

Normative Legal Aspects of Information Support for the Provision of Administrative Services in the Field of Public Administration

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Abstract

Reforming social relations requires changing the system of relations between state executive bodies, institutions subordinate to them and a citizen, which is characteristic for most of the country, in which the latter is a petitioner even if his indisputable rights and legitimate interests are satisfied. One of the most important areas of public administration reform is the formation and development of a system of administrative services and appropriate information support. The result of the implementation of this direction should be the creation of such a legal framework and its real implementation in administrative and legal practice, in which consumers of administrative services will have broad rights and powers and will not be passive subjects manipulated by civil servants. Thus, the main task of the study is to analyze the normative legal aspects of information support for the provision of administrative services in the field of public administration. As a result of the study, the main aspects of normative legal aspects of information support for the provision of administrative services in the field of public administration were investigated.

Keywords: *public administration, administrative services, administration reform, information support, legal framework.*

1. Introduction

In modern law, administrative services are recognized as one of the leading categories and their importance, especially in the context of adapting national legislation to the requirements of the European Union, is growing every year. The modern market of administrative services is characterized by its growth trend and rapid diversification. A variety of services that can meet the individual and collective needs of the individual, society and the state, there is no doubt about the need for their legal regulation. This is evidenced by the intensively developing legislation on services in recent years, which establishes the types of services, the subjects of their provision, provision and receipt.

An administrative service is present where there is a public interest in satisfying the private interest. Combining personal, public and state interests, this category is based on the dialectical unity of the individual, society and the state [1].

The modern understanding of administrative services covers all activities carried out in the interests of society as a whole under the auspices of the government. The provision of administrative services should be seen as a function of the modern welfare state. An administrative service can be considered as a legal relationship between the state or other structures under its care, on the one hand, and citizens or legal entities, on the other. Specific features are the following: a set of actions or activities aimed at meeting the needs of a person of public interest; the presence of a certain result that does not have a material expression, but is a consumer value.

The legal concept of administrative services can be constructed on the basis of summarizing the above features. This is a purposeful activity, expressed in the rules of law, guaranteed by the state to satisfy the rights and legitimate interests, the fulfillment of certain obligations by the individual or legal entity that initiates it [2].

An administrative service is a law enforcement activity financed from the relevant budget, established by law, assigned to the powers of the competent state executive authorities, obligatory for them, aimed at realizing the rights or legitimate interests of an individual or legal entity initiated by them, as well as ensuring their compliance with responsibilities. In the theoretical aspect, the greatest difficulties are caused by the differentiation and correlation of public, budgetary, commercial services

and the differentiation of public services and functions.

The development of the service sector is primarily due to an increase in the efficiency of material production and a change in social needs that go beyond the production of things. To date, the system of providing administrative services is not transparent and incomprehensible to a large proportion of the population of the countries. A large number of consumers of administrative services are dissatisfied with the level of their quality, because they face a number of problems in the process of receiving them. The first and most important problem is the complex procedure for the provision of administrative services [4].

To obtain the necessary service, the consumer needs not only to visit a large number of instances, usually located in different parts of the city, but also to collect a significant amount of various documentation, obtain permits and decisions to obtain the necessary service. That is why there is a high degree of corruption risk, because entrepreneurs are trying to solve their problems as quickly as possible. Until now, the issue of creating proper conditions for urban residents in receiving administrative services and its information support remains unresolved.

Despite the high development of information technology, the issue of obtaining the necessary information about the process of providing the service still remains unresolved. As a result, another problem arises, which concerns the receipt of advice by the consumer. Questions concerning the reliability and relevance of the consultation remain acute. The problem associated with improper attitude towards citizens by employees of administrative service centers, associated with insufficient qualifications of staff on various issues of service provision, this is due to the lack of specially developed programs and trainings for employees of these structures.

Commercial services regulated by civil law and administrative services are mutually subordinate to the concepts belonging to the generic concept of service. Budgetary services have the following characteristics: financing from the state budget, the budget of regions and local authorities, the budget of local government or the budget of the state non-budgetary fund; the presence of obligations of a public legal entity stipulated by law, other regulatory legal act, contract or agreement to provide a service.

Budgetary services are related to public services as a generic concept is related to specific ones [5].

All public services are public functions, since they are all subject to the powers of a certain level of government and fall within the competence of a particular public body, but not all public functions are public services. Recent specific activities of the state body. Public and administrative services are common concepts when the volume of one of them is partially included in the volume of the other and vice versa.

2. Methodology

For a more detailed study of the main aspects of normative legal aspects of information support for the provision of administrative services in the field of public administration were investigated, the following methods were used: induction and deduction, comparison and systematization; synthesis and analysis; abstract-logical - for theoretical generalizations and conclusions of the study.

