



THE SYSTEMIC ASPECT OF THE GOVERNANCE OF PUBLIC INSTITUTES: THE CASE OF SLOVENIA

Tatjana Kozjek¹ and Mirko Pečarič²

Abstract

The governance of any organisation comprises a system of rules, practises, and procedures that guide and control the organisation. The case study examines the processes, procedures, activities, and problems of decision-making at the level of Slovenian ministries in terms of compliance with strategic documents, action plans, programmes, and other ministerial documents. The research focussed on the administrative/implementation level, where planning, control, impact assessment and timely reaction to deviations are of particular importance. The aim was to analyse the coordination between ministries, departments and public institutions. The results show that there is no system and that the documents on which the institutions work are inadequate.

Keywords

Public Service, Public Institution, Approach, System, Corporate Governance

I. Introduction

In Europe, there are three basic forms of public service provision. The first form is the provision of public services within the traditional administrative services of the state or local authorities and/or the provision of public services on a managed basis, which means that the traditional public administration or the local authorities themselves act as providers of the public service (i.e. the core public bureaucracy). This form means the full integration of public service providers into the state or local authority system. The second form involves organisational forms that are public institutions but are separate from the state or local authority system. Although they are under the control of the state or local authorities, they have their own subjectivity – especially public companies and public institutions. In the third form, private law entities act as providers of public services, either as concessionaires or as private law entities that can be controlled by the state through capital injections or otherwise (protection of the public interest). The public service is the

¹ University of Ljubljana, Gosarjeva ulica 5, 1000 Ljubljana, Slovenia. E-mail: tatjana.kozjek@fu.uni-lj.si.

² University of Ljubljana, Gosarjeva ulica 5, 1000 Ljubljana, Slovenia. E-mail: mirko.pecaric@fu.uni-lj.si.

fundamental element that defines a public organisation. Otto Mayer was the first to define the concept of a public institution (ger. *Oeffentlichen Anstalt*) as “the totality of material and human resources available to a public administration and permanently employed for a specific public purpose” (1896, p. 318). Therefore, he focusses on the relationship between the public institution that provides a service and the person who receives it (he lists schools, savings banks, hospitals, post offices, railways, and post offices). According to the Slovenian Law on Institutions (LoI), the latter are organisations established for the purpose of carrying out activities in the fields of education, science, culture, sport, health, social care, childcare, care for the disabled, social insurance or other activities, provided that the purpose of the activity is not to make a profit (Article 1 of the LoI). This definition applies to both public and private institutes covered by the law. According to Article 3, public institutes are established to provide public services. Public institutes may also be established to carry out activities that are not defined as public services, provided that the activities are carried out in the manner and under the conditions that apply to public services.

In Slovenia, there is a notable lack of comprehensive research examining the legal framework and effectiveness of performance evaluation or the reactive dynamics between all parties involved in the governance of public institutes. There is also a lack of a national programme to address this problem. This area lacks a unified guiding document that advocates for the nation’s progress by outlining key goals, indicators, targets, responsible parties, the interplay between the goals and their proponents, an action plan, and a mechanism for documentation, evaluation, and response. The problematic nature of governance of public institutes is demonstrated by the fact that regulators do not adopt a cyber-systems approach. While the former allows for the establishment of controls (not in the legal sense but controls that maximise the alignment of operations with the objectives set, considering current deviations), the latter also allows for the rapid detection of and response to deviations from the desired objectives. For these reasons, the starting point for the study was the systems and cybernetics theory presented in the third section, which is then applied to the case of Slovenian public organisations presented in the next section. In addition to central aspects of the governance of public institutes, this paper presents solutions that contribute to strengthening the competences of the top hierarchical level of ministries, their directorates, and other organisational units parallel with the more active role of stakeholders. As the solutions are based on systems theory, the conclusions or findings of this paper are also applicable to many other public organisations in other countries.

II. The Problematic Nature of Public Institutes in Slovenia

There are 191,390 employees in the public sector in Slovenia (MoF, 2023a). According to the Statistical Office of the Republic of Slovenia (2023), there were around 922,000 employees in 2022, which means that 20.76% of them were employed in the public sector. In addition, there are 1,484 registered public institutes (MoPA, 2023), which receive around 3,676 million euros in salaries (MoF, 2023b), with the largest amount paid to public institutes in the fields of education, science, and sport, namely 1,583 million euros

(MoF, 2023b). Given the above data, it is important that public institutes are managed as efficiently (the right objectives) and effectively (the objectives are implemented in the right way) as possible. Unfortunately, this is not always the case. The fact that the Slovenian public service is struggling with problems was also emphasised in the Slovenian Strategy for the Development up to 2030. Among other things, it notes low institutional efficiency, characterised by inefficiencies in public spending and administration (Šooš, 2017), as well as the Strategy for the Development of Local Self-Government in the Republic of Slovenia until 2020 (MoPA, 2016), which states that “the system for the provision of public services and activities in the public interest has remained unchanged over time, both at the normative and implementation level, regardless of progress in the social and economic environment, and, like public administration in general, has not evolved organisationally or functionally”.

