

OECD OPEN GOVERNMENT DATA REVIEWS

POLAND

Unlocking the Potential of Government Data

ASSESSMENT AND PROPOSALS
FOR ACTION

MAY 2015

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Recognisable efforts are an important start

The Open Government Data Review of Poland was undertaken by the OECD to analyse the progress and challenges of open government data in the Polish national context. Based on the OECD methodology laid out in the Working Paper *“Open Government Data: Towards Empirical Analysis of Open Government Data Initiatives”*, the country reviews recommend proposals for action that help countries improve their Open Government Data efforts.

The recommendations take into account the current open government data context in Poland and focus on specific priority areas for the government. In the case of Poland, the overall priority is the establishment of an OGD “infrastructure” to support coherent and sustainable efforts across the administration which will lead to the desired impacts: creation of an ecosystem of related and co-operating stakeholders, establishment of a supportive governance framework, and the development of the necessary skills and culture among civil servants.

The Polish government’s ambitions and strategy on open government data (OGD) are the result of at least three concurrent dynamics over the last few years: a) political vision and leadership from the top of the Polish administration; b) opportunities and pressure arising from EU-related policy developments; c) advocacy by civil society, encouraged by the positive advances of a few local government authorities opening up their datasets for public re-use:

- Political vision is demonstrated in the national “Efficient State Strategy” of 2012, which is part of the National Development Strategy 2020. The 2020 development strategy puts open government and open government data on the government’s agenda with the aim of facilitating citizen participation, improving the quality of policy outcomes, and creating new economic opportunities. The political vision has been further underlined by the creation of the Ministry of Administration and Digitisation (MAC) as the steward of digital government transformation. Leadership by the first Minister for Administration and Digitisation was instrumental in driving the wider open government agenda through digitisation.
- In terms of the EU context, the first Public Sector Information (PSI) Directive was issued in 2003 but its implementation in Poland was heavily delayed (Poland, along with Italy and Sweden and, was subject to infringement proceedings launched by the European Commission). In 2011 the government amended the 2001 law on Access to Public Information to comply with the PSI Directive and issued further decrees to implement the Directive. Late implementation gave the Polish government the opportunity to adjust the implementation provisions

to cater to new demands related to open government data, e.g. launching a dedicated portal for open government data (the Central Repository for Public Information, CRIP). Major opportunities and challenges now arise with the revised PSI Directive which is to be implemented in 2015. Moreover, substantial funding will be allocated to open government data projects as part of the EU's Digital Agenda 2020 and its national implementation programme "Digital Poland Operational Programme" for the period 2014 and 2020.

- Polish NGOs and advocacy groups have been very vocal in issuing demands for greater public sector transparency – including better access to public sector information and data. Non-government actors have been particularly encouraged by the open data dynamics of a few Polish cities, e.g. Poznan, Katowice, Warsaw, Gdansk, Szczecin. These factors contribute to the emergence of an eco-system of actors that champion open government data, although that eco-system is still very limited in breadth and depth when compared to leading OECD countries.

Nevertheless, political commitment to the OGD agenda seems to have ebbed recently. Early in its existence, the MAC took on a political leadership role for the open government and OGD agendas, persuading stakeholders within government of the benefits of OGD. However the Ministry's current efforts are primarily geared towards the implementation of policies, e.g. the establishment and operations of the CRIP, which leaves a political and leadership vacuum in advancing an agenda whose objectives are not necessarily shared or understood across the administration.

In fact, the OGD agenda in Poland today is mainly driven by legal compliance, rather than by the actual needs of the administration, society or the economy. This leads to a still relatively wide gap between the ambitions for open government data articulated in strategic national and EU policy documents and the realities in the Polish public administration. The CRIP portal for example fulfils all legal requirements that are foreseen by national laws, but it falls short of the expectations of potential re-users such as non-government organisations.

There is a lack of more proactive and bold attitudes towards OGD in large parts of the administration. There are of course individual institutions that recognise the added value of opening up data for public re-use and that have a strong track record of using empirical evidence to craft policy proposals. This includes individual ministries, e.g. Ministry of Economy or Ministry of Health, as well as specialised agencies, such as the Central Statistical Office. Overall these institutions constitute a minority within a public administration that is still hesitant to open up government data, foster its re-use by non-government communities, and use OGD as a tool to improve the quality of public policies and services.

