

EUROPEAN PUBLIC SECTOR AWARD 2021

Building a Better Europe for Citizens

Digitisation and Engagement;
Transparency, Inclusion,
Privacy and Security in the
Public Sector



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DIGITAL PUBLIC ADMINISTRATION: POLICY CONTEXT AND EPSA 2021 EDITION

Christoph Klika

The eighth edition of the European Public Sector Award takes place in exceptional circumstances. Early in 2020, Europe was hit by the Covid-19 pandemic and since then, EU institutions and Member States have been grappling with the political, economic and social effects. Responding to the challenge of a cross-border public health crisis and recovering from the economic consequences has moved to the centre of attention for policymakers and citizens.

While Covid-19 has produced exceptional circumstances, it is nevertheless important to remember that societies are faced with continuing challenges which will outlast the current crisis. To address climate change, the excessive use of natural resources, the loss of biodiversity, social justice, equality and equal opportunities in the digital age – to name but a few – are continuing challenges for policymakers in the EU and in the Member States at all levels of government. These challenges are reflected in the current priorities of the EU and the three categories of EPSA 2021: Green, Digital and Innovative Public Administration.

The digital category of EPSA 2021 links to the EU's priority 'A Europe fit for the digital age'.¹ The ambition to make 'Europe fit for the digital age' relates to several policy areas: internal market and competition, artificial intelligence and cybersecurity, as well as research and development, vocational educational training, and human rights. In February 2020, the Commission released the communication Shaping Europe's digital future to set out this ambition.² In March 2021, in light of the challenges due to the ongoing Covid-19 pandemic, the

Commission reiterated this ambition in the Digital Compass.³ Together with the European Green Deal, the digital agenda is one of the cornerstones of the current policy priorities. It is also vital for recovery from the pandemic. To receive funding from the Recovery and Resilience Facility, Member States must devote substantial investments to achieve objectives related to the digital agenda.

The Commission pursues the digital agenda in three pillars: technology, economy and society. The objective of 'technology that works for the people' entails the protection of citizens from cyber threats but also investments in digital skills. To facilitate technological foundations of the digital age, investments into broadband and computing capacities are planned. One of the main issues is artificial intelligence.

The 'fair and competitive digital economy' will ensure fair competition in the EU, which includes strengthening the responsibilities of large online businesses, while ensuring innovation in the digital economy. It entails access to data while safeguarding data protection.

To pursue an 'open, democratic and sustainable society' the digital strategy sets out to combat disinformation online and to provide citizens with more control over their data. The digital strategy is linked to the Green Deal as it aims to reduce emissions by the digital sector, and to contribute to the objective of climate neutrality.

Digital Public Administration: Policy Context and EPSA 2021 Edition

In light of the challenges these pillars address, public administrations will have to adapt to being able to deliver public services effectively. Although COVID-19 has pushed the digital agenda, reforms to implement digitalisation in administrative processes at all levels of government precede the pandemic, e.g. through provision and exchange of documents, reports and forms online, online interaction increasingly automated systems and, more broadly, the design of government services as digital platforms. Nevertheless, the pandemic should be seen as an opportunity to draw lessons and to continue reforms towards digitalisation while safeguarding equality, inclusion and fairness, cybersecurity and human rights.

Public administration and levels of digitalisation varies in the Member States. This variety is reflected in the applications for the EPSA 2021 digital category. In total, 54 projects on digital innovation were submitted (out of 126). In addition to the winners, 12 Good Practice Certificates were awarded in the digital category; one project received special recognition for responding to the Covid-19 crisis. These projects highlight the creativity of public administrations at European and national level in addressing the challenges related to the digital transformation.

In this report, Giulietta Marani and Clara Cotroneo analyse the issue of digitalisation and human rights. Whereas digital technologies can increase citizens' participation and accountability, the same technologies might jeopardise human rights and, thus, the fundamental values of the EU. To reflect on this issue, the report provides case studies of the EPSA 2021 digital category to showcasing the design and implementation of value-based, citizen-oriented and human-rights centred use of technologies in public administrations.

