

Chapter 1.

Building a common and coherent strategy for open government data in Poland

This chapter provides an overview of the Polish context for open government data. It describes the actors and conditions that led to the current state of OGD in Poland, highlighting the need to move from compliance orientation towards a whole-of-government commitment to the open government data agenda. The chapter emphasises the need for charismatic leadership and stronger community involvement as core elements to sustain commitment and buy-in across government.

Introduction

Out of 30 countries surveyed by the OECD, 25 have a dedicated comprehensive strategy on open government data (OGD) at the national or federal level (OECD, 2015b). By making their data available, easily accessible and re-usable by citizens and businesses, governments can improve accountability and transparency, create new business opportunities and better inform both citizen engagement and their own decision making. In this context, Poland's main priorities for open government data are (in hierarchical order; OECD, 2014):

1. to increase government openness
2. to increase government transparency
3. to deliver public services more efficiently and more effectively
4. to facilitate public participation in policy debates
5. to facilitate public engagement in decision making and policy cycles.

Drivers for the formulation of needs and opportunities for open government data in Poland

Today's OGD strategy of the Polish government is the result of at least three concurrent dynamics over the past years: 1) political vision and leadership from the top of the Polish administration; 2) opportunities and pressure arising from EU-related policy developments; 3) advocacy by civil society, encouraged by positive advances of a few local government authorities opening up their datasets for public re-use.

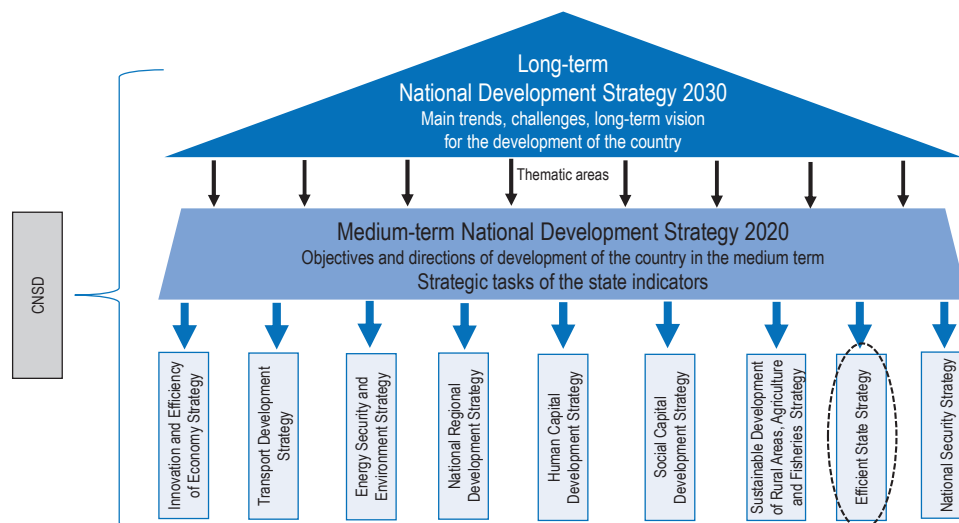
Political vision within the Polish administration was manifested very strongly by the then Minister of Administration and Digitisation, Michal Boni. Currently a member of the European Parliament, Minister Boni was a key figure in the establishment of the Ministry of Administration and Digitisation (*Ministerstwo Administracji i Cyfryzacji*, MAC) – a merger of different functional areas from the Ministry of Interior and Administration and the Ministry of Infrastructure (cf. Annex A in OECD, 2013). During this time, the Polish government revised parts of its long-term development agenda, including in the area of digital government.

The “Efficient State Strategy” – which is a component of the National Development Strategy 2020 (Figure 1.1) – defines an efficient state as being “transparent, friendly, supportive and participative” (Council of Ministers, 2012). The strategy's first objective is to open up government (Council of Ministers, 2013), which refers to opening up public sector resources, including data, as well as opening up governance processes for greater citizen involvement. It sets the specific target of creating a central platform for sharing public sector data within the administration and with the wider public. The strategy also cites the need to achieve more harmonised use of digital technologies across the administration.