The fundamental premise of any strategic document is that an institution, as an open system, must constantly adapt to its external environment. It is therefore essential to develop a methodology for analysing the interrelationships between the institutions, their environment, and their respective domains to anticipate future changes and not just catalogue past events. Without a clearly outlined context, clearly formulated objectives, and defined structures with their interrelationships, as well as a process of engagement, stocktaking, and frequent review of the situation (the so-called “rolling planning”), any endeavour is doomed to failure. This also applies to the strategic documents mentioned above. As a result, the tools currently available can only provide a piecemeal assessment of the situation, primarily highlighting institutional and procedural shortcomings that emerge sporadically through various channels, such as media reports, employment audits, legal precedents, audits by the Court of Auditors, anonymous complaints, whistleblowing, information from employees, trade unions, or other concerned members of the community. Furthermore, the public sector in the Republic of Slovenia is the same in terms of ownership, structure, and management as it was a quarter of a century ago when the LoI was enacted in 1991. Therefore, it was decided to analyse the governance system and the systematic functioning of public institutes using a cyber-system approach.

III. The System and the Systemic Functioning of Public Institutes

The true essence of a system lies not in its formal description, but in the relations and actions it produces. To understand and change complex systems, one must analyse their intricate interactions instead of focussing only on rules or authorities. Interwoven purposes connect systems like tools in an industry. The connectivity and interdependence of the parts of the system only become fully visible in their specific context. Feedback is important, but you cannot change past system behaviour through immediate feedback. The decisions made in response determine the future behaviour of the system and shape its course. To understand systems, you need to go beyond the formalities and look at how they function within interconnected networks.

The connections between the components within a system determine the transfer of information, which depends on the basic reserves and the prevailing level of consumption. Consider the archetypal system of a water basin: water is supplied from quantifiable

reserves (e.g. a tank or reservoir), and the level of supply fluctuates depending on different rates of inflow and outflow. This is comparable to demographic shifts (births and deaths), economic fluctuations (growth and recessions, financial gains, and losses) or behavioural patterns (saving and spending, triumphs, and setbacks). This interaction between reserves and current consumption leads to a dynamic environment. The output of the system is not just an isolated event, but rather a series of evolving trends that manifest over time and reveal patterns that act as a dependent variable. These patterns provide initial insights into the relationship between reserves and consumption. Since systems are always embedded in larger systems, they act as a crucial unit of differentiation that facilitates the monitoring of various developments and the control – or modulation – of the dynamics between reserves and consumption. The feedback between current consumption and available reserves is of central importance. Only through this exchange of information is it possible to change the relationship between consumption and reserves through strategic decisions or targeted interventions. Feedback is a central element of the control mechanisms.

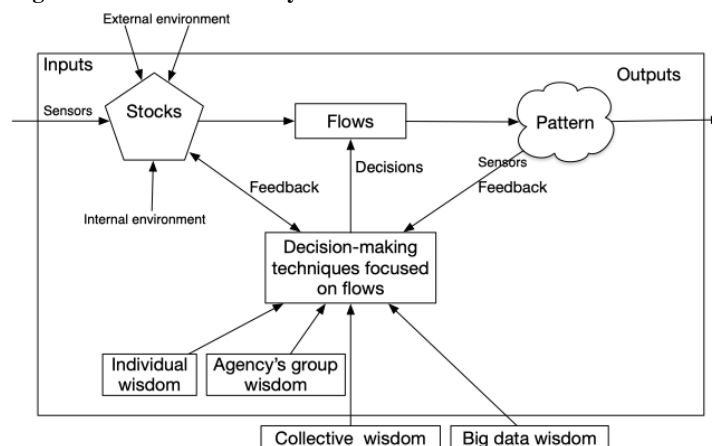
A crucial role of feedback lies in its ability to promote homeostatic or self-regulating processes that ensure that a particular variable is kept within a predefined range. This regulation can be autonomous, for example, a person automatically takes off a coat when body temperature rises. This is an instinctive process and not a conscious decision, as with the function of our internal organs. Alternatively, regulation can be direct or indirect by an external authority, e.g. a person, or by an official body that adjusts its control measures based on the information it receives via feedback mechanisms.³

To form a system, there should be “closed boundaries around the system, feedback loops within those boundaries, stock variables representing accumulation within the feedback loops, flow variables as activities within the feedback loops, and a goal, an observed state, a cognition, and an action based on the discrepancy as the [four] components of the flow variables” (Forrester, 1961, p. 12). Recognising a discrepancy between the expected outcomes and the observed outputs and then intervening in the ongoing processes (in terms of resource utilisation) is equivalent to making a decision regarding the basic resources (e.g. assets and equipment) that govern the interaction between the basic resources and their utilisation. Typically, a decision emerges from a structured hierarchy or an appointed decision-maker who sets certain benchmarks or discrete criteria to achieve or confirm the realisation of the predetermined goal (in the context of shaping the future). In this context, it can also be seen as an act of genesis, where an arrangement emerges through a process of repeated iterations or the emergence of new elements. Like systems, people can also

³ E.g. people can adapt to the new legislation by reaching their destination in different ways (a neutral measure is to avoid a traffic accident or find another route, a negative one is that higher taxation of wealth causes it to “migrate” to other countries), by avoiding it or by abusing its purpose (e.g. transferring assets to straw men), and public authorities can try to correct such behaviour (e.g. “The concept of self-organisation is fundamental to general systems theory and emerged initially from theoretical work in developmental biology; it provides a biological framework for understanding social organisation that could support participatory and inclusive forms of social organisation. In contrast to the classical mechanistic view, which tends to reinforce a deterministic understanding of human behaviour, many in the general systems group emphasise the importance of creativity and spontaneity, which encourages individuals to participate more actively in the process of defining their own reality” (Hammond, 2011, p. 23).

start over, create new categories, and form new judgements about events that have already occurred or could occur in the future. Feedback is a mechanism (rule, information flow or signal) that allows [behaviour] to change stocks according to the flow into or out of those stocks' (Meadows, 2008, p. 187). The system can be visualised as shown in Figure 1 below.