DIGITISATION AND ENGAGEMENT: TRANSPARENCY, INCLUSION, PRIVACY AND SECURITY IN THE PUBLIC SECTOR

Giulietta Marani and Clara Cotroneo

Abstract

Addressing fundamental rights and common values is increasingly important within the public administration. The use of some technologies can either boost governments' accountability, citizens' participation and fundamental rights, or it can shake fundamental values and principles, which are foundations of our Union. Whereas the use of some technology can put pressure on fundamental rights and common EU values, other developments and uses can help safeguard them. The purpose of this short publication is to provide an insight into real case studies showcasing value-based, citizen-oriented and human-rights centred use of technologies in EU public administration. We use as case studies projects submitted and evaluated as part of the European Public Sector Awards 2021 (EPSA 2021), a project funded by contributions of the EU Commission's DG REFORM and Member States, and organised every two years by the European Institute of Public Administration (EIPA).

Introduction

Over the past two decades, we have seen an increasing use of digital technologies in the EU public sector (PS) and public administration (PA). Far from being simply a form of innovation within the public administration, digital technologies are rather transformational mechanisms that enable the public administration to adapt and innovate, and best serve the needs of different stakeholders and beneficiaries. Their use has enabled the evolution of governments from an analogue phase, through an e-government phase, up to our current digital government era.⁴ The digital government transformation or transformational government (a concept introduced in the Netherlands over fifteen years ago) can be broadly understood as the introduction of information and communication technologies (ICTs) in public administration to innovate and transform 'internal and external processes, and structures' to achieve 'greater openness and collaboration within and beyond governmental boundaries'.⁵ Digital innovation in the public administration can have several impacts on the objectives, working and achievements of the public administration. Only to mention a few relevant to this publication, the use of ICTs in public administration can improve policymaking, service planning and delivery, for example by using data-driven and citizen engagement for better decision-making. On the other hand, they can endanger citizens' access to services, access to justice and enjoyment of basic rights and freedom, and welfare policies. Hence, we see multiplying the initiatives taken within the EU legal and policy frameworks to protect citizens and societies from the potentially harmful effects that can come from malicious or unintentional misuses of technologies.

Initiatives include the recent development of the EU's Approach to a trustworthy artificial intelligence, which includes a European AI strategy.⁶

A human rights approach and public participation are ways to safeguard human rights and common values, and meet the needs of target groups and final beneficiaries when digitising public services, protecting EU citizens' safety and privacy. Digital public administration is used for informing and consulting citizens and entrepreneurs, but can take further steps in engaging them. The projects submitted for the European Public Sector 2021 Award show that an increasing number of countries in Europe are taking a human rights approach and are experimenting with new ways of engagement within public administration such as placation and partnership when digitising public services, making sure values of transparency, inclusion, privacy and security are met. They also show more countries finding a solution in the use of digital technologies for safeguarding values. As members of the selection committee of the 2021 European Public Sector Award, we were impressed with the steps made. We believe that safeguarding fundamental human rights and common values of transparency, inclusion, privacy and security in the design, implementation and practice of public administration is socially and morally important, and the only way to improve public services.

In this paper we will highlight the projects that the selection committee gave a high score to, which are examples of human rights approaches and ways of public participation. The paper is based on Arnstein's ladder of public participation which includes eight steps of participation: (1) manipulation, (2) therapy, (3) informing, (4) consultation, (5) placation, (6) partnership, (7) delegated power, (8) citizen control.⁷ The discussion focusses on steps (3) to (6). Although some of the projects have elements of delegation, examples of delegation and citizen control throughout the whole policy cycle and digitisation process were not found. All the examples focus on safeguarding human rights or the values of transparency, inclusion, privacy and security when digitising public services.