Preceding the creation of the MAC and formulation of the Efficient State Strategy was the establishment of a “Board of Strategic Advisors” to the then Prime Minister of Poland, Donald Tusk. The Board was headed by Minister Boni and included individuals from academia and civil society. During its existence from 2008 to 2011, the Board issued several high-profile reports, one of which, the “Poland 2030 Report”, became a strategic instrument for the definition of national priorities under the Efficient State

Strategy, establishment of the MAC and putting open government data on the government's agenda.¹

Figure 1.1. **Efficient State Strategy as part of the National Development Strategy 2020**



Source: Council of Ministers (2012), *National Development Strategy 2020*, attachment to Resolution No. 157 of the Council of Ministers, 25 September.

Besides domestic developments, the EU's influence on open government data in Poland cannot be neglected. The EU Digital Agenda 2020 foresees support and funding for the sharing of public sector information, and this link between domestic and EU affairs is explicitly made in the Polish Efficient State Strategy. In concrete terms, the "Digital Poland" Operational Programme will disburse over EUR 2 billion of EU Structural Funds between 2014 and 2020 (Ministry of Infrastructure and Development, 2014). The programme's two major focus areas are high-speed Internet development and the promotion of digital and open government.

Also influential over the past years was the fact that Poland was lagging behind its fellow EU member countries in the implementation of the Public Sector Information (PSI) Directive (2003/98/EC). The PSI Directive entered into force in 2003 and was supposed to be implemented in 2005. Its main aim was to enable economic re-use of public sector information.² Poland was relatively late in the implementation of the PSI Directive and at some point even faced legal proceedings at the European Court of Justice (as did Italy and Sweden; see European Commission, 2008; 2009). In 2011, the national Law on Access to Public Information, which had existed since 2001, was amended to comply with the PSI Directive. The amendments lay out provisions for the re-use of public sector information and make specific mention of a central repository to facilitate public re-use of government-held data.³ The amended law was further detailed by two decrees in 2014 – one issued by the Council of Ministers (No. 361, 20 March), and the other issued by the Minister of Administration and Digitisation (No. 491, 16 April). The former sets general standards about the forms and formats in which data should be made public via a central repository; the latter explicitly defines a Central Repository for Public Information (*Centralne Repozytorium Informacji Publicznej*, CRIP) as the state's web-based platform to publish data, and it explicitly lists the institutions and datasets that have to be made available on that portal.

The next step for Poland is now to transpose the revisions made to the EU's PSI Directive in 2013 into national law. The new Directive includes more detailed provisions on the publication of specific datasets as well as references to specific formats, i.e. mandating the use of more open and machine-readable formats for better re-use. The revisions need to be implemented in 2015.

Finally, civil society has been another driving force behind open government data in Poland – although not to the same extent as in some other OECD countries, especially France, the United Kingdom or the United States. Polish non-governmental organisations (NGOs) and advocacy groups have been very vocal in issuing demands for greater transparency of the public sector, including through demands for stronger commitment to implementation of the PSI Directive (cf. DIP, 2013). Moreover, the national “Open Government Coalition” unites several NGOs in the aim of pressuring Poland to apply for membership in the Open Government Partnership. The coalition sees access to public sector information and availability of open government data as critical elements in making the administration more transparent and accessible (Batory Foundation, 2014).

A number of NGOs already use and re-use data from the public sector and other sources to raise public awareness about issues of public interest. There is, for example, analysis of invalid votes cast in national elections carried out by MojaPolis⁴ or the ePaństwo Foundation's “_mojePaństwo” suite of web services to access information on public sector activities.⁵ MojaPolis also provides visualisations of public sector data that are on par with visualisations by NGOs in other countries.⁶ Overall, however, these efforts remain very limited in their scope and impact – largely due to the difficulties NGOs continue to face in accessing relevant public sector data (see Chapter 3).

Civil society actors have been encouraged by some OGD dynamics at local levels of the Polish state administration. The city of Poznan started to generate interest in the re-use of its public data as early as 2011 when the city organised its first public data hackathon. Today, Poznan operates an open beta version of an application programming interface (API) for municipal data access.⁷ The city of Katowice created a Medialab in 2012 to promote the use, re-use and exchange of data around municipal issues, with a focus on culture and urbanisation.⁸ The capital city of Warsaw also experiments with hackathons, APIs, etc. to stimulate re-use of public sector data.⁹

At the face of it, civil society dynamics around OGD in Poland are not that different from those in other countries. But it must be noted that the examples mentioned so far are not necessarily representative of a wider trend. Major challenges remain regarding co-operation and mutual learning: on the one hand, large parts of the Polish administration, including most municipal governments, appear very reserved when it comes to fostering re-use of public data by NGOs or other outside actors; on the other hand, few NGOs seem to have the capacities and tools that would allow them to showcase the great benefits the public sector and society at large could obtain from granting more open access to government data (see Chapter 4). This results in an overall relatively rudimentary state of open government data, yet one with potential to make progress in the near future.

