

THE CRISIS THAT DETERMINED THE PRISON ADMINISTRATION SYSTEM TO REALLY STEP TOWARDS DIGITALIZATION

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Objectives: *this study aims to present the difficulties that the coronavirus outbreak has brought to the recruitment and staffing process, the solutions identified at that time, as well as the direction in which they can be developed in the future, given that a large part of them were systemic problems, which made it difficult for the system to respond promptly to the crisis situation, but not only. The case study of this paper will be related to the use of digital solutions in the recruitment of staff within the prison administration system, respectively the implications for the resilience of these organizations.*

Implications: *this study is addressed to the human resources workers in the units that make up the prison administration system, but also to the workers with management positions, as all of them will have to use new work tools and knowledge. They will have to improve certain working procedures or even develop new ones. All these things taking into account the new risks related to each situation, which will have to be managed and harmonized within the prison administration system's management plan.*

Originality Value: *through this paper we will make an inventory of the difficulties that were encountered, the solutions identified at that time, the analysis of the results obtained through those solutions, and finally we will draw conclusions regarding their keeping, their development in one direction or another, or the abandonment of them, where the situation requires it.*

Key Words: resilience, crisis management, development, recruitment, work procedures.

INTRODUCTION

The need to carry out this study arose with the publication by The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of Action Plan no. DH-DD(2020) 1059, approved during Meeting no.1390 of December 2020 of The Committee of Ministers of Council of Europe, in which several objectives related to the penitentiary administration system were set for Romania.[1]

Thus, in chapter D. PROPOSED MEASURES TO IMPROVE DETENTION CONDITIONS (2020-2025) – Subchapter D.3. IMPROVING HYGIENE STANDARDS AND MEDICAL SUPERVISION, of the Action Plan, through points 79-83, the following objectives were established:

- Regular monitoring and evaluation of medical activities and hygienic-sanitary norms to identify risk factors and provide relevant, truthful and timely information;
- approving the joint order of the Minister of Justice and the Minister of Health regarding the activity of providing medical care, treatment;
- Continuing to monitor the process of implementing quality standards in health, by the four penitentiaries – hospital;
- Improving the initial health assessment system and increasing clinical monitoring and evaluation capacity;
- Ensuring medical staff's need by filling vacancies in this field;

Up until the aggravation of the pandemic situation in Romania, the recruiting process within the correctional system took place in the first trimester of the year.

These campaigns were carried out, at the time approved and announced by the specialized structure within the National Administration of Penitentiaries - The Human Resources Management Directorate, by each penitentiary.

The purpose of those campaigns consisted in ensuring as many candidates as possible, for filling the vacancies within the correctional system.

For that reason, each penitentiary, teams were put together formed of presentable, charismatic people, who possessed the appropriated communication skills in order to transmit information correctly and clearly.

The recommendations of the Human Resources Management Directorate were that the recruiting teams formed by each penitentiary should include the unit's spokesperson, an employee from the guard-surveillance-escort sector and/or one from the intervention structure - Associated Structure for Special Security (SASS), and an employee from the Human Resources Bureau, taking into consideration the unit's operative situation [2].

Those teams were to visit high schools, in order to present the educational offer, meaning post-secondary and higher education institutions that train staff for the benefit of the prison administration system, but also professional associations from different fields of activity, specialized faculties and county employment agencies, for the presentation of vacant positions that are to be the subject of external source contests.

On the occasion of those visits, the recruitment team presented clear descriptions of the vacant positions, emphasizing the institution's mission, objectives, responsibilities and tasks, its importance for society, the approximate amount of the salary, other rights and benefits, related to those positions, the nature of the work, the training offered, professional development opportunities.

The team also displayed a video made available by the Human Resources Management Directorate.

At the end of the presentation, they handed printouts containing all that data and contact data as well, the participants being encouraged to send CVs to the penitentiary units they were interested in.

NATIONAL LEGISLATIVE FRAMEWORK

Starting from March 16, 2020, the President of Romania decrees the instatement of a state of emergency throughout the territory of Romania, for a period of 30 days, to prevent the spread of COVID-19, an aspect that implied the restriction of several civil rights and freedoms among which free movement and freedom of assembly [3].

As a result of this decree, the General Director of the National Penitentiary Administration issued Decision no. 381/16.03.2020 for the approval of the plan of measures, through which the rigors imposed by the Presidential Decree were implemented [4].

A direct consequence of these restrictions was the impossibility of carrying out the recruitment campaigns as they were envisioned and developed.