Figure 1: Structure of the system



Source: own

The text refers to the interplay between stock variables such as founding objectives and assets, and flow variables such as their realisation through current expenditure. This interplay leads to a certain sequence of behaviours or outcomes that depend on the decisions made and their subsequent implementation. It is through decisions aimed at correcting deviations from the intended trajectory that the importance of metrics that indicate the success or failure of these decisions becomes clear. In the complicated reality of the world, it is indeed unusual to find a linear causality where one action always causes a corresponding reaction in another area. This concept is similar to the principles underlying the Industrial Internet of Things. The result of a decision is always associated with negative or positive consequences. This concept is succinctly expressed by the saying that “the (true) purpose of a system is what it actually does” (Beer, 2002, p. 2). The concept is in line with the principle of “effortless action” (*wu-wei*), which embodies the ideal synchronicity between a person’s inner inclinations and their outer actions (Confucius, 2003). It is often a misinterpretation to confuse the mere presence of feedback with the essence of the system. Feedback, regardless of whether it is negatively inhibiting or positively reinforcing, merely means whether a state is favourable or unfavourable. This judgment depends on predefined standards, provided that the sensory mechanisms are accurate and sufficient. Feedback is usually associated with delays, can be incomplete, and is susceptible to multiple interpretations, be they positive, negative, random, or indicative of unforeseen and undesirable outcomes. Since interactions favour new developments, it can be assumed that a system generates its own behavioural patterns. With its basic

principles, system theory has made a significant contribution to the development of artificial intelligence systems. Although these systems remain basically as such, they have been transferred to the programming environment of computers. They can recognise patterns in amorphous data and support decision-making.

In addition to the system, cybernetic aspects were also applied (for the first time in Slovenia) to the regulatory aspect of the governance of public institutes, which is particularly important given the focus on adaptive, sensitive, and responsive institutional models of social organisations. Thus, the rule of necessary diversity implies the management of diversity with an equal degree of diversity (Ashby, 1957), whereby any good regulator of a system must be a model of that system (Conant and Ashby, 1970). With the objectification of data, centralised “command” becomes increasingly redundant and therefore the focus should be primarily on the distribution of information (Beer and Eno, 2009). To be able to respond to different problems, it is therefore necessary to have an equal number of responses that are (at least) as different as the problems expressed. The recipe must be a model that is sufficiently similar to reality. The decision maker must ensure this because decisions are only as good as the decision maker himself. In each context, he must ensure a flow of information that leads to democratic redundancy of the potential “command”. If sufficient data are available, collected based on a common methodology, everyone can form an opinion alone or in collaboration with others. Therefore, institutions should apply appropriate governance principles, which are presented below.

IV. The Condition of Corporate Governance in Slovenian Public Institutes

Governance principles include public accountability, transparency, fairness, responsiveness, and risk management. Communicating about governance involves sharing governance information, such as bylaws. Public institutes strive for good governance, although their focus is on public service rather than profitability. Efficiency, rationality and optimal operations are still important in the public sector to achieve excellence. Evidence of good governance goes beyond basic objectives to include environmental responsibility, ethical behaviour, and governance practices. Transparent corporate governance balances stakeholder interests, builds trust, and ensures the integrity of the organisation by mitigating risks such as financial loss and corruption, ensuring long-term success and resilience. Corporate governance embodies the key principles for long-term success: (a) fairness, i.e., equal treatment of shareholders, employees, suppliers and communities; (b) transparency, i.e. accurate and timely provision of financial information to stakeholders, disclosure of conflicts, and risk details; (c) risk management, i.e. identifying and managing various risks while keeping stakeholders informed; (d) accountability, i.e., overseeing the affairs of the institution, ensuring operational success, and appointing the CEO in the best interest of the institution; public accountability, i.e., explaining institutional activities, evaluating performance, and informing on critical issues.

These principles promote effective corporate governance and maintain the integrity, functionality, and trust of the institutes’ stakeholders. The governance of an institution comprises a system of rules, practises and procedures that guide and control the institution. It is about harmonising the interests of the institute’s many stakeholders, such as owners,

managers, customers, suppliers, funders, government, and the public. Since governance provides the framework for achieving objectives, it encompasses virtually all areas of management, from action plans and internal controls to performance and effectiveness measurement, transparency, accountability, and other fundamental principles of governance. The institution's board of directors, i.e. the institution's council, is the most important force influencing the institution's governance. Poor corporate governance can jeopardise the institution's performance and ultimately its efficiency and effectiveness. In the context of public institutions, issues of environmental awareness, ethical behaviour, management strategies, remuneration, and risk management are becoming increasingly important – in addition to the existing governance issues in the public sector.