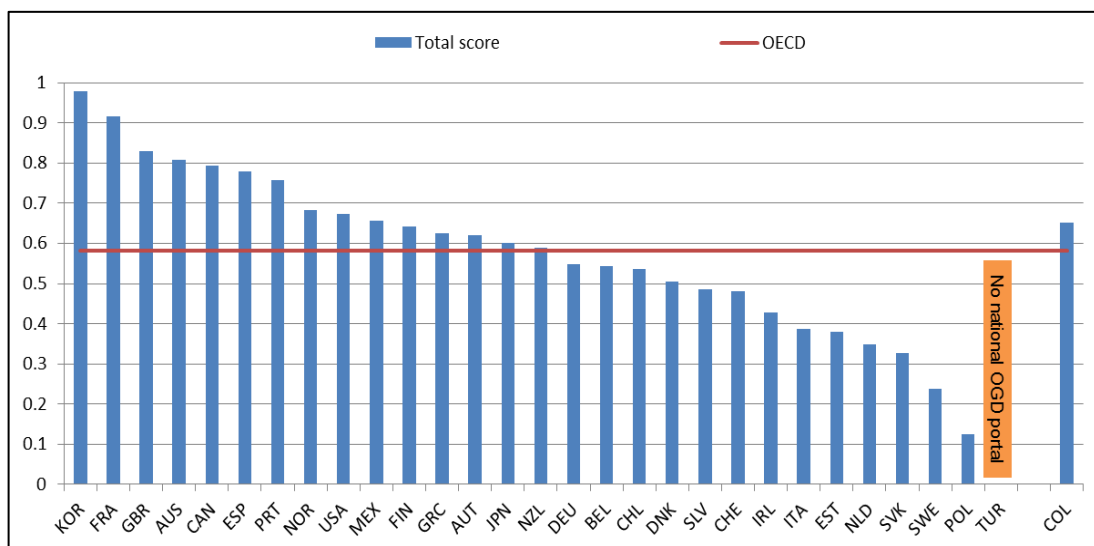
Interviews with relevant actors, supported by desk research and analysis, confirm that the communities of government data re-users in Poland remain relatively small and their visibility as potential partners for value creation from government data is not very high. It is understandable that in a context where little relevant open government data is available, the incentives for NGOs or the business community to engage in this field are low. And even where relevant data might be available, the central administration has done little efforts to raise awareness or otherwise stimulate re-use.

There is thus a need to more actively build and stimulate an eco-system of related actors and institutions. Hackathons and similar data re-use events do take place in Poland, however mostly in the private sector. The challenge for the Polish government – and an opportunity at the same time – lies in more actively leveraging such existing business communities.

All in all, open government data in Poland today is at a very early stage of development. Compared to other OECD countries Poland ranks very low in effective government support for the development of OGD (see OECD OUR Data Index, 2015). The reasons for this are a) the relatively low availability of useful content, i.e. basic datasets determined by the G8 Charter on Open Data; b) the relatively low level of accessibility of data on the national CRIP portal due to inconvenient formats, lack of good tools and functionalities; c) little proactive government support to foster innovative re-use and stakeholder engagement in this area.

OECD OUR Data Index: Open, Useful, Re-Usable Government Data (2014)

Composite index from 0 (lowest) to 1 (highest)



Note: This index is a “pilot” version.