There was a solution provided in the Presidential Decree regarding the state of emergency, in article 6 it was stipulated that "Institutions within the National System of Defense, Public Order and National Security can hire without contest, if necessary, for a fixed period of 6 months, personnel from an external source or former employees who have gone into reserve, whose service relationships have ended.", but the lack of a regulation for the application of the provisions in question, meant that this measures it could not be implemented immediately.

Still the urgency, as well as the necessity, for this provision to be applied immediately, came precisely because of the panic created among employees who, in the situation in which they met the conditions for retirement, ended their service relationships through retirement, or in the situation where they did not meet the conditions for retirement, they ended their service reports by resigning, a trend that began to decrease only in 2022.

METHODOLOGY

In this research we used two complementary methods, the observation method and the document analysis method, applied in two steps.

At first we used the observation method to establish chronologically, how the pandemic situation influenced the staff decisions of retirement or resignation, but also how the penitentiary system was able to cope with this phenomenon.

Afterwards we analyzed the specific documents regarding the employment, retirement and resignation in the period we considered of being of interest

EXPERIMENTAL

This research was carried out in two steps, using two complementary methods, the observation method and the document analysis method.

1. The first step, in which the observation method was applied, was characterized by the following aspects:

- it was a participatory observation, given the fact that as the Head of Human Resources and Professional Training Bureau in the Bucharest Rahova Penitentiary Hospital, our colleague directly participated in all the procedures specific to staff recruitment, respectively the termination of their employment relationships;

- due to the position he held, we consider that the research would not be affected by the declaration or non-declaration of the quality of researcher, the behavior regarding the option of the personnel to end their service relationships not being altered, such an option being able to be done only through the Office of Human Resources and Vocational Training. Thus, the research included both the advantages of open observation and covert observation, the specific risks of the two methods being non-existent (possible change in behavior due to the fact that they are being observed - in the case of open observation, respectively the change in the behavior of the observer by the nature of identification with the subjects, or the researcher's development of unethical behaviors);
 - the observation was natural, the workers being in their usual work space;
 - through this research, it was observed the staff options of ending their service at Bucharest Rahova Hospital Penitentiary for the period 01.01.2018 – 31.12.2022;
 - regarding the data recording method, it was carried out chronologically (for each employment, respective termination, the date on which it took place was noted), with quantitative determination (the number of employed persons, respectively of those who concluded their service was noted), and last but not least through records with reference to the documents drawn up for the employment of the staff, respectively for the termination of service
2. The second step, was document analysis method.
 - 2.1. The Register of Personnel Decisions was analyzed, that contains headings regarding the registration number of the Decision, its summary (employment, termination of service, transfer, appointment, advancement in rank, application of disciplinary sanctions, granting of salary rights, secondment, delegation, parental leave, rent compensation, other situations), respectively the registration date of the decision;
 - 2.2. There were identified the decisions regarding the termination of employment relationships registered in the Register of Personnel Decisions, separated between retirements and resignations;
 - 2.3. All employment decisions were identified, these being separated according to the origin of the candidates, internal source (educational institutions that train staff for the benefit of the prison administration system), or external source (persons who never had the quality of penitentiary policeman, pupil or student in educational institutions that train staff for the benefit of the penitentiary administration system);
 3. The third step was to carry out the Conceptual Analysis, synthesizing the information and then analyzing the correlations between the number of retirements/resignations and the evolution of the pandemic situation, but also the correlations between the number of newly employed personnel as the national legislative framework developed and new digital methods were used to recruit personnel, as seen in figures 1 to 4;
 - 3.1. Fig. 1 presents the following research/analysis variables – v1=no. retirements and v2= the years in which results occurred;
 - 3.2. Fig. 2 presents the following research/analysis variables – v1=no. resignations and v2= the years in which the results occurred;
 - 3.3. Fig. 3 presents the following research/analysis variables – v1= newly hired personnel from an external source, v2=newly hired personnel from an internal source, v3=total number of newly hired personnel, v4= the years in which results occurred;
 - 3.4. Fig. 4 presents the following research/analysis variables – v1= the total number of positions filled at the end of the year and v2= the years in which results occurred;

RESULTS

We turned to data analysis through graphs to better observe the evolution of staffing as the pandemic situation began to worsen, then the improvement of the situation as the pandemic began to be controlled and the new digital methods of recruitment and professional training were introduced during 2020 – 2022.

