovo Police is based on the international practices and applicable legislation. The process goes through several testing phases, foreseen by Article 16 Administrative Instruction no. 07/2012 On Work Relation in Kosovo Police.

The candidates that according to the announced competition meet the criteria will undergo testing procedures. Testing procedures are conducted in this order: a) Written test; b) Physical skills test; c) Interview; d) Medical examination and f) Background check.

Personnel recruitment and selection process in Kosovo Police is centralized system, meaning that all steps starting from planning the process, preparation of packages for candidate application, accepting applications, administering tests, interviews, physical and medical examination, background checks, deployment, coordination of very first duties and Administration of reports and personal dossiers are managed by the Directorate of Personnel at Police Main Head Quarter.

According to the Law no. 04/L-076 on Police, the employment is regulated by the article 44 Employment of police personnel where is stipulated that the Police of the Republic of Kosovo employs three categories of police personnel:

1. Police officers who give oath and are authorized to exercise and perform police duties and powers;
2. Civilian staff is employed to perform supporting and administrative services, but do not have authorization to exercise police powers;
3. Police cadets.

TRAINING

“Law enforcement officers have many tools at their disposal, whether it is a flashlight, OC-spray, their verbal communication skills, or their pistol. While these tools are all necessities for any police officer, they are not just given to a police officer without first being given extensive and formalized training on how and when to use each specific tool” (Curtis, 2013:4). But along with the changes in working environment, requirements and public expectations for quality public

services, methods, techniques and training programs for law enforcement officers that go beyond traditional training concepts are developed. According to Mathis and Jackson, contemporary training in organizations has evolved significantly over the past decade. Brought on by changes in the competitive environment and technology, this evolution is altering the way training is done. It has affected four areas in particular; organizational competitiveness, knowledge management, revenue and performance. (Mathis, Jackson, 2006:264).

The identification of training needs is a part of organizations' strategic planning including training plans for all levels of personnel. Trainings for supervisors and managers are very important as well because of their duties and responsibilities they have in leading the organization "Evaluation of results presupposes specific skills. Therefore much attention must be devoted to the explanation of the system and the training of those, especially line managers, who will be responsible for its success." (DCAF, 2012:178).

In law enforcement organizations respectively police organizations, the training needs analysis is defined by priorities such as crime combating, strengthening and advancement of professional standards and profiling staff in special domains of policing. In Kosovo Police trainings are organized in Basic trainings, specialized trainings and higher education. Ways and methods of training organization can be divided in various levels depending on the organizational needs but in the substantive terms "training has two important aspects: technical and discretionary. Technical aspect refers to providing officers with the information about the procedure and laws for doing the job. Discretionary aspect refer to the training officers receive about how to apply procedures and law." (Peak, Gaines, Glensor 2004:131).

A personnel training remains very important and permanent function of personnel management and should be

adapted to the changes and requirements of the time actuality. “As organizations increasingly operate in a wide and varied set of situations, cultures, and environments, workers will likely need to be more versatile and to be able to handle a wider variety of diverse and complex tasks. In an age of rapid technological changes and globalization, individuals will be required to be in continual learning.” (Martocchio, Ferris 2003:288).

PERFORMANCE EVALUATION

Performance evaluation is a systematic, periodical and unbiased evaluation of an employee in his current work and its potential for any other job.” Performance appraisal is used in making decisions pertaining to promotion, demotion, retention, transfer and pay. It is also employed, as a developmental guide for training needs assessment and employee feedback.” (Ricucci, 2006:169).

Individuals in an organization have different skills and experiences, different approach to work, different behaviors and motivations. Therefore performance rating is very challenging task. “Many of the personal traits supervisors are called upon to evaluate cannot be measured by precise tests. One of the inherently difficult problems in the police service is that of fairly comparing persons assigned to widely different tasks.” (Iannone, Iannone, 2001:269)

Performance rating in Kosovo Police is regulated by internal regulation and in standardized manner which is performed annually and is managed by the directorate of performance management and carrier development.

COMPENSATION

“Administration of salaries is one of the critical components of personnel administration function” (Swanson, Territo, Teylor

2005:400). Therefore it is necessary to complete the legislation and other acts for employees' salaries and other benefits. Compensation of Kosovo Police employees is done based on the legislation in power. Law on Labor No. 03/L-212, Chapter VII Salaries and benefits of employees, Article 55 Salary, compensation of salary and other incomes, also, other sublegal acts stipulate the criteria for KP personnel compensation. However, police faces several challenges right in the part of compensation. Especially the indirect part of compensation, such as health insurance, life insurance, pension insurance and benefit for the level of education are not applied because of the lack of budget. According to Denhardt and Grubbs, generally speaking, salary is calculated based on the nature of work and quality of performance in the work. Salary plans in public section are difficult to build because of two, frequently contradictory ones, principles should be materialized. In one hand, in order to be fair and equal they should be well structured; and in other hand, in order to be competitive they should reflect changing political and economic conditions.(Denhardt, Grubbs 2007:221)

CONCLUSION

Personnel management in law enforcement organization is becoming more challenging.

The competitive labor market, because of global integration processes and sophisticated forms of crime and corruption make proactive approach in law enforcement personnel management an imperative. Qualified personnel with high ethical values are a precondition. Therefore, strengthening the Kosovo Police through modern human resources management as a most valuable resource in an organization represents a key to continuous success in realizing its mission. The presence of international administration in Kosovo was a determinant factor in establishment and development of Kosovo

Police. Despite all the achievements in personnel professional development and application of best personnel management practices, Kosovo Police faces several challenges beginning from employees' welfare, health insurance, pension insurance, life insurance and other benefits to be addressed and provide sustainable solution.

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