3. Research Results and Discussions

The system of administrative services is a complex and multi-level complex with complex intra-element relationships, reflected by the classification of administrative services and a description of the ratios of their types [6].

An administrative service constitutes a normatively fixed, lawful, individualized activity, i.e. which has a beneficial effect aimed at the implementation and provision of the rights and legitimate interests of citizens (organizations) or the fulfillment of the duties assigned to them.

The functions (in this case, the functions are the implementation of a specific purpose, long-term goal or task with the achievement of certain results) of administrative services are to meet the needs of citizens and organizations, the formation of an appropriate quality and accessibility of administrative services. Each of the types of administrative services performs its inherent functions. The provision of administrative services should be based on the principles of humanism, democracy, legality, openness, equality before the law and the courts, accessibility of administrative services [7].

When examining the principle of accessibility of administrative services, it is advisable to focus on the fact that one of the grounds for the accessibility of administrative services is the absence of administrative barriers, which is understood as any obstacle created by the consumer in obtaining administrative services, if it is established by a decision of a state body or can be eliminated, or reduced by an appropriate decision, or was the result of inaction, that is, the lack of necessary decisions in creating conditions for the unimpeded receipt of administrative services.

To date, there are such factors that hinder the development of the informatization process and, as a result, a negative reflection of the system for providing administrative services [8]:

- inertness of the system of providing administrative services in solving informatization issues;
- lack of motivation to change the process of providing administrative services through the introduction of information and communication technologies;
- low level of investment and weakly expressed interest in the possibilities of information and communication technologies on the part of government bodies;
- insufficient use of the possibilities of public-private interaction in the field of education and research.

Along with the above principles for the provision of administrative services, it should also be based on the territorial principle, the principles of planning, motivation for refusing to provide administrative services, responsibility, orientation of state bodies and their subordinate institutions providing administrative services to the result of openness, the inadmissibility of reducing the level of requirements for administrative services compared to with the basic requirements stipulated by the administrative and legal acts for the provision of services. When analyzing the classification criterion, it is advisable to consider the paid administrative services. The provision of services by the state is paid by consumers through taxes, therefore they should be provided without charging citizens any funds other than the state duty established by tax legislation. At the same time, if there are certain grounds, according to which it is possible and justified to charge a fee for the administrative services provided [9-10]. In this case, it is necessary to take into account not only the economic capabilities of the state, but also the social

knowledge of the relevant administrative service if it is included in the category of paid or preferential administrative services. In the case of setting prices for administrative services, it is necessary to develop uniform, normatively established pricing criteria that allow determining what kind of expenses the cost is formed from (time expenses, the need to obtain assistance from other state bodies, the nature and complexity of the activity, etc.) and give an opinion on compliance with the price of the quality of the corresponding administrative service.

The effective implementation of the function of providing administrative services by state public authorities and their subordinate institutions requires the improvement of the legal framework for their information support (Table 1).

Table 1: The main elements of the system for improving the legal and regulatory aspects of information support for the provision of administrative services in the field of public administration

№	<i>The main elements of the system for improving the legal and regulatory aspects of information support</i>
1	adopt a law on standards of administrative services; improve the procedure for maintaining the register of administrative services;
2	- in the provisions on the central executive bodies to accurately formulate the goals and objectives of their activities, to specify the powers in the context of the provision of administrative services;
3	develop standards for administrative services, develop a unified procedure for the creation, operation and liquidation of territorial executive authorities, which, first of all, will eliminate the duplication of powers for the
4	to develop a procedure for interdepartmental interaction regulating the provision of administrative services in the interaction of territorial public authorities and central public authorities;
5	to resolve the issue of providing the legal significance of electronic documents, to actively introduce into the practice of providing administrative services using the Internet

The process of providing administrative services is understood as a certain set of requirements for the procedure for the provision of services by the authority, which combines the technical, material and resource aspects of the provision of services according to the needs of consumers. In writing, the process of providing an administrative service is established by a legal act that determines the place of provision of the service, the period of time necessary for its provision, prices for services, requirements for personnel qualifications and information support for customers. In other words, the process of providing administrative services implies a certain agreement between the state and society, which determines the procedure for providing administrative services.

The process of providing administrative services in general involves the following areas [11]:

- improving the quality of administrative services by involving individuals, legal entities and regulatory authorities in the process;

- optimization of the quality of services, that is, the delimitation of areas of activity and influence, the cessation of the imposition of administrative services forcibly;

- constitutional protection of the rights and interests of consumers by authorities and officials.

The process of providing administrative services involves compliance with the following principles:

- open actions of public authorities;

- the legitimacy of the provision of public services by the authorities and the collection of fees for them;

- availability of appeal both directly and through electronic resources.

