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Personnel Training Strategy as an Element of Personnel Policy of the Federal Penitentiary Service of Russia and Tasks of Educational Organizations for Its Implementation



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Abstract

Introduction: staffing the penal enforcement system of the Russian Federation is crucial for effective execution of penalties on the basis of legality and humanism principles. The Federal Penitentiary Service of Russia faces the task of replenishing its personnel, including through training of specialists in higher education institutions. Activities of professional education and vocational training organizations subordinate to the Federal Penitentiary Service of Russia to provide bodies and institutions of the penal enforcement system with skilled employees require formation of legal foundations defining critical principles of personnel training. Purpose: analysis of modern legislation and formulation of proposals for elaboration of program documents in the field of staffing the penal system. Methods: research methods include both general scientific methods (formal methods, such as induction and deduction, analysis and synthesis) and private (comparative legal). Formal methods (analysis, synthesis, induction, deduction) were used in determination of goals and objectives of the research, formulation of concepts, analysis of regulatory legal acts, development of proposals for improving legal foundations of the legal relations under consideration. The comparative legal method helped study the modern legislation system in the field of staffing the penal system. Results: the author substantiates the need to adopt a personnel policy concept – a normative legal act that enshrines basic principles of personnel policy of the penal system, and proposes its structure. It is emphasized that the personnel training strategy should become a separate element of the personnel policy concept of the Federal Penitentiary Service of the Russian Federation, with educational organizations of the Federal Penitentiary Service of Russia being its main subject. Conclusions: the strategic goal of the Russian penal system development is to boost performance of bodies and institutions executing punishment. To achieve it, the Federal Penitentiary Service of Russia seeks to fulfil one of the key tasks of forming a highly professional, stable, optimally balanced personnel composition of institutions and bodies of the penitentiary system. Educational organizations of the Federal Penitentiary Service of Russia make a significant contribution to solution of this task. For staffing of the penal enforcement system to be more effective, it is necessary to work out program documents - a personnel policy concept and personnel training strategy.

K e y w o r d s : personnel policy; staffing; personnel training strategy; educational organizations of higher education.

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Introduction

Effective functioning of any state institution depends on people fulfilling its functions. Tangible shifts in solving tasks are achieved "not only due to implementation of progressive concepts and legislative innovations in practice, but also due to skills of performers who are able to realize these transformations and ready to work on their implementation in a new way" [21, p.10]. Employees' competence, professionalism, and ability to find optimal solutions to problems predetermine successful performance of the functions assigned to bodies and institutions of the Federal Penitentiary Service of the Russian Federation (FPS Russia).

As of January 1, 2022, the number of the penal system personnel funded from the federal budget amounted to 295,968 people, including 225,285 people of commanding staff (including 5,960 people of non-permanent personnel) [19].

The personnel composition of the penitentiary system is not a static value, there is constant dynamics in the number of employees of penal bodies and institutions. Up to 10 percent of the personnel are dismissed annually: as of January 1, 2021, 16,347 employees were dismissed (7.68% of the full-time number); and as of January 1, 2020 – 17,208 people, or 8.10% [12, 13].

The Federal Penitentiary Service of Russia lacks personnel, for the past three years its shortage has reached almost ten percent. As of January 1, 2019, there wereo 30,274 vacant positions (10.95% of the full-time number), including 20,592 employees (9.68%); as of January 1, 2020 – 26,935 vacant positions (9.76% of the full-time number), including 17,105 employees (8.05%); as of January 1, 2021 –27,420 vacant positions of the penitentiary system maintained at the expense of budget financing (without non-permanent composition of educational institutions) (9.92% of the full-time number), including 16,846 employees (7,91%) [12, 13, 14].

