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E-ADMINISTRATION IN POLAND IN AN AUDIT PERSPECTIVE

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Summary. E-administration is a relatively new concept related to the broader technological progress and development of modern technologies, as well as a key condition for the development of an effective information society. E-administration means that the state provides as much of its own public services as possible via the Internet in order to facilitate numerous entities, including its own citizens, enterprises, the academia, etc., as well as to guarantee access to various public services and make the access more affordable. Thanks to such measures, citizens' satisfaction with the administration increases, and the competitiveness of countries and enterprises increases as well.

Keywords: e-administration, state control, Supreme Audit Office, ePUAP.

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E-administracja w Polsce z perspektywy kontroli państwowej. E-administracja jest pojęciem stosunkowo nowym i związanym z szeroko rozumianym postępem technologicznym oraz rozwojem nowoczesnych technologii, a także kluczowym warunkiem rozwoju efektywnego społeczeństwa informacyjnego. W wymiarze krajowym e-administracja oznacza, że państwo jak najwięcej własnych usług publicznych udostępnia przez Internet, celem ułatwienia, a także usprawnienia oraz uczynienia bardziej opłacalnym dostępu do rozmaitych usług publicznych. Dzięki takim zabiegom rośnie zadowolenie obywateli z administracji, zwiększa się także konkurencyjność samych państw oraz przedsiębiorstw.

Słowa kluczowe: e-administracja, kontrola państwowa, Najwyższa Izba Kontroli, ePUAP.

E-administration is a relatively new concept related to the broader technological progress and development of modern technologies, as well as a key condition for the development of an effective information society. A number of different definitions of this term may be found in the literature. However, to consider which of terms is the most suitable one, would far exceed the framework of this study. In the opinion of the authors of this paper, it is M. Nowina-Konopka who proposes an accurate, as well as a simple and capacious definition of electronic administration, describing it as “the concept of governance and state management with the use of the latest information and communication technologies”³. It should also be mentioned that in our judgement, the view expressed by the European Commission shall also be considered valid: “E-administration is defined as the use of information and communication technologies (ICT) in public administration in connection with organizational changes and acquiring new skills in order to improve public services and democratic processes, as well as strengthening support for public policy”⁴. Since the importance of developing e-administration is crucial for increasing the effectiveness of democratization of public life in every country.

³ M. Nowina-Konopka, European Concept of *E-government* in the light of the indicators of the European Commission, “Zeszyty Prasoznawcze” 2017, Vol. 60, No 2(230), p. 331, 10.4467/22996362PZ.17.021.7301, published on-line at www.ejournals.eu/Zeszyty-Prasoznawcze/

⁴ See The Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, *The Role of eGovernment for Europe's Future*, Brussels 2003, COM (2003) 567 final (as cited in A. Budziewicz-Guźlecka, A. Drab-Kurowska, *E-Administration in Poland*, “Zeszyty Naukowe Uniwersytetu Szczecińskiego” 2012, no 88, p. 366.

The concept of e-administration, which is in this paper a key concept to our considerations, has both its national and EU dimension. At a national level, every Member State strives for its development and the implementation on as large a scale as possible.

In the national dimension, e-administration means that the state provides as much of its own public services as possible via the Internet in order to facilitate numerous entities, including its own citizens, enterprises, the academia, etc., as well as to guarantee access to various public services and make the access more affordable⁵. Thanks to such measures, citizens' satisfaction with the administration increases, and the competitiveness of countries and enterprises increases as well. One of the most important consequences of e-administration is that governments depart from the former systems based on paper documentation towards computerized systems⁶. Undoubtedly, this solution is also of great importance as far as ecology is concerned.

It should be mentioned that, although there is a fairly high availability of e-services in EU countries, there are at the same time significant differences in the scope for these services being used by citizens⁷. In the period of 2007–2010, the amount of over PLN 2.5 billion was allocated from the state budget, European Union funds, the Schengen Fund and the Norwegian Financial Mechanism for the computerization of public administration⁸. However, it still seems insufficient since Poland still has a lower level of implementation of e-administration compared with other EU countries.