The current state of open government data in Poland

At the central government level, implementation of the EU's PSI Directive for the first time transformed political commitment to open government data into tangible action. The 2011 amendment of the Law on Access to Public Information outlines the conditions

for re-use of public sector data and foresees the establishment of an online central repository. The said repository was eventually launched in 2014 at <https://danepubliczne.gov.pl>, following a ministerial decree that explicitly lists each ministry and agency along with the datasets that institution has to provide on the national portal. The following institutions are the top providers, measured by the number of individual datasets available on the portal (in brackets, last accessed May 2015):

- Ministry of Science and Higher Education (24)
- Social Insurance (21)
- Ministry of Agriculture and Rural Development (17)
- Ministry of Infrastructure and Development (17)
- Ministry of Administration and Digitization (17)
- Ministry of Finance (16)
- Office of Electronic Communications (14)
- Ministry of Education (12)
- Ministry of Labour and Social Policy (12).

The list of institutions and datasets mandated by the decree were largely compiled on the basis of feasibility. Most of the datasets published on the CRIP had been publicly available before, e.g. on websites of the respective institution, although not all of them in open formats. Integrating those datasets into the CRIP in some instances meant improving accessibility, e.g. by switching from publication of PDFs to formats that can be automatically processed. While this effort of centrally compiling, publishing and improving some datasets is generally recognised as an important first step by Polish data re-use communities, it is also clear that it falls short of expectations – not just those of civil society but also those the government set itself, e.g. to make data available that is conducive to innovation and growth.

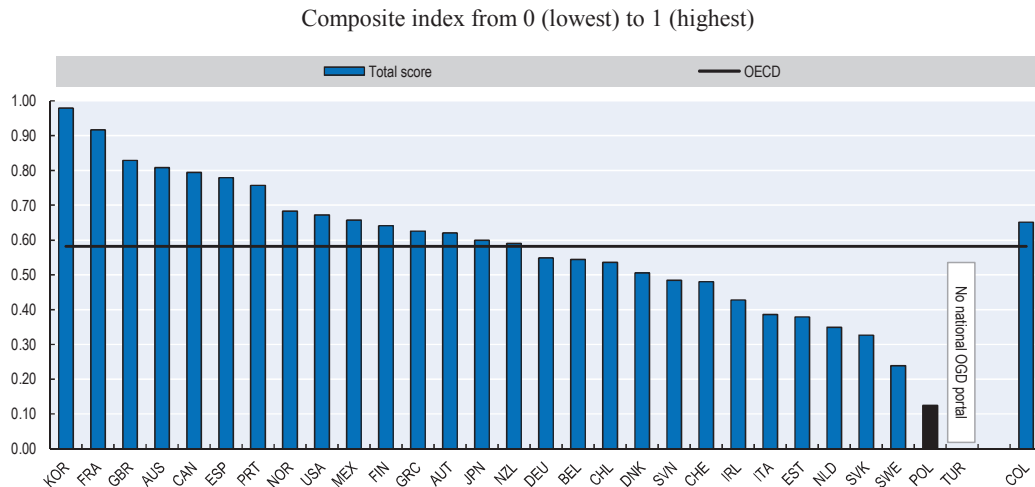
A major point of criticism over the current portal is the lack of data that is both relevant and easy to re-use. Content selection is further discussed below and in Chapters 3 and 4. Ease of re-use, however, is more of a technical issue that largely revolves around formats: while some data are available in structured and machine-readable formats (CSVs or proprietary formats like Excel files), others are only available as PDF, Word documents or other formats that are hard to process in an automated way.