Statistical data indicate that the Russian penitentiary system faces a permanent problem of replenishing and strengthening its personnel. Personnel defines development capacities of the system, forms "intellectual resource of the penal enforcement system, which makes it possible not only to develop another strategic plan (program, "roadmap"), but also identify trends in external environment development, prospects for penal system functioning, formulate directions for its development" [15 , pp.96-97], implement planned activities in practice. Constant systematic work is required to preserve it and replenish it with highly qualified specialists. This important activity area of the Russian penitentiary system should be based on a conceptual legal document defining principles, key directions, necessary resources and other issues of organizing effective work with personnel of the penitentiary system.

Personnel policy of the penal enforcement system and its legal foundations

Principles and guidelines developed within the framework of personnel policy of the state in general and the penal system in particular are fundamental in work with personnel in the penal system. The state personnel policy is a combination of certain principles, legal norms, various methods, means and forms of influence that gives the opportunity to carry out measures of work with state body personnel.

The category "state personnel policy" in the theory of personnel management is ambiguously defined: as the "main line in personnel training, general direction in personnel work" [2]; as "key directions, goals, methods and style of working with personnel" [8]; and as a "branch of general policy that affects the process of senior personnel formation and control over their activities" [17, p. 37].

According to G.V. Shcherbakov and A.Yu. Dolinin, the following interpretation can be considered the most complete: "personnel

policy is a set of principles, methods, means and forms of influence on interests, behavior and activities of employees in achieving goals that the organization pursues. The personnel policy purpose is to ensure timely replenishment and preservation of the quantitative and qualitative composition of personnel and its development in accordance with the organization's needs. This objective is achieved due to implementation of specific personnel measures that act as objects of personnel policy: personnel planning; organization, selection and placement of personnel; formation of talent pools; organization of personnel's work; evaluation of professional and business qualities of employees; motivation and stimulation of personnel; professional training, retraining and advanced training of employees" [22].

Analysis of scientific approaches to the category "personnel policy" [6, 7, 9, 11, 18, 24] shows that it is a complex socio-legal phenomenon that includes several implementation levels and areas, providing for the use of legal, organizational, socio-psychological, economic and other means aimed at effective staffing of the public authorities' activities.

The state personnel policy has its own sectoral modifications reflecting specific conditions of public administration branches. In relation to the penal enforcement system, a separate direction of the state personnel policy is being formed, based on goals and objectives of the system's activities, specifics of service in bodies and institutions of the Federal Penitentiary Service of Russia.

The FPS personnel policy is characterized by a number of factors, such as a complicated recruitment procedure (professional selection of candidates for service with regard to physical and mental qualities, education, social ties, etc.); special procedure for appointment to positions (contract service, appointment on a competitive basis, probation, mentoring, surety); organizational support of a career (having special knowledge, promotion depending on professionalism, formation of talent pools); special legal status of personnel, need to comply with norms of professional ethics not only within official time, but also beyond it; presence of powers and authority among employees; hierarchical subordination in the service, unity of command; intense

official activity associated with a long stay in a closed and limited space, contact with convicts; availability of the system for promoting professional competence of personnel (service training, advanced training and retraining of personnel) [10].

Personnel policy in the penal enforcement system is the activity of relevant state bodies and officials, the strategic goal of which is to form and develop personnel capacities of the system, principles of working with personnel, as well as specific directions (mechanisms) of its implementation [23, p.158].

Taking into account these features, the personnel policy of the Federal Penitentiary Service of Russia is a system of fundamental principles that determine strategic directions of the state activity in the field of staffing bodies and institutions of the penal system.

Conceptual attitudes. i.e. principles of the FPS personnel policy, are expressed in the current legislation, which acts as the most important legal means of positivizing theoretical and methodological attitudes in legal norms and forms its independent level – legal foundations.

The legal basis of personnel policy is a set of normative legal acts that define fundamental principles of various areas of personnel work: issues of recruitment, career growth in the penal system, training, retraining, advanced training of employees, their legal status, as well as issues of social protection and personal safety of employees, etc.