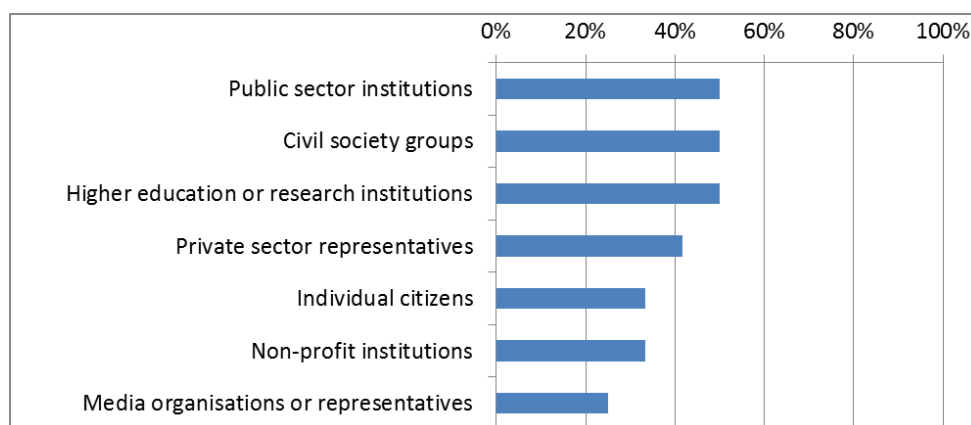
Source: OECD (2015), *Government at a Glance 2015*.

Leading OECD countries faced similar issues during the early steps of implementing national OGD strategies. Learning from those countries, Poland could overcome most of the issues mentioned above and make greater progress on the national open government data agenda if the government now focuses on creating an ecosystem for OGD and fosters community dynamics to balance out a very supply-oriented existing set of government measures. At the same time, specific improvements on the “supply side” will also be necessary to re-invigorate political ambition and leadership around a common open government data agenda, and to build a common narrative and commitment that would favour more proactive behaviour across the administration.

Engaging communities and fostering the development of a dynamic open government data ecosystem in Poland

Leading OECD countries recognised early on the need to work across government boundaries and with stakeholders to reap benefits on open government data investments. In Poland that kind of cultural shift towards cross-boundary co-operation and collaboration needs to accelerate. Many public sector institutions (at the central level) for example still only rarely consult specific user groups on their data needs and data re-use opportunities (see figure below).

Share of central government institutions that consult with specific user groups on the data they would like to access



Source: OECD survey of government institutions in Poland (2014).

Lack of more systematic engagement is a strategic mistake given that intermediate actors are often the ones that best understand the realities “on the ground” and can therefore better evaluate the data needs that would allow for more effective policy formulation and implementation. Moreover, intermediate actors are also those that can add substantial economic value to open government data. Better conditions and

incentives are especially important to stimulate the re-use of public sector data by SMEs into innovative products and services.

International practices for building an eco-system for OGD are not transferable one-to-one and need to be adapted to the local context. Three common areas of action are nevertheless evident and should constitute areas for the Polish government to focus on: a) creation of the right framework conditions and enablers to enable better access, use and re-use of government data; b) building and management of communities that can re-use government data in meaningful and value-adding ways; c) using specific instruments such as data portals, hackathons and awards to further stimulate collaboration between the public sector and third parties. These lines of action need to be complemented with greater efforts to monitor the take-up and re-use of government data. Only then can the government build sustained support for open government data.

Barring a few exceptions, e.g. individual municipal governments, the Polish state administration has made little systematic effort to better understand the needs of data re-users. At the same time, only a few NGOs appear to show the willingness or capacity to engage in collaborative efforts around open government data, which is partly due to a lack of interest or awareness of the potential in this area. More intense outreach by government to different actors would create mutual benefits: for the public administration a better understanding of data that societal actors can use to create value; for non-government actors a way to enhance capacity in using data as a tool to influence government policy making.

The involvement of the private sector should also be strengthened. Large enterprises have been successful in accessing and re-using public sector data in various ways to deliver innovative services and products, but SMEs could benefit from increased government attention to raise their interest and awareness for open government data. Moreover, media and journalists are key intermediaries that need to be activated for the development of a well-functioning open government data eco-system. They can tell interesting stories based on government data and can play an instrumental role in increasing public trust in government data. Current efforts are too little to engage the media as partners for open government data re-use.

The Polish Government should consider the following **recommendations**:

- ***Evolve the national open government data portal (CRIP) from its current function of being a data repository towards becoming an actual platform that stimulates public engagement, collaboration and open government data re-use in Poland.*** Doing so will require technical fixes (e.g. improving search and ranking, giving access via APIs), but it also requires using the platform as a means to build communities of interested actors. A very good practice is that of the French national open data portal, which provides both government and non-

government actors a platform to collaborate around data sources, re-use applications and new services.