The CRIP underwent a major update in May 2015, which addressed some issues regarding ease of data re-use. The public API was improved to allow more direct automated access to datasets, e.g. from within third-party web applications. More metadata has been made available, e.g. on the frequencies of publication, formats and relationships of different datasets. Possibilities for user interaction were added or improved, e.g. users can provide ratings of the quality of datasets and they can suggest new datasets for publication. While those are important developments, the CRIP's impact on government data re-use will remain limited by the availability of machine-readable data (i.e. not PDFs) and of course the nature of the actual data.

More than a matter of form, the limited re-use today is a matter of content. In its current state the Polish national OGD portal ranks rather low in OECD comparison, to a large degree because some of the datasets governments internationally consider useful are

not available (Figure 1.2). The Polish administration was a late mover on OGD, so there are reasons to believe it will in the near future be able to benefit from lessons learnt both nationally (including at local levels) and internationally in order to drive supply and demand for open government data. This will require sustained political commitment. But generating coherent government action and stimulating demand does not happen by decree alone; it will require genuine work within government to open up (see Chapter 2) and dedicated resources to stakeholder engagement (see Chapter 3).

Figure 1.2. **OECD OURdata Index: Open, Useful, Re-Usable Data (2014)**



Source: OECD (2015b), *Government at a Glance 2015*, OECD Publishing, Paris, http://dx.doi.org/10.1787/gov_glance-2015-en.

Greater progress on OGD will benefit from integrating existing good practices in Poland, e.g. at sub-national level where some front-runners exist. These include the previously mentioned cities of Poznan, Katowice and Warsaw. But cities like Gdansk and Szczecin also see increasing value in opening up their datasets for public re-use. Most importantly they illustrate how the public sector can interact with NGOs, businesses and other partners to drive demand and promote re-use of public sector data.

The challenge of sustaining commitment to open government data

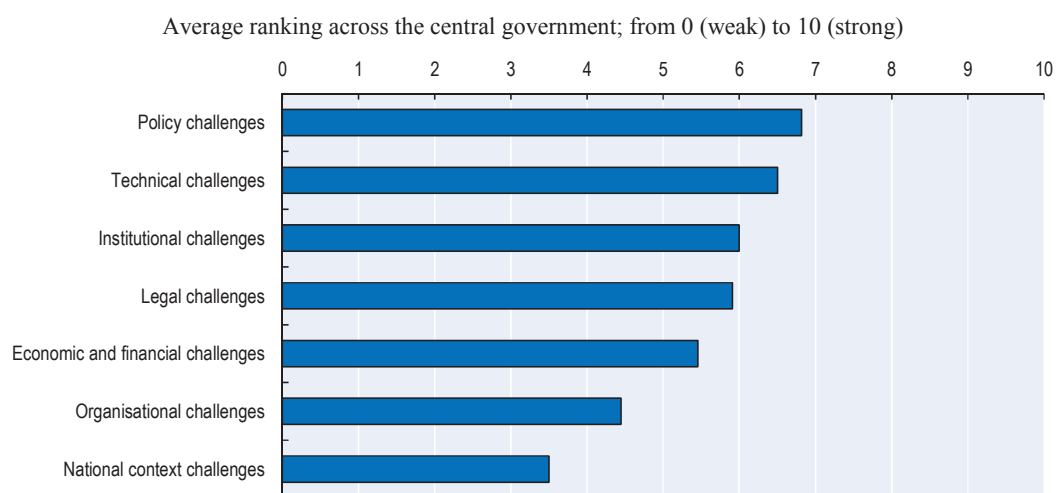
In terms of strategic directions, three major issues stand in the immediate way of reaping greater benefits from OGD in Poland: 1) a palpable reduction of political support and leadership for OGD at the central government; 2) lack of commitment and coherence across the public administration; 3) a focus that is heavily tilted towards supply-side measures and thereby misses out on the importance of measures to stimulate the demand and re-use of open government data.

Since 2011, the national government has taken some steps on its OGD agenda. Many OECD governments started in a similar fashion, by building a portal, posting some datasets and improving gradually from there on. Leading OECD countries have scaled initial dynamics and almost across the board strengthened political commitment to open government data. In Poland, however, there is a strong impression that political commitment towards OGD has somewhat declined in the more recent past. While projects and initiatives continue, the political leadership at ministries does not seem to

consider the value of public sector data as a means to create a more open government and to create new economic opportunities. Some new impetus can be expected from transposal of the revised EU PSI Directive into national legislation, which should occur in 2015. It is evident though that the Directive only sets minimum standards for release of public sector information and that leading European countries in the area of open government data – France, the United Kingdom and Spain – markedly surpass those standards.