Legal foundations of the FPS personnel policy were formed in stages. Since separation of the Russian penal enforcement system into an independent structure subordinate to the Ministry of Justice of Russia, short-term program documents, defining key tasks of work with personnel, have been developed. At the same time, planning of work with personnel was reflected in separate regulations: 2002 –Concept for improving work with personnel of the Ministry of Justice of the Russian Federation; 2006 – departmental program "Staffing activities of the penal enforcement system for 2007-2009". In 2007, the Concept for development of staffing of the penal enforcement system for the period up to 2011 was adopted, containing the "official stance of the Federal Penitentiary Service of Russia

on goals, tasks, principles, methods and priority areas of work with personnel, formation of talent pools of penal institutions and bodies, effective personnel management" [3, pp. 68–69].

The Decree of the Government of the Russian Federation No. 1772-r of October 14, 2010 "On the Concept for development of the penal enforcement system of the Russian Federation up to 2020" is a program document stipulating development of the Russian penitentiary system, including the modern personnel policy. Section 7 "Staffing and social status of employees of the penal enforcement system" identifies priority areas of staffing of the penitentiary system up to 2020, for example, determining the number of employees in correctional institutions and pre-trial detention facilities on the basis of Russian legislation norms and international practice; establishing time sheet of employees working in direct contact with convicts and persons in custody; developing requirements for official behavior of penal system employees, implementing the policy to reduce the number of employees of the penal enforcement system through the use of innovative technologies in the work; ensuring a high social status and prestige of the service, legislative definition of the system of social guarantees, including allocation of housing to employees of the penal system and their family members, development of a network of regional medical rehabilitation centers for prevention of professional deformation, psychological overload and organization of family recreation of employees; wide application of the practice of material and moral incentives for employees of the penitentiary system, further development of the system of incentive measures; improving quality of service and working conditions of employees of the penal system, corresponding to the specifics of work and level of working conditions of employees of penitentiary institutions of developed European states; rotation of senior staff of the penal system, etc..

In 2021, a new target program for development of the Russian penitentiary system was worked out and adopted – the Concept for development of the penal enforcement system up to 2030 (approved by the Decree of the Government of the Russian Federation No. 1138-r of April 4, 2021). This program document stipulates enhancement of organization of FPS activities and formation of highly motivated and skilled personnel.

Certain issues of personnel policy of the penal enforcement system are fragmentally fixed in other regulatory legal acts, such as decrees of the Russian Government No. 312 of April 15, 2014 "On approval of the State program of the Russian Federation 'Justice' ", No. 420 of April 6, 2018 "On approval of the Federal target program "Development of the penal enforcement system (2018–2026)", etc.

The Federal Law No. 197-FZ of July 19, 2018 "On Service in the penal enforcement system of the Russian Federation and amendments to the Law of the Russian Federation "On Institutions and bodies executing criminal penalties in the form of imprisonment" (hereinafter - Law on Service in the penal system) came into force. It defines staffing principles as follows: mandatory professional selection with equal access of citizens to service in the penal enforcement system; improvement of professional knowledge and skills of employees; appointment of employees to positions in the penal enforcement system with regard to their level of qualifications, merits in official activities, personal and business qualities; compliance with the sequence of service in the penal enforcement system and assignment of special ranks.

This law stipulates key staffing policy directions: regular training of personnel to fill positions in the penal system; creating conditions for employees' professional growth; evaluating results of employees' performance through certification; formation and effective use of talents pools; maintaining a list of positions in the penal system to be replaced by competition; use of modern personnel technologies in the employment and service in the penal system.

Thus, at present, crucial directions of the FPS personnel policy are normatively determined within the framework of the general course of the penitentiary system development as its most important component. However, there is no single legal act that would determine the system of work with personnel of the Federal Penitentiary Service of the Russian Federation using the program-target method at the federal level. Relevance, complexity and social orientation of staffing problems require creation of an appropriate legal framework – the "Concept of personnel policy of the Federal Penitentiary Service of the Russian Federation", approved by the order of the Federal Penitentiary Service of Russia.

The specified regulatory legal act can be structured as follows:

1. General provisions (main content (definition) and purpose of the concept, regulatory framework, terms, general implementation mechanism, monitoring (control) over concept implementation).