- ***Establish a more stringent set of standards and guidelines on data formats, data quality and meta-data.*** These are still very heterogeneous across the administration and often do not meet internationally used open government data requirements. Enforcement will be facilitated if these standards are developed and provided in a manner that makes it easy to integrate them, e.g. through well-designed handbooks and hands-on guidelines.
- ***Clarify licensing and re-use conditions.*** Government data on the CRIP or in other sources is often provided without explicit mention of conditionality, which creates uncertainty among re-users. The government should consider adapting permissive and internationally recognised licensing conditions in order to give domestic actors greater long-term certainty. Use of licenses that require the attribution of sources can make it easier for the government to monitor the actual re-use of datasets.
- ***Explore and manage communities of data re-users.*** The Polish government has taken a very supply-based approach to open government data by publishing datasets based on availability and feasibility. These should now make way to an approach where demand-side factors are integrated at all times. User feedback and user groups are important for demonstrating the relevance of open government data for government, the economy and society – and thus to sustain political and public support for the OGD agenda. Examples such as the United Kingdom’s Open Data User Group or the French “DataConnexions” show how continuous exchange between government, civil society, academia, media and businesses of all sizes fosters greater co-operation and helps to establish partnerships for continuous release and re-use of data. Collaboration is essential to stimulate data-driven creativity and innovation that leads to the generation of greater and more inclusive economic and social benefits.
- ***Establish a panel of businesses that are already using public sector information, or that might do so in the future.*** This is critical to recognise and illustrate the new business opportunities that can emerge when public sector data is proactively opened up. For example, a few years ago the Spanish government started monitoring a panel of several hundred companies that re-use public sector data. The government uses the data to estimate economic and employment impacts, as well as to gauge the satisfaction of the business sector with the government’s implementation of open government data. A different mechanism with similar ambition is the United Kingdom’s establishment of the Open Data Institute, which aims to foster the re-use of data for economic and social purposes, and to monitor impacts in those areas.

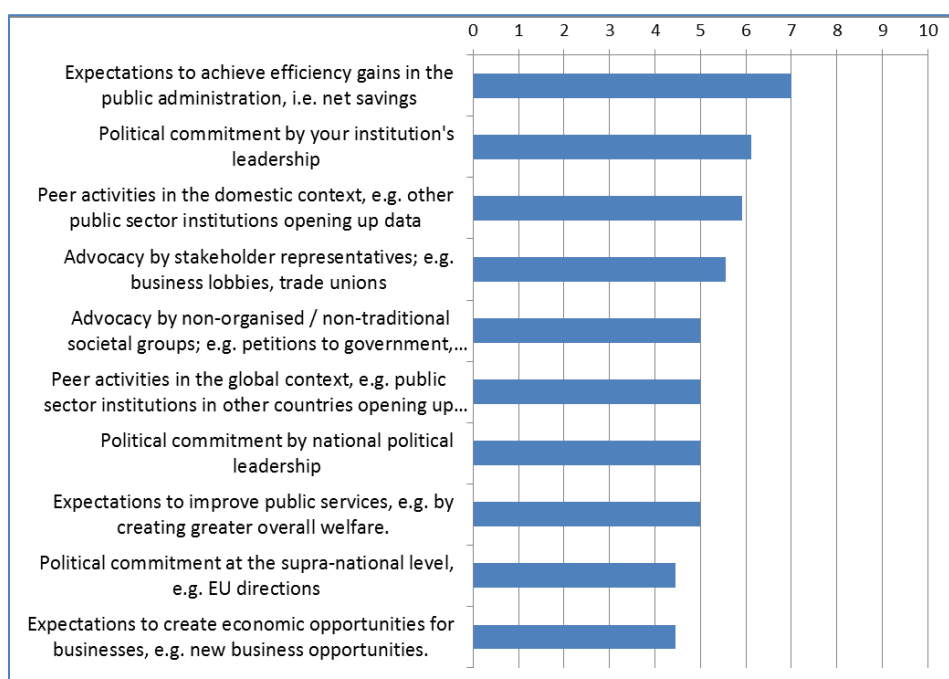
- **Leverage local government experiences for the national OGD agenda.** It is critical to include the existing experiences made at sub-national levels into central government efforts of eco-system development . Several Polish municipalities have initiated actions that can serve as blueprints and illustrations of what can be achieved with open government data when the public sector maintains feedback loops with external actors.
- **Generate understanding and support for the open government data agenda across government.** Contests, awards and hackathons take place at local levels of government in Poland but not yet at central level. These can be a good way to showcase the potential of open government data. However to achieve lasting impact, they should not be designed as one-off events but rather be part of a larger strategy which tackles a specific policy challenge. Contests can be designed to use data as part of solving a specific challenge, e.g. on how to compare and improve the performance of public hospitals in the country. Collaborative exploration of public sector data in this and other areas is helping OECD governments generate better understanding of the challenges, and come up with innovative approaches in addressing them.
- **Further stimulate supply-side dynamics.** The Polish government could consider introducing awards and similar ways of recognising public administration actors that have been particularly proactive in publishing open, useful and re-usable datasets. This facilitates building intrinsic motivation and ambitions within the administration.
- **Focus on raising awareness and building capacities both within the administration and across society.** The creation of open data literacy and the fostering of an OGD culture within the administration and society is pivotal to create a critical mass of data re-users which is needed to produce value. This can be achieved by providing training programmes, tools and guidelines designed to ensure that public sector employees are capable of using open data effectively for improved policy making processes.
- **Empower a future generation of innovators inside and outside governments.** Training and fellowship programmes, partnerships with academic institutions, financial support for social entrepreneurs and start-ups are all means that can help creating an environment conducive for innovations built on OGD.