In the figure 1, it is represented the evolution of the number of employees who terminated their service through retirement in the Bucharest Rahova Hospital Penitentiary, in the period 2018-2022.

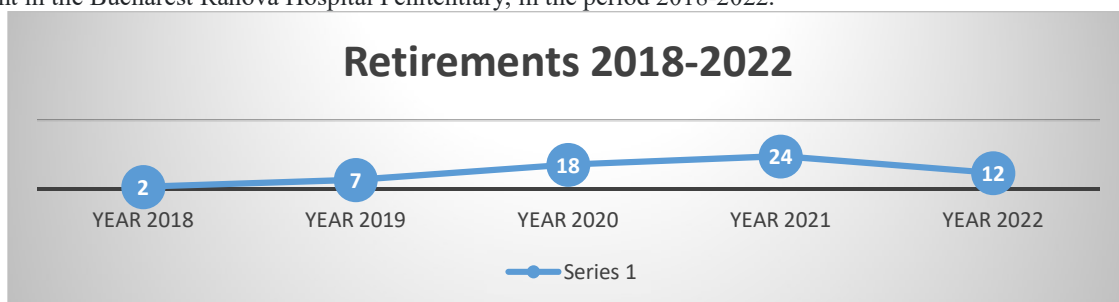


Figure 1. Retirements 2018-2022

In this figure we can observe that as the pandemic situation worsen, employees as soon as they met the conditions to retire, terminated their service.

We have to point that penitentiary policeman can retire sooner than the standard age of retirement, due to the conditions they are working in, being able to be reduced by up 13 years, but they also can remain active until the standard retirement age which is 60 years old.

Up until 2018, most of the employees would remain active up to 4 years from the moment they met the minimum retirement conditions, but as the pandemic situation worsen, the employees started to retire as soon as they met those minimum conditions.

In figure 2, we can observe the evolution of the number of employees who terminated their service through resignation in the Bucharest Rahova Hospital Penitentiary, in the period 2018-2022



Figure 2. Resignations 2018-2022

The same mechanism applied also regarding the termination of service by resignations.

Employees within Bucharest Rahova Hospital Penitentiary were usually very stable and the resignations cases were very rare, most of the times, because of their bad conduct, penal indictments, or emigration.

However, as the pandemic situation worsen, we can observe an exponential increase of the resignations, up until 2022, when the pandemic situation started to get back under control.

In figure 3, we can see the evolution of the number of new employees in the period 2018-2022;