2. Current state of staffing the penal enforcement system (analysis of the personnel of penitentiary bodies and institutions in the context of services, age composition, etc.)

3. Goals, objectives, basic principles of personnel policy in the penal enforcement system of the Russian Federation (including approaches to the proportion of different staff categories: penal system personnel, Federal state civil servants and employees).

4. The main directions of personnel policy in the penal enforcement system of the Russian Federation (content of the FPS personnel policy in the field of establishing general and special (qualification) requirements for personnel; in the field of formation and professional development of senior personnel; in the field of strengthening service discipline and legality, prevention of corruption offenses among personnel; in the field of professional training of personnel (Strategy for FPS personnel training); approaches to the personnel promotion system, rotation of senior personnel, professional adaptation of young employees, educational work, etc.). At the same time, an action plan, deadlines, and a necessary resource base should be thought out in each direction.

5. Stages of concept implementation.

6. Expected results of concept implementation.

Personnel training strategy as an element of the FPS personnel policy.

The FPS personnel policy is focused on replenishing human resources through training of specialists for work in penitentiary institutions. Goals and basic principles of this activity are fixed in regulatory legal acts – a Strategy for FPS personnel training.

The category "strategy" (from the Greek strategia) is widely used in scientific circulation within the framework of economic and managerial theories and disclosed as longterm, most fundamental, important attitudes, plans, intentions of the government, regional administrations, enterprise management in relation to production, income and expenses, budget, taxes, capital investments, prices, social protection [16, p. 409]. It is a general direction of the organization's actions, which in the long term should lead to the goal; a general, comprehensive plan for achieving goals [1, p. 41]. In turn, the personnel management strategy is defined as a specific set of basic principles, rules and goals of working with personnel with regard to types of organizational strategy, organizational and personnel capacities, as well as the type of personnel policy [1, p.43].

The category "strategy" is also extrapolated into the processes of staffing various industries, institutions, organizations. For example, this term was used in the acts of the Ministry of Education and Science of Russia to fix plans for workers training. This executive authority implemented the "Strategy for development of the personnel training system and formation of applied qualifications in the Russian Federation for the period up to 2020". The Federal Service for State Registration, Cadastre and Cartography approved the order "On the Strategy of personnel policy of the Federal Service for State Registration, Cadastre and Cartography for the period up to 2020". The category "strategy" can also be applied as a component of personnel policy of the penal enforcement system.

The FPS personnel training strategy should be understood as long-term, fundamental guidelines, plans, intentions of the Federal Penitentiary Service of Russia regarding training of specialists for the penal enforcement system, capable of effectively solving the tasks assigned to the system in accordance with requirements of domestic legislation and international standards.

To date, the regulatory documents defining the FPS personnel policy reflect key activities of Russian penitentiary bodies and institutions leading to formation of highly qualified staff. Fundamental guidelines for personnel training are normatively fixed in the Concept for development of the penal enforcement system up to 2030 and the Law on Service in the penal enforcement system, and represent the following personnel training principles: planned training of personnel to fill positions in the penitentiary system; conducting measures for further enhancement of the vocational education structure; ensuring balance of preserving and replenishing the quantitative and qualitative composition of personnel, improving their professional competence; working out a methodological and technological basis for formation and development of competencies of employees of penitentiary institutions and bodies in order to implement measures for digital transformation, etc.. However, the legal basis for training personnel for the penal enforcement system is fragmented, contained in various regulatory legal acts and does not represent an integral system.

Solution of this task is possible within the framework of development of the "Strategy for training personnel of the Federal Penitentiary Service of the Russian Federation" (FPS personnel training strategy) as an integral element of the "Concept of personnel policy of the Federal Penitentiary Service of the Russian Federation".