The fact that the Slovenian public sector is struggling with poor corporate governance is evident from the audit conducted by the Court of Audit of the Republic of Slovenia on the Government and the Ministries of Culture, Health, Labour, and Education in the period from 1 January 2016 to 31 December 2018 with regard to its efficiency in the management of state public institutes. The audit revealed only the partial effectiveness of their administrative systems. Most ministries lacked a system to ensure that the boards of the institutes fulfilled their assigned tasks and received authorisation from the responsible ministry or founder when required. There were no consequences for failure to fulfil the duties of the Institute Council (IC), nor did the regulations require the founder to oversee the IC's duties. The ministries did not monitor the IC's approval of financial plans and reports until 2016 after the budget laws of the past had been passed. The government, which exercised the founder's rights, saw no need for improvements. The rules for the interaction of the founder representatives in the institute's bodies were not standardised. The ministries monitored the representatives in different ways and sometimes reported on discussed topics and decisions. In the health sector, cooperation was better regulated, but in social protection, there was a lack of secure implementation despite the modalities of cooperation established by the responsible ministry.⁴

The Court's findings point to a lack of corporate governance in public institutes, particularly ICs, that operate in the manner described above. Therefore it is important to observe the basic principles of corporate governance, which are adapted to the specificities of the work of each type of public institute. The differences in the autonomy and professionalism of public institutes in relation to the state's ability to intervene in their activities can be categorised into the following types:

- * political autonomy: public institutes with a high degree of political autonomy have more autonomy in decision-making and policy implementation. The state interferes less in their work but can influence their budget, the appointment of their management or the adoption of laws that affect their field of activity;
- * financial autonomy: public institutes with financial autonomy have more control over their resources and are less dependent on state funding;
- * operational autonomy: public institutes with operational autonomy have more autonomy in the implementation of their tasks and programmes. This allows them to

⁴ Audit report: Effectiveness of the management system of public institutes. Court of Audit of the Republic of Slovenia, no. 320-3/2017/71, Ljubljana, 15th February 2021.

better adapt to local conditions and needs, but they must still adhere to the guidelines and objectives set by the state; and

- * administrative autonomy: public institutes with administrative autonomy have more autonomy in the management of their staff, procedures, and internal actions. The state has less influence on their internal organisation, but still sets the guidelines and objectives that they must adhere to.

All these types of autonomy can be important for the efficient functioning of public institutes and for the provision of quality services to citizens. However, it is also important that public institutes have an adequate level of control and accountability to prevent abuse and ensure that public funds are used efficiently. Public institutes can be divided into four types according to their mode of operation: a) public executive institutes that perform administrative tasks similar to those of the state administration (e.g. the Institute for Pension and Disability Insurance, the Institute for Health Insurance, the Centres for Social Work), b) public executive institutes that provide state programmes (adopted by expert councils independently or in cooperation with the minister) or services (e.g. kindergartens, nurseries, etc.), c) subsidised public institutes that achieve goals set by the state through their methods and ways of working (e.g. research organisations – research projects, programmes) and d) creative public institutes that carry out their own programmes that are otherwise subject to quality control and supervision by a state body (e.g. universities – Nakvis, public cultural programmes – MK, municipalities).

Institutes such as “a” and “b” above rely primarily on direct funding from the public budget for salaries, contributions, and taxes that meet legal standards. Some receive indirect funding through contracts (“c” and “d”) for scientific research, study programmes or cultural activities that serve the public interest. These direct and indirect funds are used to support various educational institutes and services for special needs, vocational training, and higher education. Professionalism and autonomy vary among public institutes. Those who offer independent programmes have greater autonomy than those who offer state programmes. Executive institutes have less political and financial autonomy than subsidised institutes, which have more control over public funds. However, both have operational and administrative autonomy when the state does not intervene in day-to-day operations. This influences the structure, appointments, dismissals, and management methods in these institutes. To analyse the existence of systematic corporate governance in Slovenian public institutes, the following case study of these institutes is presented.

V. The Case Study

The aim of the case study was to examine the systemic (or rather missing) processes, procedures, activities, and problems of decision-making at the ministerial level in terms of consistency with strategic documents, action plans, programmes, and other ministerial documents. As hierarchical decision makers, owners and controllers of public institutes, the aim was to analyse the coordination between ministries, their departments, and public institutes. The case study included the Government of the Republic of Slovenia, the Ministry of Culture, the Ministry of Health, the Ministry of Labour, Family, Social Affairs and Equal

Opportunities and the Ministry of Education, Science and Sport, as the Court of Audit (2021a) concluded in its audit report that they had partially ensured the effectiveness of the management system of public institutes in the period from 1 January 2016 to 31 December 2018. According to the Court of Audit (2021b), in the period from 1 January 2017 to 31 July 2020, the Government of the Republic of Slovenia was also partially effective in implementing measures within the framework of the implementation of the Republic of Slovenia 2030 Development Strategy as an overarching strategic development document.

The case study included an analysis of the websites of the Republic of Slovenia and the ministries involved in the study. The aim was to analyse the existence of individual strategic documents of public institutes, which were divided into the same groups and areas to ensure comparability with the results of the Court's audit report (2021b): direct users of the state budget (Slovenian Academy of Sciences and Arts), public institutes and other public service providers, which were divided into the following areas: Education and Sports, Research, Social Welfare, Culture, Healthcare and Social Insurance (the Institute for Health Insurance, the Institute for Pension and Disability Insurance, the Institute for Employment).