Public policies with a human rights approach: using digitisation to promote fundamental rights and inclusion

The 2021 EPSA edition has seen several submissions of projects which show the EU public sector and administration taking a human rights approach to public policies. Such is the case, for example, of the project Human rights go local, from the city of Vienna, submitted under the auspices of the Human Rights Commissioner and Head of Human Rights Office of the city of Vienna, Shams Asadi. The project makes Vienna a city of human rights, which involves local politicians systematically incorporating human rights in their agendas. Through this approach, the city of Vienna becomes part of a larger movement in European cities, self-declared as human rights cities. The EU Fundamental Rights Agency, in their 2021 report Human rights cities: a framework for reinforcing rights locally⁸ captures the essence of such initiatives and their role for supporting and promoting EU core values:

Local and regional authorities, in particular cities, are already addressing many of these challenges by developing initiatives to fight racism and discrimination, or supporting the inclusion of vulnerable people or the integration of refugees, to name just a few ways. But often the sectoral policies that address initiatives at local level are not explicitly linked to human and fundamental rights obligations.

Key values, such as anti-discrimination, inclusion and integration are all common to human rights-based approaches to public policies. The EPSA 2021 projects that we describe in this section showcase how digitisation can be used to promote a rights-based approach, giving full implementation to EU core policies on justice and fundamental rights. The two cases presented in this section demonstrate different approaches, solutions and stages of development in the incorporation of digital technologies for delivering citizen-centred and rights-centred services.

At a distance, but close to you is a project submitted by the District General Directorate for Social Care and Children Protection in Romania. It addresses the challenges of supporting children with developmental disabilities, and their families, during the Covid-19 pandemic. Following the risks posed by the pandemic on health and safety, governments around Europe have taken measures to minimise the spread of the virus and the number of hospitalisations and deaths.

Such measures can have an impact on children, who can no longer attend their classes in person, or have access to educational and restorative services. Such a situation can be particularly taxing for children who carry disabilities, and therefore, on inclusion and the provision of basic services. The objective of the project, more specifically, is to mitigate the impact of governmental measures on children's access to specialised services, important for maintaining a healthy level of activity and engagement. The specific objective of the At a distance but close to you project was to minimise the impact that disruptions to specialised centres would have on children and their families. To reduce the level of isolation and disengagement, the project foresaw the creation of tutorials that would help families put in place a backup service delivery, at home. A team of specialists connected with parents – and helped parents to connect among themselves – providing them with instructions on how to transform everyday objects such as bottles into tools for developmental activities. Thanks to the guidelines of specialised staff delivered remotely, and through the use of easily accessible materials, the family became a therapeutic space for the children. Through this project, children could access education and recreational activities, in a safe environment, supported by their families and remote carers.

The project is a good case of public service delivery for inclusion. By designing and implementing a solution that uses digital technologies to meet the needs of children with developmental disabilities, the project contributes – at the local level – to EU policies that encourage access to, and inclusion through, digital technologies. In this direction, there have been several regulatory and non-regulatory initiatives.

The European Commission has recently approved a strategy for the rights of persons with disabilities (2021–2030) to tackle the barriers that people with disabilities have in accessing healthcare, education, employment and recreation activities. The European Accessibility Act aims at improving inclusion in the internal market by proposing common requirements of accessibility for products (e.g. computers) and services (e.g. e-commerce). There are measures to protect the vulnerabilities of children with disabilities in the digital space, namely the European strategy for a better Internet for children and the EU comprehensive strategy on the rights of the child. Specifically in the field of inclusive education, within the Horizon 2020 framework several research programmes have been funded to explore how digital technologies can support children with disabilities and their families, such as the CARER-AID project.

Finally, the Commission also supports grassroots projects in schools, universities and civil society that promote inclusion of all learners. At a distance but close to you is a good practice of digitisation that helps designing and adopting simple and cost-effective solutions for the benefit of vulnerable groups. Through this project, European policies and values both find full implementation at the local level.

Embedding values through digitisation and ways of engagement

Embedding values through digitisation and ways of engagement

Engagement is a way to safeguard common values and meet the needs of target groups and final beneficiaries. In this section we will describe how EPSA 2021 projects involved citizens and stakeholders, and embedded values of transparency, inclusion, privacy and security while digitising. We do that by giving examples of informing, consultation, placation and partnership (steps 3 to 6 of Arnstein's ladder of public participation) and we show the role digital technologies play in this engagement and in safeguarding values.