The Strategy for FPS personnel training should reflect critical directions of personnel policy of the Federal Penitentiary Service of Russia in the field of professional training, such as:

 improvement of the system of higher education institutions of the penal system;

 development of a program for improving the material and technical base of educational organizations of the Federal Penitentiary Service of Russia;

- timely update and expansion of the list of training programs for employees of the penal system, improvement of specialization areas of higher education institutions within the framework of implementation of the main educational programs of the master's degree and specialty level;

- formation of a unified system of vocational guidance for schoolchildren, students of secondary vocational educational institutions, involving open days, excursions, presentations in educational institutions, within which information about all educational institutions of higher education of the Federal Penitentiary Service of Russia should be provided;

 betterment of the system of professional retraining and advanced training of employees, expansion of the list of educational programs with regard to the penal system's requirements in personnel;

- development of a unified system for assessing quality of vocational training in higher education institutions of the penal enforcement system, etc.

At the same time, timing and stages of individual directions implementation, resource provision and other aspects of practical realization of measures should be determined.

Elaboration of the "FPS personnel training strategy" as a program document will create the legal basis for systematic work to replenish personnel of the Penitentiary System and determine key directions for improving activities of educational organizations of the Federal Penitentiary Service.

Tasks and key activity directions of educational organizations of the Federal Penitentiary Service of Russia to ensure personnel training

The personnel training strategy is implemented through a set of organizational measures and technical methods related to fulfilment of the personnel function in the system of bodies and institutions of the Federal Penitentiary Service of Russia. The essential content of personnel policy in the penal enforcement system and the personnel training strategy is expressed in direct activities of penitentiary bodies and institutions, personnel departments and officials who put specific measures into practice. The personnel policy and, within its framework, the personnel training strategy are developed and implemented by certain entities - public authorities, special divisions of management bodies, officials, etc. The system of subjects of the FPS personnel training strategy is formed by state authorities of general competence, as well as specialized bodies. They play different role in elaboration and realization of the FPS training strategy: some subjects define and form basic principles, areas of activity, goals (subjects of general competence), others develop specific mechanisms for its implementation and carry out planned activities (subjects of special competence).

Educational organizations of the Federal Penitentiary Service of Russia also play a significant role in the implementation of the personnel training strategy, since they are called upon to carry out important tasks that the Russian penitentiary system faces at the present stage.

Analysis of regulatory legal acts provisions (the Concept for development of the penal enforcement system up to 2030 and the Law on Service in the penal enforcement system) allows us to identify key activities of educational organizations of the Federal Penitentiary Service of Russia as special subjects for implementation of personnel training tasks.

First, educational organizations are to regularly train personnel to fill positions in the penal enforcement system, namely, specialists with higher education.

Second, according to the program guidelines, educational organizations should carry out constant work to improve educational programs.

Third, educational organizations should take an active part in the implementation of measures for further development of the structure of vocational education of employees of the penal system.

Fourth, educational organizations should actively engage in the processes of professional development and retraining of personnel, namely, creation of a methodological and technological basis for the formation and development of competencies of employees of penitentiary institutions and bodies.

Fifth, educational organizations, based on interaction with territorial bodies of the Federal Penitentiary Service of Russia, can make a certain contribution to improving special and psychophysical training of employees of the penal enforcement system by bringing the content of training programs as close as possible to real conditions of operational and service activities, improving methodological support and conditions for conducting lessons.

Departmental higher educational institutions have great opportunities and are able to engage in the implementation of various areas of personnel work in cooperation with bodies and institutions of the penal enforcement system. For example, the central element of personnel policy of any organization, including the penal enforcement system, is management of human resources and, depending on specific operating conditions, it involves implementation of measures aimed at building and developing human resources, its rational use, release or replacement of excess labor. Labor (service) capacity of an employee of the penal enforcement system is a complex set of business, professional and personal gualities of an employee that determine his/her ability to effectively solve official tasks. Personnel capacity of the penal enforcement system should be considered as the personnel's ability to effectively achieve goals of the penal enforcement system due to full realization of service capacities of employees within the existing organizational and functional structure, headcount and personnel technologies [5, p.74]. Personnel capacity is managed by HR divisions of the Federal Penitentiary Service of Russia and its territorial bodies and institutions. However, educational organizations can also make a certain contribution to these processes, as they study problems of diagnostic assessment of personnel capacity of the penal enforcement system, and ensure professional and qualification development of employees.