Following the study, a structured interview was conducted with a representative of the management of a public educational institute. The interview consisted of the following questions:

- * How are the services/departments responsible for public institutes in your ministry organised and staffed?
- * How is the coordination between your ministry, the departments, and the public institutes?
- * What is your procedure for drafting strategic documents (related to public institutes) and what are the relationships between the main stakeholders in their preparation (government, parliament, ministry, professionals, and staff)?
- * Do you have strategic documents, policies, and action plans related to the functioning of public institutes?
- * What are your processes and decision-making methods in relation to public institutes?
- * What are your processes, methods and procedures for monitoring and evaluating the impact of decisions made in relation to public institutes?
- * What data sources, metrics, and indicators do you have available for monitoring and evaluating activities in public institutes?

The survey focussed on the management/implementation level, where the planning, monitoring, impact assessment, and timely response to deviations phases are particularly relevant. The planning approach has linked important aspects of the implementation of the activities of public institutes. This means that in addition to the planning of activities (process aspect), the monitoring of regulatory measures that are not only implemented at the legislative level is also required. The results of the analysis are presented below.

VI. Results

The analysis shows that public institutes no longer receive (direct) attention from a strategic perspective. Of the currently valid and publicly available strategies, the Republic of Slovenia 2030 Development Strategy (Strategy 2030) and, in the absence of newer strategies, the Strategy for the Development of Public Administration 2015–2020 and the Strategy for the Development of Local Self-Government in the Republic of Slovenia until 2020, were analysed. The Strategy 2030 (Šooš, 2017) emphasises problems such as the low efficiency of institutions and inefficiencies in public spending and governance. Its main goal is to ensure a high quality of life for all, with a focus on good opportunities in work, education and creativity, a safe, active lifestyle, a clean environment, and participation in democratic decision-making. To achieve this, effective strategic management of public institutions is required. The government and the ministries involved must ensure an inclusive, healthy and responsible society, lifelong learning, and a high level of participation, competence, and efficiency of the administration. These objectives have an indirect impact on the functioning of public institutes that work for the common good. Furthermore, the Courts audit report (2021b) for the period from 1 January 2017 to 31 July 2020 does not show that the monitoring and analysis of the implementation of the 2030 strategy was not properly carried out, as neither a monitoring methodology nor specific instructions and explanations for reporting on implementation were provided. It should also be noted that the Court of Audit has recommended that the long-term development of the country and society should be the subject of a broader consensus and commitment at the level of the National Assembly and not the Government.

The analysis of the Public Administration Development Strategy 2015–2020 shows that there is a lack of direct focus on public institutes and services, although quality, efficiency, transparency, and accountability are emphasised. While core values such as the rule of law, fairness, cooperation, and consensus building are at the forefront, the strategy aims to optimise existing services, monitor needs and develop new services. Effective policy implementation has a direct impact on social development, but the SWOT analysis of the strategy identifies inefficient institutes as a weakness. Public institutes are mainly mentioned in the chapter “Rational organisation of public administration”, which is in line with the original strategic objectives. However, the strategy extends its measures to all public administration institutions and occasionally includes institutions such as public institutes and agencies under government supervision. The 2012 OECD review of Slovenia’s public administration, referred to in the strategy, points to gaps between ministry planning and centralised support, leading to ineffective national policies and a lack of interministerial cooperation. Similar problems are also reflected in the management of public institutes, as the analysis of the case studies shows. The strategy deals briefly with public services in the context of the application of the Administrative Procedure Act. It emphasises the extension of the importance of this law beyond administrative decision making to public law matters, including the provision of public services. The strategy emphasises the importance of informing both the professional community and the public about the development of the Act and the resulting activities. It encourages stakeholders to get involved to improve the

image of public administration and invites stakeholders to make suggestions and comments to the relevant authorities to improve regulations and laws.

Furthermore, the 2020 Local Strategy explicitly emphasises public institutions and services as part of the development of local self-government in Slovenia until 2020 and aims to harmonise the conditions for efficient municipal task completion that extend across municipal administrations and public services. The main objective is to strengthen local self-government, improve the influence of citizens on decision making, and ensure resource efficiency and the quality of local services. Inter-municipal co-operation is a priority, especially in the efficient delivery of public services. Municipalities recognise the need for progress and change and focus on modernising administration and public service delivery while developing further improvement programmes. The strategy emphasises a partnership between the state and local authorities for the effective delivery of public services. It calls for an urgent optimisation of municipal public services by the ministries. Municipalities, regardless of their size, are encouraged to set clear targets, action plans and cost-reduction strategies in co-operation with the state authorities. Efficient local management fosters community motivation and involvement, which is crucial for both national and municipal budgets. More efficient management at the local level tends to increase the motivation and participation of stakeholders.