Informing

Vienna launched an intelligent voice assistant, WienBot. With this bot, Vienna has reshaped interaction between government and citizens using new digital technologies, such as artificial intelligence and natural language support, and added an editorial review process. The bot was used in the project AI against Covid-19 disinformation to set up a 'CoronaBot' in only a few days at the beginning of the coronavirus crisis, answering questions on restricted opening hours, current guidelines, protective measures or coronavirus aid measures. All citizens regardless of nationality and special needs can use the bot to ask their questions and get a quick answer.

The web portal in Castilla y León is another local example of how to provide transparency on the daily Covid-19 pandemic circumstances. Castilla y León use open and reusable data. All health information on the impact of the pandemic is offered, using data minimisation where needed to protect the privacy of citizens. Users can see indicators, tables, graphs and maps that show the information in a clear and understandable way for any citizen. The portal also gives dashboards on home delivery, take-away services, unemployment, legal situations and emergency contracting. The web portal provides a final download section that allows downloading the data of the visualisations – 33 datasets – in different formats. This offers citizens of Castilla y León, researchers and professionals reliable and timely information in an uncertain time.

These are two examples of how new digital technology can be used to inform and at the same time help to embed values of transparency and inclusion – and in the case of Castilla y León privacy – in interaction services.

Consultation

Public spaces are limited – thus different commercial and non-commercial usage demands collide. The city of Vienna has developed a target-oriented digitisation strategy 'Vienna provides space' that makes it easier for citizens to apply for permits and for the responsible departments to cooperate more efficiently. It combines survey-precise 3D image data of public spaces, networking of relevant municipal departments and a digital one-stop shop that provides information as well as digital dialogue-based applications about the use of public space. A broad approach is taken by proactively involving the data protection community, with the aim of making the data available to the public in compliance with all legal framework conditions.

With the involvement of administrative experts in various platforms, new relations to customers have developed via the direct informal (e.g. festivals) and formal (e.g. consultation days) contact. By asking actively for feedback, numerous legal changes helped eliminate duplications and make responsibilities more transparent for customers. A service team for the use of public spaces ensures fairness. Vienna shows how the use of 3D images and digital dialogue-based applications can be added to personal contact such as festivals. Involvement of the data protection community and the setting up of a service team helped safeguard the values of privacy and fairness. Consultation helped to make responsibilities more transparent.

Placation

Placation allows citizens to advise or plan but retains the right of public administration to judge the legitimacy or feasibility.

An example of placation is the citizens' budget of the city of Graz. From 4 March to 8 April 2021, all citizens of Graz had the opportunity to submit project ideas up to €100,000 each at a participation webpage: <https://mitgestalten.graz.at/>. This was a digital tool for citizens to submit ideas, react to ideas and like ideas, and it was also available by conventional mail for those less digital savvy. This citizens' budget was used within the KIS-Graz – Climate Innovation City Graz project. A large number of these ideas were climate-relevant. Graz also gave citizens a voice in the evaluation and selection of the ideas. The younger generation was also involved in this climate action project, offline. In the summer, students worked on sustainable business models, in collaboration with the Green Tech Cluster and universities, and supported by successful Graz companies.

Slovenia added a free channel – STOP the bureaucracy portal – where citizens and entrepreneurs can notify and report administrative burdens they encounter interacting with the government and send proposals to eliminate these and improve legislation. A portal that offers two-way communication between the state and users enables the involvement of the public in the drafting of regulations, and enhances cooperation between ministries and stakeholders – all with the goal to continually introduce simplifications and offer useful solutions to users. To ensure maximum usability, Slovenia regularly organises content workshops, which, using different methods of work and techniques with target groups, determine their needs for additional improvements on the portal. In six years, 500 proposals have been produced and completed. Users have a full overview of the implemented initiatives in the measures and good practices throughout the STOP the bureaucracy portal.

These projects are examples of placation while embedding the values of transparency and inclusion. Graz added a digital channel but kept the offline one to make sure everybody could participate, safeguarding the value of inclusion. On the webpage, all submitted ideas were posted for transparency. Slovenia organises content workshops to engage as many as possible and gives transparency on the measures and good practices online.