In the EU dimension, e-administration plays an equally significant role. The European Commission itself points out that “eGovernment supports administrative processes, improves the quality of the services and increases the internal public sector efficiency. Digital public services reduce administrative burden on businesses and citizens by making their interactions with public administrations faster and efficient, more convenient and transparent, and less costly”⁹, and it draws one's attention to the fact that a fast development of e-administration can bring further economic and social benefits for the society as a whole. The Euro-

⁵ See. *E-administration with a view to an audit (a report)*, November 2004, Eurosai IT Working Group, p. 7.

⁶ See Ibidem.

⁷ Cf. A. Budziewicz-Guźlecka, A. Drab-Kurowska, op.cit., p. 368.

⁸ Cf. Ibidem., p. 369.

⁹ See Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, *The EU eGovernment Action Plan 2016-2020. Accelerating the digital transformation of government* [COM(2016) 179 final][SWD(2016) 108 final][SWD(2016) 109 final], Brussels of 19.4.2016 COM(2016) 179 final, p. 2.

pean Commission also emphasizes that this digital transformation is one of the most important elements for the successful construction of the Single Market¹⁰.

It should be noted that the key document of the European Union regarding the issue in question is the Digital Single Market Strategy¹¹. It is worth emphasizing that the Polish government supports its proposals¹². On 6th May 2015 the Commission adopted *A Digital Single Market Strategy for Europe*. The accompanying document was also *The eGovernment Action Plan*, developed for the period of 2011–2015, and in Poland it was the “Action Plan on eGovernment for the period of 2011–2015”. *The eGovernment Action Plan 2016–2020*¹³ was also being prepared for the following years.

Among all the key EU documents, it is also worth mentioning *A Digital Agenda for Europe 2010*, which was one of the seven flagship initiatives of the strategy *Europe 2020 (A Strategy for Smart, Sustainable and Inclusive Growth 2010)*. It is a strategy planned for the period of 2010–2020, conducive to social inclusion. To some extent, this is a continuation of the *Lisbon Strategy* from 2000–2010¹⁴.

For the successful implementation of the widest possible applications of e-administration at both Member State and European Union level, one should take into account many important factors that contribute to the development of e-administration, as well as many obstacles that need to be removed for e-administration to be able to develop successfully.

The factors beneficial for the development of e-administration must also include: increasing flexibility of employment; remote work, development of entrepreneurship and e-economy; growing willingness of societies to apply better time management and not to waste time for dealing with administrative matters in person; as well as ecological awareness of societies which are alert to the environmental hazards generated by, for instance, traditional administration based on collecting mostly paper documentation. In addition, the development of

¹⁰ See Ibidem.

¹¹ See Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, *A Digital Single Market Strategy for Europe* COM (2015) 192.

¹² See *The Position of the Polish Government on the Communication on A Digital Single Market Strategy for Europe* COM(2015) 192, of 8 July 2015, published on-line at: <https://mac.gov.pl/aktualnosci/stanowisko-rzadu-w-sprawie-strategii-jednolitego-rynku-cyfrowego>

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

See also The Non-paper on public consultations announced by the European Commission to *The eGovernment Action Plan 2016–2020*, p. 1.

¹³ Cf. M. Nowina-Konopka, op.cit., p. 332–333.

¹⁴ Cf. Ibidem.

e-administration is also favored by the actions of countries, aimed at preparing a friendly legal status for e-administration to develop, including relevant provisions regarding for example an electronic signature.

On the other hand, the factors that hamper the development of e-government are the so-called “digital exclusion”, as much as all the technical requirements difficult to meet due to the need to use special applications which work only under certain conditions or with specific devices¹⁵. There are many more such factors, for instance the lack of public awareness of the benefits offered by the use of e-administration, the ill feeling of users in the broadest sense of the term, the lack of user confidence and trust, the lack of so-called e-skills, as well as e-users’ concerns in relation to the storage and processing of their personal data and many others¹⁶.

