

Public consultation: “eGovernment Action Plan 2016-2020”
position of the Government of the Republic of Poland

Digital Single Market strategy¹ as a key policy paper describes the directions of development of the European Union in the coming years. Poland supports activities aimed at the digital development, which is one of the most important levers of social and economic development. Government's position in this regard has been officially formulated, and adopted on July 8, 2015².

One of the key elements of the Digital Single Market is part describing and organizing e-government in 2016-2020 perspective. For the purposes of this task the European Commission has been working on the implementing strategy called “eGovernment Action Plan 2016-2020”. This strategy does not yet have its project yet. The European Commission communicates only certain principles and guidelines¹ as to the content of the document which will be formulated probably in the coming months. Thus, currently extensive consultations on those principles take place. The form of consultations is based on an on-line survey which can be completed and sent back to the European Commission by any party interested in this subject³.

As the European Commission launched public consultations of principles for the “eGovernment Action Plan 2016-2020”, the Polish government has taken active information and promotional measures aimed at drawing attention of all potential stakeholders from Poland to this subject. The consultation document was made public on the website of the Ministry of Digital Affairs thus giving an opportunity to provide feedback directly to the Ministry.

Referring to the ongoing consultations, Polish Government – as a party concerned - also wants to take part in the discussion expressing its opinions and recommendations to the draft "eGovernment Action Plan 2016-2020" , although questionnaire formula proposed by the EC does not allow on expression of open positions, but is limited to closed questions. For this reason the Polish government decided to prepare "non-paper" in which it expresses the position on concerned matter in a more formalized way and indicates a directional approach to the issue

¹ COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, AND THE COMMITTEE OF THE REGIONS Digital Single Market strategy for Europe COM(2015) 192

² The position of the Polish Government regarding Digital Single Market Strategy for Europe Communication COM (2015) 192, adopted on July 8. 2015, published: <https://mac.gov.pl/aktualnosci/stanowisko-rzadu-w-sprawie-strategii-jednolitego-rynku-cyfrowego>

³ <https://ec.europa.eu/eusurvey/runner/eGovernmentSurvey2015>

constituting the subject of the survey. Also bearing in mind that the European Commission needs to unify the collected information, this position is based on the structure of the questions contained in the online questionnaire.

I. General principles of the the planned '*eGovernment Action Plan 2016-2020*.'

The current Action Plan for eGovernment 2011-2015 was based on Malmö Ministerial Declaration adopted in 2009. The declaration formed an invitation for a wide range of stakeholders to engage in the development of e-services, strengthening the transparency of the administrative processes and the involvement of stakeholders in improving the implementation of administrative procedures. So the Action Plan 2011-2015 was a response to recommendations from the Malmö Ministerial Declaration.

The European Commission did a mid-term evaluation of concerned action plan which revealed a need to focus on several priority areas, such as: open data, shared services, re-use of public sector information, as well as the "once only principle" principle. Resignation from the usual static five-year initiative for a more dynamic, flexible and iterative approach (similar to that of other EU instruments) was also recommended. These above principles will be the basis for the Action Plan for 2016-2020.

The Polish Government agrees with the European Commission conclusions concerning the completed Action Plan 2011-2015. Its static formula allowed only for partial achievement of assumed results and objectives. The new approach based on periodic revision of principles and actions creates an opportunity to better achieve assumed objectives. Considering the dynamics of the digital revolution, identification and completion of development vision within five-year timeframe would be unjustified.

II. Polish position in the „eGovernment Action Plan 2016-2020” consultations.

Section 2 Experience from the implementation of the Action Plan 2011-2015

Potential of cross-border e-services in the EU has not been fully exploited yet. With regard to assessment of selected success indicators, the following can be assessed as partially effective: large-scale pilot projects, counteracting administrative barriers, improving qualifications, interoperability. But the instruments of the internal market like: a single contact point for business, Internal Market Information (IMI) or the Internal Market Problem Solving Network (SOLVIT) or the Enterprise Europe Network are perceived as fully effective solutions.

Section 3 Factors hindering the use of public services

The key factors affecting the popularity of e-services include: low maturity of services, lack of public awareness as to the opportunities and facilitations offered by the e-government, non-friendliness for the user, the lack of e-skills and lack of trust⁴.

On the basis of experience of administration within implementation of its tasks, we can also indicate the lack of coherent action of the public administration, focusing on dedicated systems with individual access rules, delay in offering citizens of universal electronic identification systems, inadequacy of legal solutions to the rapid progress of technology and new phenomena.

The following factors can be regarded in particular as disincentives to the use of cross-border e-services: the language barrier (including regulations requiring sharing of e-services in national languages only) and consumer concerns relating to the security of personal data.