Creating ambition: from compliance-driven efforts towards common vision and ownership

Developing a common vision and ownership is important to synchronise expectations and perceptions of OGD across the administration, to favour economies of scale and to capture synergies. It seems that large parts of the Polish administration do not have a clear understanding of the potential benefits of OGD. This is illustrated by the fact that most central government institutions in Poland today are driven by expectations for savings (e.g. to reduce the time spent on answering requests to access public information), by leadership commitment, or by peer pressure (see figure below). Only few institutions prioritise re-use and value creation with the belief that their data can improve the quality of public services or stimulate economic activity.

Ranking of driving factors for opening up data in the central administration

Average ranking across the central government; 0 = weak; 10 = strong



Source: OECD survey of government institutions in Poland (2014).

A commonly shared ambition for opening up public sector data should incite individual institutions to share data more openly with each other, to use data when crafting policies, and to cooperate with external actors. This does, however, require more than a legal framework and compliant institutions. It requires a shift of organisational cultures that can only happen if individual institutions are part of the agenda for intrinsic reasons instead of feeling obliged to fulfil a mandate.

A common vision for OGD should therefore determine common goals and expectations – for instance in terms of the resulting impacts on government transparency and the quality of public services. The vision could form the basis for a more detailed roadmap with proposed milestones and indicators to measure progress. The Polish government should in detail consider the following *recommendations*:

- *Focus on creating collective commitment towards the OGD agenda across the public sector and around common objectives.* This implies moving away from a context in which commitment is primarily built on compliance to laws and decrees. While creating a stable legal basis is important, this must be complemented by effective means of persuasion and illustration of the benefits of OGD for wider parts of the administration. Too few government institutions and their leaders believe that opening up their datasets can create value by stimulating economic activity, improving public service quality and enabling more informed decisions. This calls for a more persuasive vision, which clearly articulates the expected goals and benefits – not necessarily in terms of numbers, but also in terms of illustrative examples. For instance, OECD governments have adopted Open Data Policies (e.g. Mexico, the Netherlands) and/or common Open Data Action Plans (e.g. Canada, Germany) inclusive of objectives, milestones and criteria for monitoring progress. The development of an Action Plan could engage institutional and non-institutional actors in an effort to crowdsource ideas and create a common sense of ownership – similar to the way the German federal government is currently proceeding. This should result in an Action Plan for Poland that determines specific objectives, lists relevant datasets for re-use and sets governance mechanisms and timelines for their release.
- *Identify cross-cutting barriers that pose a challenge to OGD implementation.* Existing laws might require revision in order to balance the needs for statistical anonymity with the needs to monitor the effectiveness of public service delivery. For example, it is currently impossible to compare performance criteria of hospitals across the country. Another issue, interoperability, bears great importance for the capacity of the state to share and utilise data as an asset in policy making and service delivery.
- *Utilise the implementation process of the second EU PSI Directive to underline the importance of open government data as a vector for greater transparency, citizen engagement and new economic opportunities.*

