QUESTIONS (INDICATORS) USED IN THE CIVIC MONITORING OF THE GOVERNMENT OPENNESS

LIST OF QUESTIONS – ACCESS TO INFORMATION

1. How many applications for access to public information (api) were registered in the ministry in 2014?
2. How many answers were given in 2014 within the deadline set in the relevant act of law - immediately, within 14 days?
3. In how many cases were the answers given after the deadline of 14 days, but without referring to Art. 13 par. 2?
4. In how many cases the deadline for answering application was extended to two months, as provided for in Art. 13 par. 2 of the act on access to public information. (If public information cannot be made available within the deadline set in par. 1, the entity responsible for making the information available shall communicate within the deadline the reasons for delay and the new deadline for making available the information, not longer than two months from the date of filing application).
5. In how many cases did applications remain unanswered?
6. How many times did the ministry refused, saying that:
7. In 2014, how many final refusals were subject to appeals to the administrative courts?
8. In 2014, how many refusals were lifted by binding rulings of administrative courts?
9. Did the ministry prepare a sample application for access to public information (if so, indicate in the comments where the sample was defined)?
10. Is the defined application sample obligatory?
11. Does the PIB of the ministry contain an electronic form for filing applications for access to public information?
12. In the ministry, are there any detailed internal regulations: directives, rules of procedure, instructions, concerning access to public information?
13. Is the method of calculating the fee mentioned in Art. 15 par. 1 of the Act on access to public information defined? (Art. 15 par. 1: If as a result of making available public information in response to application mentioned in Art. 10 par. 1, the entity responsible for making available the information has to bear additional costs related to the method of making the information available indicated in the application or to the need to transform the information into the form indicated in the application, the entity may charge the applicant with a fee in the amount of the costs borne.)
14. Does the ministerial PIB or web page allow to follow the procedure of giving answer to an application for access to public information?

15. Does the ministerial PIB define conditions of re-use of public information?
16. Are the defined conditions identical with those defined in Art. 23b par. 2 of the Act?
17. Does the ministerial PIB publish information on factors that are taken into account when calculating fees for non-standard applications for re-use of public information? According to Art. 23 c par. 2, when calculating the fee for making available information for re-use, "other factors" "for non-standard applications" are taken into account.
    a. If they are published, then does the factors also include the working time spent on answering applications by employees of the ministry?
18. Does the ministerial PIB publish information on appeal procedure when access to public information for re-use is refused?
19. Are any information published on legal measures available when an applicant wants to choose other conditions than those defined in PIB, or when an applicant wants to choose other conditions for re-use of public information than those that were offered in answer to his or her application?
20. Does the ministerial PIB publish information on legal measures available when an undue fee for access to public information for re-use is set?
21. Does the ministerial PIB publish applications for access to public information together with relevant answers?
22. Does the ministerial PIB publish information on registers maintained by the ministry and on possible access to them?
23. Does the ministerial PIB publish information on conducted inspections and their results?
24. Does the ministerial PIB publish calendars of work (meetings) of ministers?
25. Does the ministerial PIB publish lists of civil law agreements?
26. Are the information in PIB published in such a way that they can be re-used and electronically processed (formats / files txt, rtf, odt, ods, odp, docx, xlsx, xms, xml, json)?
27. Does the ministerial PIB have a section informing on methods of making available information not published in PIB?
28. Is the content of the ministerial PIB available for visually impaired and blind persons?
29. Does the register of changes in the ministerial PIB allow to follow changes / updates of every published document?
30. How many ministerial workers do have within the scope of their duties the task to add content to the ministerial PIB web page?
31. Does ministerial workers who have within the scope of their duties the task to add content to the ministerial PIB web page form a team?
32. Did the ministry conduct in 2014 trainings in the field of access to public information?

LIST OF QUESTIONS – OPENNESS OF DECISION-MAKING PROCESSES

1. How many legislative drafts were prepared in the ministry in 2014 (i.e. all drafts - continued from previous years, prepared and not completed, and completed in 2014 and sent to the speaker of the Parliament)?

2. How many legislative drafts that were prepared in the ministry in 2014 (i.e. all drafts - continued from previous years, prepared and not completed, and completed in 2014 and sent to the speaker of the Parliament) were subject to public consultations?

3. What was the amount of time dedicated to consultations of legislative drafts in 2014 (i.e. all drafts - continued from previous years, prepared and not completed, and completed in 2014 and sent to the speaker of the Parliament)?

4. How many legislative drafts (i.e. all drafts - continued from previous years, prepared and not completed, and completed in 2014 and sent to the speaker of the Parliament) were prepared in 2014 without draft legislation guidelines?

5. How many legislative drafts prepared in the ministry in 2014 (i.e. all drafts - continued from previous years, prepared and not completed, and completed in 2014 and sent to the speaker of the Parliament) were subject to public consultations at the stage of...

6. In 2014, did the ministry inform on public consultations concerning legislative drafts using any of the listed communication channels, and if so, then in how many cases?

7. In 2014, did (and if so, how many times) the ministry inform on conducted public consultations using social networks?

8. Does the ministry have internal procedures / guidelines / rules on conducting consultations that would introduce more detailed requirements than those described in the Rules of procedure of the Council of Ministers?
   a. If such document exists, then does it contain....

9. On the ministerial web page, is there any special place where information on consultations of legislative drafts are posted?

10. Are the data / information on consultations of legislative drafts posted on the ministerial web page and on the web page of the Government Legislative Centre identical and made available on the same dates?