To analyse the existence of individual strategic documents of public institutions, the websites of the ministries in the case studies were examined. It turned out that their strategies and associated action plans are only accessible to a limited extent. While links to legal acts, organisational charts, tenders, and official lists are available, the ministries' strategic documents are not publicly accessible. The Ministry of Education, Science and Sport provides various documents⁵ with detailed information on objectives, impact, activities, and resources. The Ministry of Labour, Family, Social Affairs, and Equal Opportunities, on the other hand, does not provide public access to its strategy and action plan, but only links to legal acts, organisational charts, tenders, forms, and official lists on its website. The Ministry of Health does not have an accessible strategy or action plan on its website, apart from an invitation to a conference presenting the 2022–2027 strategy for the digitalisation of healthcare. This conference aims to inform stakeholders about the strategy and discuss perspectives (EU, OECD, Slovenia) on the digital transformation of healthcare without explicitly providing a platform for stakeholder proposals. The Ministry of Culture's strategy and action plan are also not accessible on its website, apart from the Cultural

⁵ Information and recommendations on the activities of the Founder's representatives in the sacred public educational institutes whose founder is the Republic of Slovenia (The Republic of Slovenia Ministry of Education, Science and Sport, 2019); White Paper on Education in the Republic of Slovenia (The Republic of Slovenia Ministry of Education and Sport, 2011); Strategy of higher education in the Republic of Slovenia for the period 2020–2030 (The Government of the Republic of Slovenia, 2020a); Key objectives, measures and indicators of the strategy for higher education in the Republic of Slovenia for the period 2020–2030 (The Government of the Republic of Slovenia, 2020b); Analysing the situation in higher education (The Government of the Republic of Slovenia, 2020c); Strategy of behavioural and educational culture for sustainable mobility of children and young people in the education system by 2024 (The Republic of Slovenia Ministry of Education, Science and Sport, 2021a); Action plan for the preparation of a proposal for the inclusion of Slovenian sign language in the system of pre-primary, primary and secondary education 2021–2024 (The Republic of Slovenia Ministry of Education, Science and Sport, 2021b).

Heritage Strategy 2020–2030, which lists objectives, development directions, measures, and stakeholders involved. However, the specific deadlines for the implementation of the activities mentioned in the action plan are not publicly accessible.

As part of the case study, the websites of selected public institutes operating within the Government of the Republic of Slovenia and the ministries included in the study were also analysed. Among the relevant documents and data, the Slovenian Academy of Sciences and Arts (a direct user of the state budget) has a published organisation chart, links to legal acts (the Act on the Slovenian Academy of Sciences and Arts and the Statute of the Slovenian Academy of Sciences and Arts), information on working bodies, annual reports, and yearbooks. Strategic plans and related action plans are not accessible. Selected public institutes and other providers of public services in the field of education have usually published school regulations, annual work plans, development, and education plans, and some also have founding resolutions, rules of procedure of institutional councils, regulations on internal organisation and systematisation. In addition to the links to legal acts, organisational charts, statutes, published annual reports, work programmes, and financial plans, selected public research institutes and other public service providers do not have publicly available strategies and related action plans.

Furthermore, the results of the case studies show that the selected public institutes and other public service providers in the field of social protection (social work centres) do not have published policy documents. Users of the websites can read all the notices, explanations of the different areas of work and appeals, forms for the parties to the different procedures, lists of officials in the shared services or in other services, and persons authorised to take decisions in administrative matters. The strategies and corresponding action plans are not accessible.

In addition, selected public institutes and other public service providers in the field of culture (e.g. Cankarjev Dom, 2020) have published statutes, annual reports, financial plans, work programmes, and strategies with specific objectives. Larger public institutes that cooperate with experts in the development of strategies (e.g. Institute for Tourism Kranj, 2021) have usually defined the activities, indicators, contractors, and deadlines in the strategies in addition to the objectives. The selected public institutes and other public service providers in the field of primary and (in some cases) secondary healthcare have mostly published technical, business, and financial reports, most of which relate to the annual targets set in the institutes' business and financial plans. Any strategies or associated action plans are not publicly available or do not have clearly defined activities, indicators, or deadlines. In the area of tertiary healthcare, (mainly larger) institutes (e.g. the University Hospital of Ljubljana, 2018) have published strategies with SWOT analyses, defined objectives, activities, responsible persons, and implementation deadlines.

The analysis also shows that the Institute of Health Insurance is publishing its Strategic Development Programme (IHI RS, 2019) for 2020–2025, which was developed in collaboration with IHI staff, members of senior management, and input from various institutions and individuals through adoption and public consultation. The strategy, developed with the assistance of the Strategic Planning Methodology Assistant, outlines clear objectives, key activities, evaluation criteria, objectives, and measures. The annual reports

detail the activities, evaluations and performance indicators for the strategic activities and the achievement of the objectives, providing a comprehensive overview of IHI's activities. Additionally, the Institute of Pension and Disability Insurance has published a Development Programme for 2022–2025 (IPDI RS, 2022), which is typically comparable to a development strategy. It contains links to previous programmes, a SWOT analysis, objectives, and time frames of the Institute, as well as publicly available annual reports. The Institute of the Republic of Slovenia for Employment, on the other hand, works based on unpublished expert guidelines and strategic documents, apart from legal links and institute's details. The results of the case studies show that public institutes often include strategic documents in the public information catalogue, including work programmes, financial plans, and annual reports. Larger institutes can also disclose more detailed strategic and action plans involving civil servants and planning experts. These plans include SWOT analyses, institute objectives, activities, benchmarks, targets, and timetables for implementation.