The Polish government defined the top 10 areas in which the implementation of e-administration was to become a priority in the period of 2016–2020. The areas are as follows: administrative matters, in particular citizenship matters; labor market, especially job loss and job seeking; healthcare; justice and the judiciary; security and emergency notification; running a business, including public procurement; agriculture; tax settlement and customs; social security (insurance and benefits); providing access to information databases of administration and science, including higher education¹⁷. Undoubtedly, each of these areas is important and some of them manage to achieve even better results in the implementation of e-administration, for instance tax settlement, while in others there is still a lot to do, for instance health care. The Polish government also increases promotion and information measures in this regard.

In turn, it is also worth pointing out that at the EU level, as well as at the national level the European Commission is of key importance for the implementation of e-administration. It is in its competence to coordinate and also to set standards in the field of the Digital Single Market for all the Member States. Furthermore, there are areas in which the same standards should be applied for all the Member States, such as mutual recognition of professional qualifications or in the field of common, uniform document templates¹⁸.

To sum up, it should be stated that the concept of e-administration development in the European Union and in Poland is very promising and it not only

¹⁵ Cf. A. Budziewicz-Guźlecka, A. Drab-Kurowska, op.cit., p. 372.

¹⁶ See The Non-paper on public consultations announced by the European Commission to *The eGovernment Action Plan 2016–2020*, p. 3.

¹⁷ See Ibidem., p. 4.

¹⁸ See The Non-paper on public consultations announced by the European Commission to *The eGovernment Action Plan 2016–2020*, p. 5.

supports democratic processes, but also responds to the needs of various groups of citizens. Undoubtedly, the European Commission plays a key role in this case, while Polish achievements in the area are still insufficient and diverge from the standards that other European Union Member States have managed to achieve.

The issue of e-administration should be presented taking into consideration the report of the Supreme Audit Office (Najwyższa Izba Kontroli – NIK), regarding the usefulness of e-services, the amount of interest in e-services, promotion measures of the e-services offered, as well as the compliance of electronic services provided with legal requirements. The audit also covered the issues related to data processing in information systems in the course of providing citizens/customers with electronic services, as well as handling administration proceedings in an electronic form.

The audit results showed that despite the availability of various public e-services in the audited offices of local government units, their use was insignificant. Citizens most often used one e-service, that is the Electronic Inbox which enabled to handle their administrative business by submitting the so-called general letter 16. Little interest in e-services is associated with technical and legal, as well as social barriers which significantly limit the use of this form of handling administrative business. The use of e-services is not favored by a small number of citizens who have the ePUAP¹⁷ trusted profile or an electronic signature which determine the possibility of using an e-service, as well as the inefficient promotion of e-services provided by government offices. According to the Supreme Audit Office, without proper dissemination of the trusted ePUAP profile and electronic signature, and without more extensive promotion of electronic services needed by citizens, the number of people using these services is not going to increase significantly. The problems related to the unsatisfactory availability of e-services on the national ePUAP platform, which significantly hindered citizens from using e-services, did not encourage a wider use of electronic forms of handling administrative business.

It is particularly important for the development of e-services to increase the number of citizens who have a free ePUAP trusted profile that allows them to settle administrative matters via the Internet. If one does not possess the profile, it is very difficult to use e-services. Although it is possible to use e-services by means of an electronic signature, it requires spending several hundred zlotys every few years, which may not prove to be affordable for an average citizen. Therefore, the offices audited recognized the need to promote a trusted profile at the national level and the necessity to increase the number of sites where it can be confirmed. Currently, the institutions where one may confirm a trusted profile are, among others, the Social Insurance Institution, a seat of a consul, a seat of a head of the

tax office or a voivode. With the consent of the Minister of Digital Affairs, the confirmation may also be made by other entities, for instance municipal executive offices, however, it requires an interested entity to submit an application.