Thus, there is a need in Poland to move from compliance orientation towards a whole-of-government commitment to the OGD agenda. The greatest barriers perceived by individual ministries and agencies are policy challenges – just ahead of technical challenges – which points to the need for persuasion and leadership in overcoming those challenges (Figure 1.3). Addressing policy challenges requires articulating more clearly the broader vision for OGD, the ways in which OGD relates to the needs and priorities of individual ministries and agencies. Only then will there be true commitment by ministers and senior government officials to embed the central government’s OGD agenda into their own institutions’ agendas.

Figure 1.3. **A hierarchy of challenges perceived across the Polish central government, 2014**



Note: Based on responses to the question “From your institution’s point of view how important are the following challenges for opening up data held by your institution?”

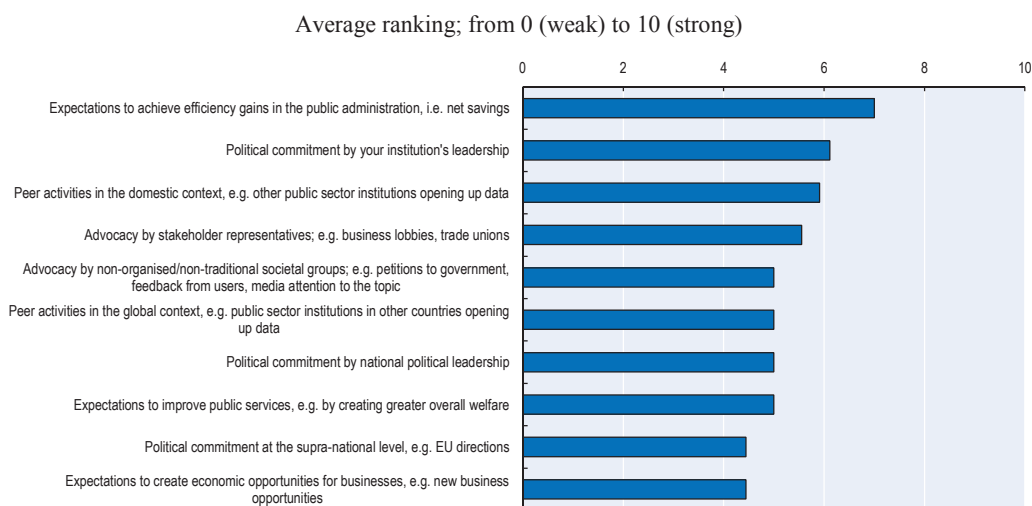
Source: OECD (2014), “OECD Survey on Open Government Data in Poland”. Survey administered across the Polish public administration in 2014 as part of this review.

Bolder leadership will have to become part of the persuasion effort. A visionary, and probably charismatic, leader with political backing is needed to generate wider buy-in across government. Indeed, several OECD countries have chosen charismatic and experienced technology leaders with private sector experience to lead or at least support the cultural change needed to open up government datasets more proactively, e.g. France or the United States. This includes recent nominations of chief data officers with very ambitious mandates (see Chapter 2).

The common vision and buy-in will come as expectations and perceptions of OGD are increasingly synchronised across the administration. At the moment there are some disparities between ambitions laid out in the act and decrees, as well as in strategy

documents developed by the MAC (e.g. the Efficient State Strategy), which clearly accentuate the aims of stimulating re-use of public sector data for greater openness and for the creation of socio-economic benefits; and large parts of the administration that do not seem to share this vision, but are rather 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 (Figure 1.4). Only few institutions prioritise re-use and value creation, i.e. believe their data can improve the quality of public services or stimulate economic activity (Figure 1.4).

Figure 1.4. **Perceived importance of driving factors for open government data by central government institutions**



Note: Based on responses to the question “From your institution’s point of view how strong are the following individual driving factors for opening up data held by your institution?”

Source: OECD (2014), “OECD Survey on Open Government Data in Poland”. Survey administered across the Polish public administration in 2014 as part of this review.