As part of the case study, a structured interview was conducted with a representative of the management of the public educational institutes. He explained that they do not develop a strategy or action plans; their main strategic document is the annual work plan (with permanent content). They prepare a work programme for the funder (the municipality), which is aligned with the annual work plan and must include a statement of the content that the funder has supported financially. To facilitate the organisation of work within the institution, network plans are drawn up; it works several times a year with the parents' council as an advisory body; and matters are decided in the institute's council. The administration of the public institutes is a challenge due to insufficient financial support from both the Ministry and the founder. The management of the institute tries to solve this problem by renting the premises to external clients and offering lunch. There are also major problems with the organisation of longer stays and morning care, as the ministry stipulates the number of hours. Co-operation with the ministry is rare and questions are usually directed to the same official, with another official filling in in their absence. The advice or answers given by the officials are often very general and refer only to the legal provisions, which are often difficult (or impossible) to implement in practise, causing major problems for the institute's management. Although the Ministry involves representatives of the management and the profession in working groups (e.g. when changing curricula), their experience is that the professional suggestions of the representatives of the institutes are usually not taken into account; it even seems that their participation in the working groups is only a "pretext" for the Ministry to write that the representatives of the profession were also involved in the changes. It is precisely because of this lack of consideration that the representatives of the institutes do not want to participate in the working groups. Reporting to the Ministry is done via a portal where the data are entered, but this is not harmonised with the reporting to the founder (the municipality), which requires other data or reports. Inspectors responsible for various areas also carry out the monitoring.

To summarise, the results of the case study show the absence of systematic approach to the governance of public institutes. Both ministries and public institutes often do not have development strategies that define objectives, activities/measures, indicators,

project promoters, and implementation deadlines. Therefore, systematic monitoring of implementation and impact measurement is not ensured (such as the findings of the Court of Auditors on the implementation of the 2030 Strategy). The link and cooperation between ministries and their subordinate public institutes is weak and can lead to reduced mutual trust, which is a prerequisite for adequate stakeholder participation in policy formulation and monitoring. Changes are needed and a partnership relationship must be ensured to ensure effective management of public institutes and public service delivery, which also has an impact on greater public (citizen) interest in participation.

Thus, the Slovenian public administration is still more about the use of the word “system” or “systemic” (like the term “public interest”) in the sense of rhetoric as an art of persuasion than a real scientific-empirical categorisation of the functioning and examination of individual parts of the system on a particular issue. Although the systemic approach has already been emphasised by Woodrow Wilson as the father of administrative science, Henry Fayol as the father of scientific management and Luther Gulick as a management expert, it seems the importance of connectedness, which is essentially our fundamental intrinsic quality, needs to be rediscovered: our perceptions often do not drive behaviour because individuals change it, i.e. how necessary it is to control our perceptions to enjoy desirable outcomes and avoid undesirable ones (e.g. I do not dream of going to the cinema, I do in the Roman style of “*acta non verba*” – actions, not words), and therefore an awareness of connectedness is also necessary for the public system of goal achievement or public management. Information is therefore not (in) correct *per se*, but the accuracy of its prediction according to a certain model (of information gathering). By defining criteria or standards, systems theory is thus closely linked from the outset to the principle of the rule of law, i.e. the principle of clarity and certainty. A system is not a “thing” but a list of selected criteria (Ashby, 1957) by which it is judged. Information gathering is different in a mechanical, reductionist style than in a holistic, systemic, or dynamic style: local perceptions are obtained directly through the senses (from which we draw conclusions), whereas systemic perception is primarily concerned with understanding interlocking processes and chain reactions.

VII. Discussion and Conclusion

The survey focused on the crucial management levels – planning, monitoring, impact assessment, and timely response – to deviations – and proved the lack of a functioning system, namely, there is no feedback. The current regulatory issues in the public service sector centre around transparent frameworks and delineation of powers and responsibilities between the founders and the public service institutes. The founders of the public institutes (state, municipalities) regulate the activities, while the managers monitor the processes. Systems theory opposes rigidity and favours a dynamic, inclusive, self-renewing community that embodies unity in diversity, similar to the motto of the European Union “*in varietate concordia*” (united in diversity). Effective delivery of public services requires a sound systemic regulatory framework and its functional operation.

A strong systemic regulatory framework is key to the delivery of high-quality public services. Systems theory offers intellectual insights rather than direct applications, but addressing governance shortcomings through this perspective can pave the way for a more systemic public administration in the future. The use of systemic elements increases the efficiency of public institutes. Decision-makers must embrace these elements to achieve the desired results. The adaptability inherent in complex systems is crucial. The characteristics of parts are context-dependent and are understood within systems. Holistic systems theory illuminates the complexity of public institutes beyond legal texts. Systems thinking recognises the interdependence and centrality of decisions to human existence and offers an iterative approach to addressing interconnected challenges (Arendt, 1998). The realisation that the whole is greater than the sum of its parts also applies to public institutes, with systemic integration taking centre stage. A systemic approach aims to improve the functioning of public administration by adopting a holistic perspective. Decision makers focus on the whole system rather than individual parts, which is essential for informed decision making. System elements in public services provide adaptable responses without neglecting rights/duties, which helps decision makers apply a systems approach. Effective management requires consideration of issues based on systems thinking before a decision is made:

- * What indicators point to a change in the situation?
- * How can we be informed about the status of the decision in real-time?
- * How do the feedback loops work and where do they operate?
- * What wider impact can this decision have and what is its overall function?
- * What are the key components of the decision?
- * How should these components be linked?
- * What role do these individual parts play, both independently and in different combinations?
- * Would the decision still work effectively if certain components and connections were omitted?
- * Is it possible to rearrange these components to achieve the same goals?
- * What criteria or thresholds influence the performance and effectiveness of the decision?
- * Are there defined scenarios for different conditions, and what triggers the initial scenario?
- * What means and tools can be used to achieve identical objectives?
- * Can the decision maker modify the decision variable to assume a specific or new value, and can adaptive decisions be activated in response to a changing environment?
- * In what ways can a decision be misused and how can such misuse be recognised and prevented?
- * What metrics or indicators confirm that a decision has the intended impact?