According to the Supreme Audit Office, an important factor to increase the number of people using e-services may be the future introduction of a universal and simple technical solution enabling the confirmation of one's identity in contacts with various offices via the Internet. One of the possible solutions requiring consideration and in-depth analysis is the use of an electronic layer in the identity card enabling to sign electronic documents when dealing with public administration via the Internet. Therefore, it is necessary for the Minister of Digital Affairs to take actions in order to promote the ePUAP trusted profile at the national level and to increase the number of confirmation sites, as well as to continue work on introducing a universal and simple technical solution enabling this confirmation of identity in contacts with various offices via the Internet.

With the aim of building trust among citizens for e-services offered by public administration, it is vital to ensure the continued operation of electronic platforms through which e-services are provided. Building such trust was not favored by interruptions in the operation of the ePUAP1 platform until August 2015, during which the platform was completely unavailable for many hours or some of its services were unavailable. Ensuring constant availability of the ePUAP2 platform should allow its use by all the citizens interested at any convenient time of the day, every day of the week.

In the opinion of the Supreme Audit Office, legal barriers significantly impede the provision of e-services. The audited indicated above all the necessity to provide offices with paper version of documents, including original documents signed by an applicant or versions certified to be in conformity with the originals by a notary or by the institution that issued the document. Undertaking activities which enable handling administrative business via the Internet without changing any legal requirements (including, among others, the need for the submission of paper documents by applicants) significantly hinders the digitalization of e-services. Therefore, according to the Supreme Audit Office, in order to improve the provision of e-services, it is required for the Minister of Digitization to review the existing provisions in terms of the possibility of limiting the obligation for citizens and entrepreneurs to submit paper documentation, which will lead to the facilitation of the use of e-services and to the expansion of their scope. 4. The Supreme Audit Office states that providing a new version of the ePUAP platform, that is the ePUAP2, may have a positive impact on improving the availability of e-services and expanding their usage. The launch of the ePUAP2 platform enables the implementation of the concept of the centralised provision of e-services.

This solution allows authorities to use ready-made e-service templates that can be made available for citizens. It will allow all the offices to reduce the financial expenditure on their own new electronic platforms (regional, local), as well as the expenditure on self-development of e-service templates. The use of ready-made solutions also means for offices that there is no need to forward the service template to the Central Electronic Document Management System (Centralne Repozytorium Wzorów Dokumentów Elektronicznych – CRD, CR, CRWDE). The implementation of the ePUAP2 platform will allow gathering services of local government units on one electronic platform to a greater extent. In the view of the Supreme Audit Office, such activities will facilitate the development and provision of e-services by public administration offices. Therefore, it is reasonable to continue these activities and make it available by the Minister of Digital Affairs to use further e-service templates by means of the ePUAP2 platform. At the same time it is advisable to first provide e-service templates regarding the matters most often dealt with by citizens in public administration offices.

Despite the availability of 1,705 electronic services in the audited offices, their use was insignificant. In nine municipal offices, that is 45% of the audited offices in which electronic services were made available, citizens/entrepreneurs used only the Electronic Inbox service. There is no doubt that the expenditure on IT systems and e-services which are hardly used by citizens, will be ineffective. Taking into consideration the fact that the preparation and provision of e-services on the ePUAP platform, as well as on regional and local platforms, were related with spending of significant financial resources, and the use of e-services is still inadequately low, the information about official matters that can be dealt with online should be disseminated more widely at the national, regional and local levels.

Extra care needs to be taken to ensure that the rules of conduct when handling administrative business on line are explained clearly. It is crucial for e-services instructions to be easy to follow. According to the Supreme Audit Office, in order to increase the popularity of using e-services offered, it is necessary to improve promotion and information measures by the Minister of Digital Affairs and local government units.

Given the low interest of citizens in electronic services and relatively limited use of the possibilities of regional and local platforms, it should always be considered whether it is justified to create further platforms financed by the budget and through the European Union funds. It should be also noted that the audited regional and local platforms offered, among others, e-services that were simultaneously made available on the national ePUAP platform.

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