Considering this situation, it seems important to create and promote “champions” of open data across the administration. Good examples of sharing public sector data and using data to improve the quality of public services do exist in Poland. The Head Office of Geodesy and Cartography (GUGiK) has, similar to practices in other countries, opened up access to a number of its cartographic services and data. Individual ministries, e.g. healthcare, have built strong internal expertise in using data to support formulation and implementation of policies. The national tax administration uses its data sources intensively to identify tax irregularities such as errors and fraud. Finally, the national statistical office has been a long-time producer and provider of statistical data in a variety of policy areas – their experiences in engaging communities of re-users can be further leveraged. Engaging these institutions in a dialogue with other ministries could lead to partnerships and exchanges of practices that advance the open government agenda.

What is largely missing is greater visibility of such cases of purposeful re-use of public sector data, both within and beyond the administration. Greater visibility leads to better understanding of potential benefits. This would, in turn, encourage institutions to make useful datasets available for public re-use in a more proactive and accessible manner.

An area with great re-use potential is the national police. It holds many interesting and important datasets that relate to issues people care about, e.g. crime rates, road accidents, public safety.¹⁰ It is planned to publish some police data via the CRIP in the near future in re-usable format (i.e. Excel sheet or CSV). So far, however, raw data can only be obtained in cumbersome ways, e.g. by scraping the police website, downloading PDFs or issuing requests for access to public information. Even the quite informative aggregate data on daily incidents is only provided as a web-based table, without an easy or automated way to access more detailed information in a machine-readable way that third parties could re-use.¹¹

Proactive data publication by law enforcement agencies in other countries provides examples of very useful and compelling cases for re-use. Data from the French Ministry of Interior was, for example, used by a national newspaper to map all accidents across the country with detailed information on the type of accident, material damage, injured people, fatalities.¹² This re-use generated a more informed and very profound public debate about the state of road traffic accidents, and about the trends, patterns and reasons behind the data.

Some of the challenges in identifying and spreading good practices across the Polish administration are linked to the wider challenge of coherent digitisation. The 2013 OECD *Public Governance Review of Poland* found that ministries continue to largely develop technology applications within their own domain and with little effective co-ordination taking place (OECD, 2013). Interoperability between government information systems is, for example, not very advanced, which hinders more proactive opening up of public sector datasets – but it also keeps the public sector from making better use of data as an input to decision and policy making. There are different reasons for that – technical, legal and historical – but most of all it is a matter of making co-ordinated development of information systems a political priority. Even a country like Finland, which has been a long-standing leader in digital government, is today feeling the negative impacts on government agility from a structural lack of interoperability across government information systems (OECD, 2015a).

Co-ordinated governance is all the more important as the Polish government will disburse millions of euros on OGD via the Digital Poland Operational Programme (OP). In allocating those funds, the public administration of course complies with needs on selection, reporting and monitoring – e.g. by closely studying the business plans of individual projects. This alone will, however, not guarantee that the funds and projects will promote open government data re-use in ways that support national policy priorities, such as reducing corruption, stimulating small and medium-sized enterprises, improving the state of healthcare and education, fostering sustainable development. To its credit, the Polish government involved societal actors in the development of the Digital Poland OP. But it is not clear at this point if those same actors will also be involved in monitoring and evaluating the purpose orientation of public funds disbursed on OGD over the coming years.

Conclusion

The Polish government has undertaken a first set of important steps to promote the publication, access and re-use of government data. These steps include the transposal of the EU's PSI Directive into national legislation, establishment of laws and regulations that determine specific datasets to be opened up and the conditions applied, and creation of a national OGD portal – the CRIP.

Nevertheless, this chapter also shows that a sequential and supply-oriented approach to OGD still predominates in Poland. The ministerial decree which led to the establishment of the national portal and the selection of datasets was largely developed by the administration alone, with little involvement from non-government re-users around the design or content of initial versions of the portal (e.g. consultation on datasets to be published). Although a public consultation process was put in place, little feedback was received – which points to a lot of room for government to pursue a more iterative approach of mutual learning on priorities and challenges.

OECD country experiences show that stimulating demand for open government data is a complex undertaking that involves co-operation, iterations, trial and error. The Polish administration is generally quite aware of this – the Polish National Development Plan 2020 in that respect explicitly states the need by government to move from “administering funds to managing actual development”. It is important that this approach also becomes determinant for the OGD agenda through more effective leadership and governance (see Chapter 2), stronger commitment to community engagement (see Chapter 3) and greater focus on value-creating activities in this area (see Chapter 4).