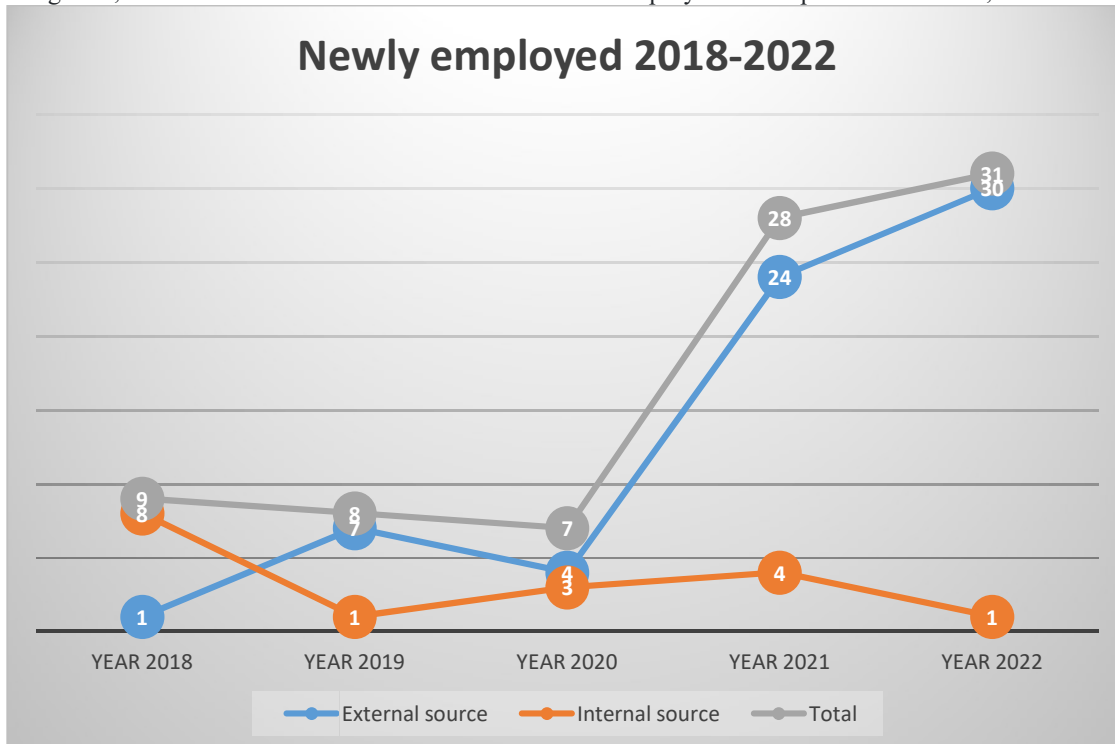


Figure 3. Newly employed 2018-2022

This graph shows how the new digital methods of recruitment corroborated with the revised national legislative framework, were able to redress the imbalance caused by the termination of service by workers who met the minimum retirement conditions.

Figure 4 depicts the evolution of the number of positions filled at the end of the year:

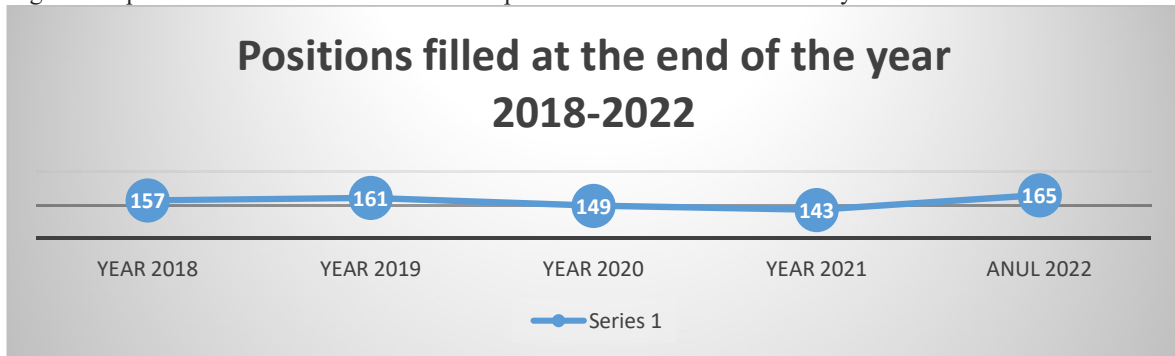


Figure 4. Positions filled at the end of the year

In this graph, we can see exactly the effects that the pandemic situation had over the total number of staff employed at the end of each year.

In this last graph, figure 5, we can see how exactly the pandemic situation evolved.