When the state is recognized as the main “service center” for providing services to citizens and meeting their needs, the main goal of the existence of the state becomes the value of the rights of citizens, which has a positive impact on the activities of state bodies from the inside. The presence of competent and correct procedures between the participants in the process is relevant under any conditions, since the state provides a certain service, and the consumer analyzes the quality level of the service provided. Let us consider in more detail the procedure for information technology support for the provision of administrative services provided by executive authorities [12].

To improve the provision of administrative services, it is important to [13]:

- creation within the framework of the system of portals of executive authorities of legal instruments that ensure interdepartmental interaction between state authorities, municipalities and citizens, since without effective electronic interaction of entities providing state and municipal services, the provision of services in electronic form is impossible;

- formation of a regulatory framework governing the provision of administrative services using information and telecommunication networks, in particular the Internet, information on the procedure for the provision of administrative services, other essential information on the activities of state authorities and local self-government, necessary for citizens and organizations;

- creation of a regulatory framework governing the provision of state and municipal services or individual administrative procedures carried out in the process of providing state and municipal services, in electronic form using public networks.

The effective implementation of these tasks requires normative consolidation of the rules governing the following main blocks of social relations [14]:

1. Relationships in collecting and systematizing the information necessary for citizens to effectively receive state and municipal services.

2. Relations on the transfer of information necessary for citizens to effectively receive state and municipal services, prepared by state authorities and local self-government, authorized to maintain a register of state or municipal services to a state body or local self-government body.

The introduction of technological and information rules for the provision of administrative services allows [15-18]:

- to optimize the schemes for accepting applications;
- ensure compliance with the deadlines for consideration of applications;

- improve the quality of examination of documents;

- reduce the time required to complete documents at each stage;

- promptly exchange information with the applicant;

- switch to electronic interaction when sending requests, applications for the correction of technical errors and receiving answers in the form of information or documents in electronic form, which

eliminates paper workflow and reduces the time for obtaining information;

– reduce the number of refusals when considering applications;

- jointly identify, study and eliminate existing problems in the work of state bodies, form a unified law enforcement practice on emerging issues.

In our opinion, as a result of the analysis of the goals and content of the current legislation and target programs in the field of information society development and the use of information and telecommunication technologies in the activities of public authorities, these principles need to be expanded. It should be noted that the legal forms of providing public services can be both public law and private law. Regardless of the form of provision of public services, each public service must be recorded in the Register of Public Services and provided in accordance with the administrative regulations and administrative service standards. The introduction of public service standards provides the activities of public authorities with a strictly legal, open and intended nature, and also makes it possible to limit and eliminate arbitrary actions. The introduction of administrative regulations for the provision of public services will streamline the obligations of public authorities providing administrative services to society and introduce procedures for monitoring and evaluating the activities of executive authorities.

A practical study of legal relations in the field of public administration for the provision of public services is manifested in matters of protecting the rights of citizens and organizations. More often, the rights, freedoms and legitimate interests of people and enterprises are violated as a result of improper performance by state bodies of their duties and functions. An important issue is the responsibility of the authorities, their officials, organizations for the improper implementation of the functions of providing administrative services, the procedure for protecting the rights of service recipients, since the institute of legal responsibility of the state and its bodies occupies the most important place in the system of guarantees of rights and freedoms.

4. Conclusions

One of the priority areas of state policy is the direction of the activities of local governments in the context of the formation of the information society and the active introduction of information technologies. The orientation of councils and their executive bodies towards the use of the latest means in working with information is reflected in their information support. The issues of improving and unifying the processes of obtaining, accepting, using, transmitting, storing information, which is the basis of information relations of local governments with the population of an administrative-territorial unit, become topical. New requirements are imposed on the search and analysis of information in order to make managerial decisions aimed at solving the problems of the life of a territorial society and realizing its interests. The process of disseminating information about the activities of local governments is being updated, in particular, through their websites, to ensure transparency, openness in the functioning of councils and their executive bodies, and increase the efficiency and effectiveness of their current work. Therefore, special attention is required to the issue of administrative responsibility of entities providing public services, established by law. Administrative responsibility is one of the institutions of the system of Ukrainian law most in demand by social practice, which is an important element of the method of administrative and legal regulation. Therefore, administrative regulations must be kept up to date by the bodies providing administrative services and must comply with the requirements of the law. In this regard, it seems necessary to consolidate the responsibility of officials of executive bodies for the lack of administrative regulations for the provision of public services or the inconsistency of administrative regulations with the established requirements.

Today, it is important to clearly delineate and normatively fix the legal responsibility of all entities providing public services, namely executive authorities, centers for the provision of administrative services, and other organizations authorized to provide public services, officials of bodies providing public services. , employees of centers for the provision of administrative services, employees of organizations involved in the implementation of the

functions of a multifunctional center for violating the procedure for the provision of public services.

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