Notes

1. Information on the Board of Strategic Advisors can be found on its outdated website: <http://zds.kprm.gov.pl/en/poland-2030-report> (last accessed 23 March 2015).
2. See: <http://ec.europa.eu/digital-agenda/en/european-legislation-reuse-public-sector-information> (last accessed 23 March 2015).
3. More on Poland’s implementation of the first PSI Directive is available at: <https://ec.europa.eu/digital-agenda/en/news/implementation-psi-directive-poland> (last accessed 23 March 2015).
4. www.mojapolis.pl/pointers/map/1697.
5. <http://mojepanstwo.pl>.
6. See, for example, www.mojapolis.pl/media/medialibrary/2014/06/mojapolis_5.mp4.
7. www.poznan.pl/api.
8. <http://medialabkatowice.eu/en>.
9. See: <http://api.um.warszawa.pl>.
10. See: <http://statystyka.policja.pl>.
11. www.policja.pl/pol/form/1_dok.html.
12. See: <http://rue89.nouvelobs.com/2014/06/25/carte-presque-tous-les-accidents-route-2012-253113>.

Bibliography

- Batory Foundation (2014), “Waiting for open government”, Opening Report by the Polish Open Government Coalition, Conclusions and Recommendations, Warsaw, available at: www.batory.org.pl/upload/files/Programy%20operacyjne/Odpowiedzialne%20Państwo/Waiting_for_Open_Government.pdf.
- Council of Ministers (2013), *Efficient State Strategy 2020*, Appendix to Resolution No.17 of the Council of Ministers of 12 February 2013, available at: <http://administracja.mac.gov.pl/download/58/16077/EfficientStateStrategy2020.pdf>.
- Council of Ministers (2012), *National Development Strategy 2020*, attachment to Resolution No. 157 of the Council of Ministers, 25 September 2012. DIP (Pozarządowe Centrum Dostępu do Informacji Publicznej [NGO Centre on Access to Public Information]) (2013), “Our remarks on the implementation of PSI Directive in Poland”, NGO Centre on Access to Public Information, Warsaw, 23 February, available at: http://informacjapubliczna.org.pl/38,830,our_remarks_on_the_implementation_of_psi_directive_in_poland.html.
- European Commission (2009), “Re-use of public sector information: Commission starts infringement against Italy”, press release IP/09/425, 19 March, European Commission, Brussels, available at: http://europa.eu/rapid/press-release_IP-09-425_en.htm.
- European Commission (2008), “Re-use of public sector information: Commission launches infringement proceedings against Poland and Sweden”, press release IP/08/1524, 16 October, European Commission, Brussels, available at: http://europa.eu/rapid/press-release_IP-08-1524_en.htm.
- Ministry of Infrastructure and Development (2014), “Operational Programme Digital Poland for 2014-2020”, version approved by the European Commission on 5 December, available at www.funduszeuropejskie.gov.pl/stromy/o-funduszach/dokumenty/operational-programme-digital-poland-for-2014-2020/.
- OECD (2015a), *OECD Public Governance Reviews: Estonia and Finland. Fostering Strategic Capacity across Governments and Digital Services across Borders*, OECD Public Governance Reviews, OECD Publishing, Paris, <http://dx.doi.org/10.1787/9789264229334-en>.
- OECD (2015b), *Government at a Glance 2015*, OECD Publishing, Paris, http://dx.doi.org/10.1787/gov_glance-2015-en.
- OECD (2014), “OECD Survey on Open Government Data in Poland”. Survey administered across the Polish public administration in 2014 as part of this review.
- OECD (2013), *Poland: Implementing Strategic-State Capability*, OECD Public Governance Reviews, OECD Publishing, Paris, <http://dx.doi.org/10.1787/9789264201811-en>.



From:
Open Government Data Review of Poland
Unlocking the Value of Government Data

Access the complete publication at:
<https://doi.org/10.1787/9789264241787-en>

Please cite this chapter as:

OECD (2015), “Building a common and coherent strategy for open government data in Poland”, in *Open Government Data Review of Poland: Unlocking the Value of Government Data*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/9789264241787-4-en>

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