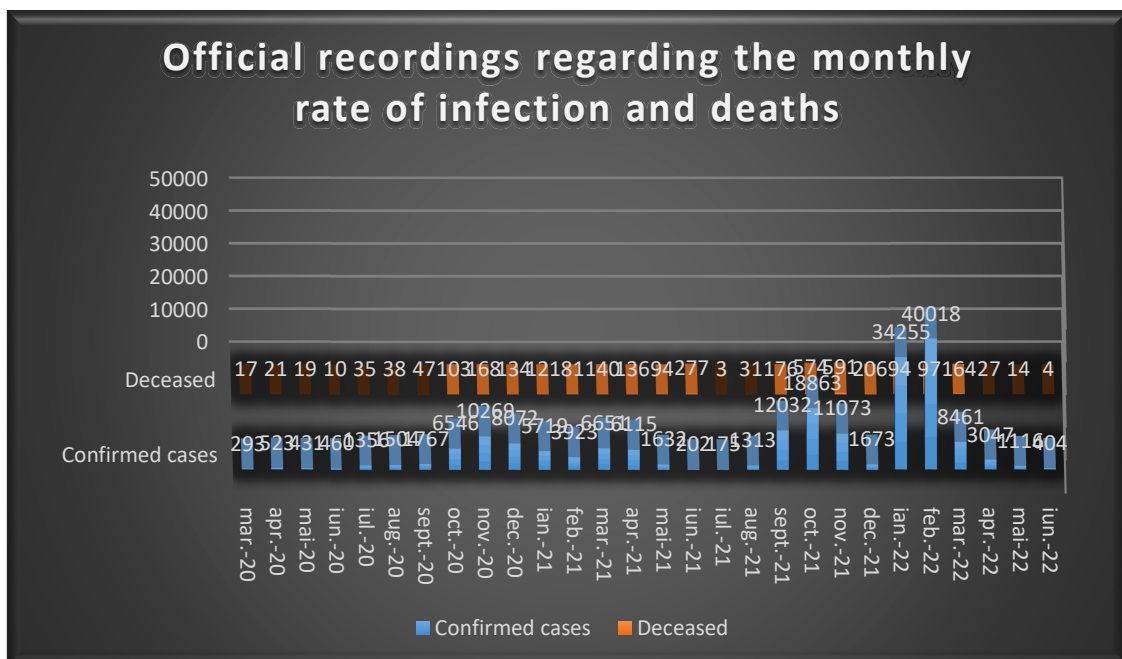


Figure 5. Official recordings regarding the monthly rate of infection and deaths

Figure 5 covers the timeframe between March 2020 due to the fact that this is the month where the disease Covid-19 really started to pick up in numbers (at the beginning at the month there were only 17 confirmed cases and 0 deceased), and 12th of June 2022 is the day this kind of data were recorded, according to the data released by the Health Minister in association with The National Institute of Statistics.[5]

The element of novelty that this research brings, consists in the fact that it was actually carried out, since the few researches carried out up to this point have been strictly oriented towards persons deprived of liberty, omitting the personnel from this equation, by the simple fact that it is made up of penitentiary police officers, civil servants with special status. – see Gheorghe Florian's books.[6] [7] [8]

However, we believe that this special status of penitentiary police officers, characterized by the reduction of certain rights and freedoms, applies primarily to people, who, regardless of the specific training they have had over time,

retain many specific elements of humanity such as emotions, respectively their effects, materialized in the form of behavior within the organization.[9]

Therefore, we suggest that most working procedures should be digitalized as much as possible, to such a degree that even the approval process within those working procedures to be also digitalized, by used digital signatures, speeding up the process, reducing the time and costs of all related paperwork, that being the right way where the penitentiary system should be heading to.

DISCUSSION

At first, the Personnel Psychology Service of the National Administration of Penitentiaries drafted a Guide for the penitentiary system personnel - Recognizing the emotional states generated by the current situation and recommendations on how to manage them efficiently.

As a complementary measure, one psychologist from the Personnel Psychology Service was assigned to manage these situations - one at 5-6 units, each with 200 employees on average.

Their role was to collaborate with the psychologists within the units assigned, who implicitly knew the staff more closely, consequently the real state of mind among the staff, thereby if they identified situations that required their attention, gave appropriate advice to people in need.

In order to remove the blockage caused by the lack of regulation, the Legal Directorate of the National Administration of Penitentiaries drafted and promoted the address no. 61487/26.03.2020, which was forwarded to the Elaboration of Normative Acts Directorate within the Ministry of Justice, through which was proposed a project of order regarding the establishment of the employment procedure without contest, based on art. 6 of Annex 1 to Decree no. 195/2020.

In addition to the above legislative proposal, the General Director of the National Penitentiary Administration approved the creation of social media accounts on platforms like Facebook, Instagram, LinkedIn, where were published the system's vacancies which were to be subjected to employment for a fixed period, without contest.

In order to comply with EU Regulation no. 679/2016 of the European Parliament and of the Council on the protection of personal data, personal data protection officers (DPOs) were appointed in each unit [10].

Their role was to manage the content about to be published, so that all necessary consents are obtained in advance.

That, was also the moment when an identification data coding system for the candidates registered in this recruitment procedure without contest was introduced - each candidate received a unique code, which allowed him to identify its results in the documents published on the official website of the National Penitentiary Administration.

This coding tool was later extended to all the contests organized to fill vacancies within the National Administration of Penitentiaries and subordinate units [11].

In addition, in order to comply with the dispositions set out in the Decision of the General Director of the National Administration of Penitentiaries it was ordered the creation of a staff reserve that can be put into service immediately when the situation requires it, and Telework was used for the first time.

With this occasion, in addition to the materials usually sent in the form of Word, Excel or PowerPoint documents, video tutorials were also used.

Registrations for the occupation of vacant positions for a fixed period were carried out by e-mail.

On this occasion, we found that the documents of the candidate files, occupy a very large space, an aspect that led to the blocking of the electronic mail, therefore some of the registered candidates could not be scheduled for psychological testing within the term provided in the calendar.

To straighten out this situation, a substantiation note was drafted, in which this problem was explained, and the candidates in this situation were rescheduled in turn to take the psychological test, so that none of them suffered any prejudice.