Partnership

Nilüfer Municipality aims to ensure active participation of all citizens and stakeholders in Nilüfer City by creating a sustainable decision-making mechanism where resources are managed effectively and transparently with innovative methods to meet public needs. The municipality improved its strategic plan studies for 2020–2024 through a participatory process with the understanding of 'joint governance', developing a culture of democracy. They used the method of looking at the future through the eyes of youngsters and actively involving young people in workshops. Digital tools have been used for collecting and evaluating ideas. Non-formal education methods were used in project activities and gender equality was strongly considered among participants. Citizens and stakeholders had a role in both the execution of the plans, and reflection on results and advice on adjustments.

The annual activity report, performance programme documents and the results of the strategic plan are shared on the municipal website, open to all stakeholders and the public. Nilüfer Municipality shows how to partner with citizens and stakeholders and is a good example of transparency and equality, on different levels.

The Portuguese LabX is a good example of how to design new public services, or redesign existing ones, identifying and tackling obstacles while promoting the use of digital services in a seamless way. It is based both on the real needs of users and technological and economic feasibility, while embedding values such as transparency and inclusion. LabX engages citizens, businesses and decision-makers (government), promoting a culture of ideas exchange and co-creation. As they put it themselves:

It should be highlighted that LabX's approach stands on the premise that public administration should stop trying to guess what citizens want and find out what they really need. To do so, it's paramount to involve both citizens and public officials. Public administrations must learn about and with their stakeholders – and the best way to do it is by assigning them a prominent role in designing the solutions to their own problems/challenges, effectively engaging them in the co-creation of their own services.

The project Tax citizenship 2.0 set the challenge of improving interactions between taxpayers and the Portuguese Tax and Customs Authority (AT), involving over 4,000 citizens and having co-creation sessions with civil servants from the AT, creating a tax literacy instrument in more than 300 tax services. LabX also started Education for citizenship, developed in partnership with the Ministry of Education, looking for alternative models, initiatives and approaches that promote civic participation in children and young people. The project used gamification approaches – from visual card games for smaller children to an app game on citizenship themes for the older ones, to ensure engagement at all ages. These are good examples of how to innovate together with citizens in a real partnership, considering all ages and safeguarding the value of inclusion.

Improving security and access to justice through digital technologies

In line with the focus of our publication, our last section presents and discusses two EPSA 2021 case studies showcasing how digital solutions can improve the EU justice system, at the national as well as European levels. The first case study presents a practical solution to an EU-wide challenge, namely the cross-border identification and effective prosecution of offenders, in the civil as well as penal/criminal domains. The European objective of harmonising laws and practices in the justice system to improve cross-border cooperation has often met challenges in its practical implementation. Member States have had to find practical solutions for sharing and exchanging information relevant to the identification, prevention and prosecution of civil and criminal offences. Cross-border information exchange is necessary to reduce the risk of impunity and increase safety and security. The project Cross-border fines, submitted by the Federal Public Service Justice in Belgium, creates a digital platform which allows national authorities – federal and local public entities – and international authorities to cooperate in the management, exchange and follow-up of traffic-related offences. For its technical implementation, the project relies on ECODEx, an EU system for the secure and fast cross-border exchange of case files between EU Member States. In addition to having had a positive impact for combating impunity and contributing to road security and safety, the project is also a good case study on how digital solutions can improve the management of human and budgetary resources in the justice system. Traffic fines which were originally handled by officers on the ground are now – thanks to the project –

automatically produced by the digital system. As a result, the digitalisation of the process frees human resources at the police and administrative levels to deal with other more serious and urgent cases. The project has also an important element of green sustainability, since it gives offenders the option of paying a fine via the project website or a QR code, and the option to receive fines digitally via e-Box (the government's digital mailbox). The project is also laudable in its European outlook and reach: information on the fines and processes to follow to pay them are provided clearly in 23 EU languages. In terms of the concrete results of the project, the collection rate of traffic fines has increased from 80% in 2018 to 93% in 2020. In addition, the number of documents sent amounts to almost 5 million fines in 2020, compared to 4.1 million in 2017. Finally, the project can be used as a model for the cross-border management of criminal cases, including domestic violence and sexual violence, making this project a model for transferability, innovation and resource efficiency.