A system comprises quantitative and qualitative elements that are influenced by internal/external relationships. The lack of basic recording mechanisms in institutional documents hinders real-time monitoring and creates a system gap. The interconnectedness of systems can lead to unforeseen consequences that require proactive detection through predefined thresholds or detection methods. Governance is adapting and recognising that change is not just based on formal decisions, but on influencing reality. States are recognising roles that promote innovation and change rather than just making decisions. Top-down planning remains important, but is based on an objective assessment of the reality on the ground. States are looking for alternative ways to engage citizens, communities, and businesses (e.g. the Climate Change Network), which requires interventions at all relevant levels. Systemic change requires multiple actions and measures to spread innovative ideas. Due to the complexity and uncertainty of the processes, coordination and measurement of actions across society are key. Achieving comprehensive goals requires complex measures that require funding, capacity building, and better coordination between local, regional, and national authorities. Effective implementation, linkage, and coherence of measures are crucial for consensus-building and problem solving.

The survey shows that the greatest weakness of formal documents is that they list individual measures without showing their interrelationships. It is assumed that documents such as strategies, action plans, or roadmaps list the most important objectives, indicators, and drivers. Each document communicates and structures multiple links or a system that aims to achieve strategic goals through combined elements. Effective implementation requires coordinated, aligned, and complementary actions that are not present in individual action plans without predefined processes and criteria. Managing the interaction between objectives, planning, and redistribution based on impact is crucial. Strategies that simply set targets and indicators without managing, coordinating, or adjusting them are not effective. A system consists of interconnected units that form a functional whole and are characterised by social units, components, and regulated relationships. It comprises elements that are linked by specific interactions, rules, and common goals. To understand a system, one must recognise how its elements interact towards a goal. The mere repetition of actions without establishing connections impairs the success of any strategy. Connections promote collective problem solving and emphasise the importance of relationships in achieving common goals.

A notable systemic failure is the insufficient and untimely involvement of internal and external stakeholders, including various disciplines and civil society, in the activities of public institutes. Modern approaches to public service management should ensure full public participation in policymaking and major decisions affecting the public and public funds. Without systematic participation, public agencies lack a broad consensus on objectives, so that not even internal, let alone external, stakeholders can contribute. National programmes nominally allow for public participation based on a political decision but lack legal consequences, leading to possible violations. The analysis shows that there is a lack of ex-post monitoring or real-time systems to assess and prevent problems in the management of public institutes. Technology enables statistically representative feedback from the public in real time, which is critical to assess public opinion and align public

institutes with the public will. Without systematic public participation, constant monitoring is essential to ensure that public institutes are aligned with public opinion.

Current methods of virtual public participation are not able to promote mutual trust effectively. Greater participation of different stakeholders in public administration, involving joint design and implementation, should be prioritised. Laws promoting transparency, access to public information, anticorruption, and citizen participation in public affairs can facilitate these changes. However, Slovenian public services seem to prioritise compliance with EU directives over independent thinking and action. The role of the state should focus on creating favourable conditions rather than direct service delivery and the participation of users and community members in the design and management of services. Setting success criteria in annual plans should strike a balance between meeting the criteria and neglecting other aspects, while involving stakeholders in the delivery and evaluation of services should strengthen the accountability and autonomy of providers. Aligning the status of directors of public institutes with that of civil servants in terms of appointment and dismissal minimises politically motivated dismissals and ensures competence-based decision making. Preventing the dismissal of a director within one year of taking office or appointment strengthens stability and competence in public service management.

Research has produced new theoretical insights into the governance of public institutions and offers methods for problem identification and normative solutions. This strengthens development competences and capacities in the field of public administration and leads to valuable theoretical and practical results. First, the proposed approach aims to give more autonomy to public institutes and support them in organisation and implementation while strengthening the oversight of the ministry by improving the quality of information. Embedded in concepts such as the knowledge society, this approach promotes innovation and lifelong learning. Public institutes contribute to socioeconomic growth by fostering the development of human capital and serving as hubs for knowledge creation and innovation that support each other.

Second, due to their size and influence, public institutes have a significant impact on social cohesion by reducing inequalities and improving social knowledge and skills. The management of these institutes should focus on maximising individual potential for personal development and contributing to a sustainable and democratic knowledge society. The results of the survey provide clarity in the governance of public institutes and strengthen legal accountability by ensuring legal certainty and trust in the law. The results are applicable to various public institutions and provide them with guidance to assess their capacities, overcome administrative hurdles, and coordinate their efforts to deliver public services efficiently. Well-functioning public institutions are central to protecting the fundamental rights of all citizens of Slovenia.

Finally, systems theory goes beyond systems to understand their interrelationships and points to key shortcomings in public administration. These include data influenced by criteria or personal assumptions, the discrepancy between formal and actual intentions, inadequate perception mechanisms, excessive static thinking, unnoticed connections and implications, discrepancies between reality and documented information, ambiguous, contradictory goals, subjective and open criteria, unclear impact assessment of measures,

inefficiency due to multiple agencies and poor coordination, the role of managers and civil servants, and coordination problems of the central management authority.

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