At the same time, a dedicated e-mail address (concur-sprahova@anp.gov.ro) was created, specially assigned to the registration procedures for filling vacant positions, with a sufficiently large storage space being assigned to it, so that situations like the above will not appear again [12].

Following the operationalization of the Bucharest Rahova Hospital Penitentiary account on the LinkedIn page, the unit managed to attract candidates for doctor positions.

Usually, the contests for these types of positions end prematurely, as soon as the registration period ended, due to a lack of candidates.

The unit also gained increased visibility, managing to associate its image with prestigious events such as EXPOMEDICS, and even managing to participate with a stand at the conference held in Bucharest on May 14, 2023.

Work procedures have been developed to allow the processing of images and data, in compliance with EU Regulation 679/2016 of the European Parliament and of the Council on the protection of natural persons, with regard to the processing of personal data.

The data protection officers of the unit (DPO) were appointed and trained accordingly, their main concern being obtaining the consent of the penitentiary police officers, who agreed to provide photos/Gifs to the unit, so they could be posted on the institutional LinkedIn, Facebook and Instagram accounts.

The process of the digital registration procedure for occupying vacant positions, via e-mail, has been extended for the filling of doctor positions in the penitentiary administration system, given the fact that only health units can organize competitions for the medical staff, and each of the 6 hospital penitentiaries organize contests for the district units, units which are mostly located in other towns or counties (Bucharest Rahova Hospital Penitentiary is responsible for the following prison units: Bucharest Rahova Penitentiary, Giurgiu Penitentiary, Ploiești Penitentiary, Ploiești – Târgșorul Nou Women Penitentiary, Mărgineni Penitentiary, Codlea Penitentiary)

The Human Resources and Training Bureau will extend the practice of using video tutorials for various specific activities - they should only be closed circuit and made available through the e-learning platform.

Steps will be taken so that the procedure for digitally registering for contests using electronic mail is also to be extended to the other types of positions that are subjected to external source contests, until the moment of the development of an application addressed strictly to this matter.

We point out that at this moment there is an application developed regarding the transfers between the units of the penitentiary administration system, through which penitentiary police officers can transfer from one unit to another, the documents related to this procedure being uploaded in the system or modified by the applicants, then later sent between units and processed, in predetermined periods of time.

The unit will continue to use social media platforms as the main way to promote places within educational institutions that prepare staff for the penitentiary administration system, respectively the vacant positions that are the subject of contests within the units.

In order to increase the degree of exposure on social media platforms, Bucharest Rahova Hospital Penitentiary will analyze the options of paid advertising within these platforms, budgeting expenses with this destination, and also concluding protocols with them, given the fact that at this moment there is a problem in making payments for these advertising services, since the payment can be made only by card, and not by bank transfer.

In consequence, a good part of the resources used in the past for recruitment activities in educational institutions will be redirected to job or educational fairs, given the fact that the exposure within these events is clearly superior to a visit in high schools or vocational schools, the institution in turn capitalizing on the prestige of the event in which it participates.

In order to start digitalizing the working procedures, further research is needed to be carried out within the units of the penitentiary system, so we could establish that what happened at Bucharest Rahova Hospital Penitentiary regarding the staffing in the pandemic period, also happened in the entire penitentiary system.

CONCLUSIONS

The reasons why Coronavirus 2 - Severe Acute Respiratory Syndrome (SARS-COV-2) was the crisis that determined the prison administration system to really step towards digitalization are as follows:

- the e-learning platform was developed and telework was resorted to, offering a much wider range of courses, and a safer environment given by the digital resources that up to that point were used much less often;
- we have developed the way to register for vacancies by e-mail – this process will be developed and expanded, meaning that a dedicated application will be developed;
- we started using social media platforms – aspect that generated much greater exposure for Bucharest Rahova Hospital Penitentiary;
- instead of convocations with workers from certain structures, from the units subordinated to the National Administration of Penitentiaries, who got together to solve specific topics, respectively to establish rules of good practice, Live meetings were used much more often;
- video tutorials for various topics were developed, this procedure becoming one of the most utilized tools in implementing new procedures;

- several applications dedicated to drafting specific documents for the retirement files, solving the requests of transfer of penitentiary policeman from one penitentiary unit, or keeping track of the vacation days taken by the staff, were developed;

The limitation of this research is the fact that it was carried out only within Bucharest Rahova Penitentiary Hospital, its results not being relevant enough to be extrapolated to the entire penitentiary system.

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