Effective personnel risk management is the most important direction of the FPS personnel policy nowadays [4, pp. 117–118]. It requires a scientifically based approach, special techniques, comprehensive programs, etc. Educational organizations of the Federal Penitentiary Service of Russia can work out special programs to improve professional competence of employees of the penal enforcement system, elaborate and improve methods for diagnosing the personnel situation.

Management of personnel capacity and personnel risks should be included in the FPS personnel policy concept, and specific tasks can be set for educational organizations of the Federal Penitentiary Service of Russia in these areas.

Conclusion

Thus, to date, the personnel training strategy and personnel policy in general are only fragmentally defined in the planning documents for development of the penal enforcement system. The regulatory documents that consolidate modern principles of personnel policy of the Federal Penitentiary Service of Russia also define strategic tasks for personnel training, the main subjects of which are educational organizations of the penal enforcement system, and first of all, educational organizations of higher education. Implementation of these tasks ensures personnel replenishment and improvement.

Work on the formation of conceptual guidelines in the field of personnel work within the framework of the penal enforcement system is also being carried out: the Research Institute of the Federal Penitentiary Service of Russia together with educational organizations of the Federal Penitentiary Service of Russia, prepared a draft "Concept of personnel policy of the Federal Penitentiary Service of Russia" in 2021.

However, there are also objective shortcomings in consolidation of personnel policy fundamentals: revision of program documents, for example, of the Concept for development of the penal enforcement system up to 2020 has led to reduction in targets in the field of personnel support; program documents exist only in the form of projects.

Consequently, it is crucial to develop the concept of personnel policy that will include both the FPS personnel training strategy and key development directions of the departmental education system. This work should be carried out within the framework of strategic planning of Russian penitentiary system development, since the provisions of program documents should be coordinated, cannot duplicate each other, and in their entirety should represent a hierarchical system of normative legal acts.

The central link of legal foundations of the FPS personnel should be provisions of the Law on Service in the penal enforcement system, defining principles and key directions for forming staff of the penal system (Article 77). On the basis of legislative provisions, the Concept of personnel policy of the Federal Penitentiary Service of the Russian Federation should be developed, which includes, as a separate section, a personnel training strategy.

This strategy as an element of the program document should determine key directions of activities to replenish personnel of the penal enforcement system by training specialists, as well as contain a list of relevant activities, realized by departmental organizations of higher education.

Educational organizations of the Federal Penitentiary Service of Russia have sufficient capacity to fulfil the main task of personnel policy, which determines philosophy and principles of the FPS leadership in relation to human resources of the penal enforcement system – replenishment and strengthening of the personnel capacity of the system. Educational organizations of higher education of the Federal Penitentiary Service of Russia are defined in regulatory documents as the main subjects to implement modern objectives:

regular training of personnel to fill positions in the penal system;

- improvement of educational programs;

 development of the structure of professional education of employees of the penal enforcement system;

 professional development and retraining of personnel, taking into account further differentiation of types of punishments, increasing the role of types of punishments alternative to imprisonment;

 creation of a methodological basis for formation and development of competencies of employees of penal institutions and bodies, etc.

In addition to implementing their own tasks, educational organizations can make a significant contribution to improving the personnel work of bodies and institutions of the Federal Penitentiary Service of Russia by participating in implementation of various measures to strengthen FPS personnel capacity.

The leading strategic goal of Russian penal enforcement system development is to increase efficiency of the work of bodies and institutions executing punishment. In order to realize this goal, one of the key tasks of the Federal Penitentiary Service of Russia, which determines the essence of its personnel policy, is to create a highly professional, stable, optimally balanced personnel composition of

institutions and bodies of the penitentiary system. Educational organizations of the Federal Penitentiary Service of Russia make a significant contribution to the solution of this task.

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