11. Does the ministry have a post or an organisational unit responsible for conducting public consultations?

12. Within the ministry, is there any person (at the rank of at least undersecretary of state or director general) responsible for legislative process, including public consultations?

13. Do documents / communications inviting to take part in consultations concerning legislative drafts mention a name (together with contact information, such as

phone number or e-mail address) of a person responsible for consultations of a given draft?

14. Is it possible through the ministerial web page to join the list of stakeholders under consultation processes led by the ministry?

15. In 2014, did the ministry use for consultations any of the available online services for conducting public consultations?

16. If in 2014 the ministry used any of the portals for online consultations, then how often was the solution used during consultations of legislative drafts?

17. How often during consultations of legislative drafts other than written form of consultations was used – conferences, direct meetings, seminars etc?

18. In 2014, for how many legislative drafts were reports from consultations prepared and published (within 3 months from the end of the last stage of consultations)?

19. In 2014, for how many legislative drafts were any individual answers published to opinions presented during consultations, within 3 months from the end of the last stage of consultations?

20. In 2014, for how many legislative drafts were published summary answers to opinions presented during consultations, within 3 months from the end of the last stage of consultations?

21. In 2014, did the ministry conducted trainings for its officers on conducting consultations?

LIST OF QUESTIONS – PREVENTING CORRUPTION

1. Does the ministry have any anticorruption system (e.g. ISO 9001 with anticorruption overlay) or implement any internal anticorruption policy (if it does, then write down the title of the document describing the system / policy in the comments)?
2. If the system / policy exists, then does it describe corruption threats in the ministry?
3. Does the ministry have a unit / units responsible for preventing corruption?
4. Does the ministry have a coordinator for the government programme to counteract corruption?
5. Does the ministry have an ethical advisor (if it has, write down his or her name in the comments)?
6. Does the ministry have any obligatory, internal procedures to react to corruption incidents / threats?
    a. If such procedures are in place, then do they provide for... (using the list presented below, indicate elements that are provided for in the procedures).
7. Are declarations on management control for 2014 available in PIB of the ministry?
8. Do declarations on management control for 2014 and earlier years include information on activities undertaken to remedy any diagnosed corruption threats?
9. Does the Internet homepage / PIB of the ministry contain information on the possibility for a stakeholder / client to report on suspected or detected cases of corruption?
10. Do internal documents of the ministry (e.g. work rules, instructions etc., excluding the so-called "ethical regulation") contain a definition of the conflict of interests? If so, indicate the document containing such definition.
11. Does the ministry have a requirement to file declarations on conflict of interests or its absence (excluding the standard declarations required from members of tender committees)?
12. Are external experts / consultants invited to participate in (e.g. competition) committees and other advisory bodies, members of which are required to file declarations concerning conflict of interests?
13. Do internal documents of the ministry (e.g. work rules, instructions etc.) contain a requirement to obtain approval from superiors for additional employment (particular work relationship, particular paid work)?
14. How many officers of the ministry did apply in 2014 for approval for additional employment?
    a. If ministerial officers applied in 2014 for approval for additional employment, then how many of them were granted such approval?

15. How many officers leaving the ministry in 2014 did apply to the "Committee for reviewing applications for approval to employ persons who held public functions" for shortening the one-year waiting period?
    a. If such applications were filed, how many of the applicants were granted permission by the Committee?
16. Does the ministry have rules / regulation / other document governing participation of its employees in tender committees?
17. Are the following information concerning recruitment procedure published in PIB:
    a. a call on the vacant position, including the formal requirements and the deadline for submission of documents
    b. a list of candidates who meet the requirements of
    c. a result of the call (name of the person selected, place of residence)
18. Did officers of the highest rank in the ministry make public in 2014 their financial disclosures? The question covers: the minister, deputy ministers, ministerial undersecretaries, director general, departmental directors.
19. In how many cases truthfulness of financial disclosures of ministerial officers / functionaries was questioned?
20. In 2014, did ministers / ministerial secretaries and undersecretaries from the ministry file their declarations to the register of gains?
21. Does the ministerial PIB contain a regulation describing rules for contacting lobbyists?
    a. If the regulation exists, does it provide for obligatory notes from meetings with lobbyists or obligatory registration of such meetings?
22. Does the ministerial PIB contain a report for 2014 on contacts with lobbyists?
    a. If the report is published, how many contacts with lobbyists were registered in 2014 (indicate a number)?
23. Does the ministry have special units responsible for contacts with stakeholders other than professional lobbyists?
24. Does the ministerial PIB contain information on contacts with lobbyists?
25. Does the ministerial PIB have a section on the rules of lobbying activity (if so, indicate appropriate link in the comments)?
    a. If the section exists, then does it contain information on: (using the list below, indicate relevant items).
26. Does the ministry have rules / regulation / other document concerning granting public contracts?
27. When granting public contracts, how many times did the ministry use competitive procedures?
28. When granting public contracts in 2014, how many times did the ministry use electronic tools (in particular electronic auction)?

29. When granting public contracts, how many times did the ministry use procedures restricting competitiveness?

30. Are registers of contracts concluded using tender procedures published in the ministerial PIB?

31. Under the preparatory service in 2014, did the ministry conduct trainings on the conflict of interests, preventing corruption, whistleblowing in case of irregularities?

32. In 2014, did the ministry conduct trainings / workshops or other educational activities for its officers on the conflict of interests, preventing corruption, whistleblowing in case of irregularities?

33. In total, how many employees did participate in the trainings?

34. How many disciplinary proceedings did take place in the ministry in 2014?

35. How many of them did end up with disciplinary punishment?