Section 4 Improving eGovernment services

The most important criteria for increasing the quality of e-services are: cooperation with stakeholders in the design of services, availability of services, open data, the principle of single administration of data ('only once' principle), the access by user to information about the status of the matter, raising the qualifications of those excluded. All other criteria indicated in the questionnaire are important, and will have a positive impact on the quality of e-services. Ability to support all proposed criteria would be the most beneficial.

Section 5 Mobility and cross-border public services in the EU

Section dedicated to the individual users correctly identifies the possible limitations existing during an attempt to execute services across borders. It seems that the key constraints in this area are language barriers, lack of data formats and document structures that would be commonly agreed on a pan-European level, as well as lack of cross-border solutions to electronic identification of citizen. The proposed solution to this problem is the use in e-services of pre-defined forms based on standard data structures for which each check box would change automatically depending on the choice of language, and taking advantage of experience from large-scale projects in the field of mutual recognition of electronic IDs of citizens (e.g. STORK). An important issue is also ensuring the equivalence of documents (certificates issued

⁴ Based on the results of the "E-government in the eyes of Internet users", the Ministry of Administration and Digitization, 2012-2014 edition

by the administrations of the home country) which are included as attachments to electronic requests filed in other countries. An important stimulus of the development of cross-border services will also be *Regulation of the European Parliament and of the Council (EU) No. 910/2014 on electronic identification and trust services for electronic transactions in the internal market (eIDAS)* which aims to popularize electronic services in order to build confidence in electronic transactions among consumers and public institutions.

Section 6 Modernising eGovernment services in the EU

Each of the proposed areas is important, and depending on individual assessments the priority may vary. Statistics collected by the EC shall best reflect the needs of most users. At the level of Poland's strategic documents in the area of computerization, 10 priority areas were defined:

1. administrative affairs, citizen matters in particular;
2. labour market in particular the loss and search for job;
3. Health care;
4. Justice and the judiciary;
5. Safety and emergency notification;
6. Business activities including public procurement;
7. Agriculture;
8. Settlement of taxes and customs service;
9. Social security (insurance and benefits);
10. Sharing of information resources from administration and science including higher education institutions.

Section 7 The role of the European Commission

European Commission's role is crucial for the development of e-government in the individual Member States including in the field of parallel coordination, and creation of horizontal standards in the area of digital single market. At the same time - due to Commission initiative - regulations should be established allowing harmonisation of the solutions in different areas of the administration, e.g. in terms of recognition of qualifications, data exchange between public registers and domain systems of the Member States (e.g. in the field of documents relating to procurement), defining a common document models, and imposing interoperability of solutions. We should not forget also about the role of the European Commission in terms of stimulating and providing open source solutions under Joinup initiative (e.g. a package to

handle electronic signatures - Digital Signature Service, public procurement and e-invoicing system - ePrior, etc.). As suggested in the survey the European Commission - as a public administration - should also develop creating guidelines through acting for change on its own. Poland supports the actions of the European Commission in all three areas. (1. the 'only once' principle for documents, 2. e-invoicing, and e-procurement, 3. acceptance of electronic signatures in communication).

Section 8 Citizen involvement

The involvement of all stakeholders including a wide range of social groups is very important for getting the right picture of the requirements for the newly developed e-services. Extensive consultations on any new regulations or solutions should be the standard in building modern administration. The voice of the society should not only be collected but above all taken into account in transparent way in all decision-making processes. The use of channels of communication with the public through social media is a step in the right direction. However one should keep in mind how the demands translate into reality, which means that adequate (reliable) data and indicators (*cost-benefit analysis*) should be used here to evaluate what has been heard from the society. The very concept of building own social platform for the needs of the eGovernment Action Plan may be too stretched over time, and not bring significant results. However in the field of social communication the privacy of users should be taken care of and the solutions in which such information - with no user control - would be transferred to commercial entities should not be used.

Section 9 Policy principles

All of the policy principles indicated in the questionnaire should be regarded as important (i.e. protection of privacy "digital by default", no-legacy, cross border by default, open standards, transparency, "only once" principle, maturity of services). Poland also implemented solutions such as "only once" principle, open standards, and protection of privacy. We believe that the consolidation and dissemination of these policies in all Member States will bring positive quality effects for the e-government.

Summary

The project to create a "European eGovernment Action Plan 2016-2020", in the new formula - i.e. a more dynamic, flexible, and iterative approach similar to that of other EU instruments, in our opinion, is useful. All 9 sections of the form, define in cross-sectional way the issues, and

criteria affecting the shape and development of e-government. It seems that key development criterion is focusing on cross-border availability of e-government. This issue in particular falls within the competence and field of impact of the European Commission.