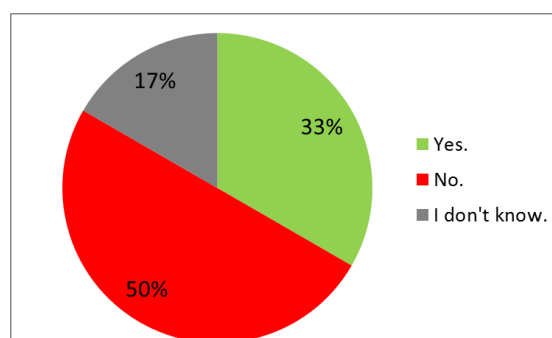
Creating a common narrative to stimulate proactive data release across government

Constructive leadership and effective governance models are necessary to persuade senior leaders in ministries and agencies of the importance of data for their activities. This can include formal mechanisms as well as informal networks to promote good practices, raise the visibility of OGD “champions” in the administration (including at sub-national levels of government), and identify common barriers.

Good examples of evidence-based policy formulation, implementation and monitoring exist in the Polish administration. But they currently constitute singular islands of capacity within an otherwise very bureaucratic context in which the re-use of empirical evidence by third parties is limited. Even within the public administration individual institutions face hurdles to access and re-use other institutions’ datasets to inform their policy choices in critical areas such as healthcare or education.

The relatively low recognition of the importance of data is illustrated by the finding that just around one third of Polish public sector institutions have a strategy or policy to make better use of data (see figure below). This is reflected in the behaviour of agencies whose efforts are mostly driven by legal compliance and who remain hesitant in opening up datasets. These challenges must be read alongside the wider context of digital government in Poland, where individual institutions tend to act in silos and therefore display very heterogeneous levels of digitisation.¹ In such a context the effectiveness of adding another layer of formal co-ordination mechanisms cannot be guaranteed unless these mechanisms are accompanied by strong persuasive elements that lead to voluntary buy-in by individual ministries, and to some executive power to enforce implementation when necessary.

Share of Polish national government institutions that have an official strategy or policy to make better use of data



Source: OECD survey of government institutions in Poland (2014).

¹ See OECD (2013), *OECD Public Governance Reviews. Poland: Implementing Strategic-State Capability*, OECD, Paris.

More effective implementation of OGD policies depends on whether the Polish administration can make the shift towards a more proactive release of data. This will not happen through compliance with laws alone. Implementation actions should therefore focus on clarifying user needs and public administration objectives to drive data release. The Polish government should consider the following **recommendations**:

- **Strengthen the governance of OGD.** There is a need to clarify responsibilities, ensure top political level and leadership support, and to facilitate co-ordination of the implementation of a shared agenda that is not only driven by the EU PSI Directive. In order to ensure the right level of political support and engagement several OECD countries have created OGD co-ordination functions within the Centre of Government (e.g. the United States, Mexico, the United Kingdom, France), and others at line ministries with support from their top political level (e.g. New Zealand, Denmark).
- **Establish a task force or unit that is adequately staffed and has a clear mandate.** The task force or unit should lead the development of the OGD strategy and policy, supervise the co-ordination of implementation across government, and foster the establishment of the OGD ecosystem. This could include tasks related to reaching out to data users to improve service delivery, drive revenue growth, encourage third party innovation, etc. The best location for this task force within the Polish government would currently be the MAC.
- **Promote domestic champions.** A national vision for OGD cannot be shaped exclusively on international examples. The Polish administration already has institutions that champion open government data in their particular fields. These institutions, along with re-users of their data, can be leveraged to make wider parts of the administration understand the benefits, and surmount the challenges in opening up government data. This can for example be achieved through awards and other means to raise visibility.
- **Promote sharing of experiences and creation of synergies within and across levels of government.** OGD champions also exist at local levels of government and several Polish municipalities have relevant experiences to share. It is important to enable the sharing of experiences among state actors regardless of where they are located within the state structure.

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