The last case study, JustizOnline, was developed by the Austrian Federal Ministry of Justice. The project showcases several of the benefits that digital solutions offer for the engagement and communication between judicial authorities and citizens. Access to justice has been a priority and general concern in the EU, and citizen-friendly judicial services are important for meeting the rights of citizens to be informed and actively participate in proceedings. It also improves the court processes in handling procedures. By providing digital access to judicial proceedings, the project lowers barriers to citizens' access to justice and increases transparency and trust in the judiciary. The impact of the project is also more evident in the context of the current Covid-19 pandemic: in those EU Member States where digital services in the justice system were not developed, the pandemic has brought delays in judicial proceedings, which has resulted in not delivering justice to citizens and businesses. JustizOnline increases the resilience of the judicial system by allowing for the continuation of judicial services in the context of the pandemic when physical presence of staff and citizens at court is very limited.

Conclusions

The projects highlighted show that an increasing number of European countries involve citizens and stakeholders in the renewal or design of public services and administration, while embedding human rights and values of transparency, inclusion, privacy and security. Some achieve this by a human rights approach or use of digital technologies, others by engagement methods. We believe that every project within public administration should start with a dialogue in which values and rights need to be safeguarded. Citizens and stakeholders should be involved in this dialogue and in the whole of the policy cycle and digitisation process. The case

studies we have chosen have a great potential for transferability and offer other public administrations ideas on how they could adapt their design process, procedures and service delivery, and some of them are good cases for long-term cost-effectiveness.

The purpose of this publication was to provide a snapshot of what the European public administration has achieved through digitisation before and during the Covid-19 pandemic. Next year we hope to see an increase in projects experimenting with partnership, delegation and citizen control!

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Notes

¹ See Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Shaping Europe's digital future, Brussels, 19.2.2020, COM/2020/67 final. <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52020DC0067>

² See Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Shaping Europe's digital future, Brussels, 19.2.2020, COM/2020/67 final.

³ See Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2030 Digital Compass: the European way for the Digital Decade, Brussels, 9.3.2021, COM/2021/118 final.

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⁷ Sherry R. Arnstein's 'A Ladder of Citizen Participation', Journal of the American Planning Association, Vol. 35, No. 4, July 1969, pp. 216-224.

⁸ Human Rights Cities in the EU. A Framework for Reinforcing Rights Locally. European Union Agency for Fundamental Rights. Report, 2021.

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Annex: EPSA 2021 digital category

EPSA 2021 Award Winner

Vienna provides space	Austria	City of Vienna Municipal Department 65 – Legal Affairs: Transport and Traffic
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EPSA 2021 Second Place Award

Justizonline	Austria	Austrian Federal Ministry of Justice
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EPSA 2021 Third Place Award

Cross-border fines	Belgium	Justitie (The Federal Public Service Justice)
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EPSA 2021 Third Place Award

Transparency at the service of health	Spain	Junta de Castilla y León (Governing Council of Castile-León)
The electronic documents archive	Poland	Head Office of Polish State Archives
rEEYplace: automatic processing of substitute teacher needs in public schools	Cyprus	Educational Service Commission (ESC)

Special recognition for responding to the Covid-19 crisis

Transparency at the service of health	Spain	Junta de Castilla y León (Governing Council of Castile-León)
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EPSA 2021 Good Practice Certificate

Relaunch of FinanzOnline and integration of chatbot 'Fred'	Austria	Federal Ministry of Finance
Information-supported decision-making	The Netherlands	Ministry of Foreign Affairs
City deal zicht op ondermijning	The Netherlands	Department of Internal Affairs in cooperation with ICTU
Municipality ASP 2.0 (Further development and nationwide extension of the Municipality ASP system)	Hungary	Ministry of Interior, Hungary
Id.gov.pt	Portugal	AMA – Administrative Modernisation Agency
Consultas Covid Extremadura	Spain	Government Delegation in Extremadura
Digital for reconstruction grants	Italy	Ministry of Foreign Affairs
All-in-1 HR	Cyprus	Cyprus University of Technology (CUT)

