

Simplification and Electronisation of Administrative Procedure in the Visegrad Group Countries – A Sociological and Legal Approach¹

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ABSTRACT

Purpose: The purpose of the research was to examine the sociological issues related to the biographical experience of a participant in the administrative procedure in the Visegrad Group countries (the perception of public administration bodies and their organisation, current demands of the public in the field of public administration activities, providing appropriate tangible and intangible tools for officials). The secondary goal of the research was to determine the nature, significance, consequences and form of comprehensive modernisation of existing simplifications of the administrative procedure (The author understands the concept of simplification of administrative procedure as “an administrative procedure separated from the general administrative procedure and characterized by simplification of general normative solutions”). Since the scope of the concept of “electronisation of administrative procedure” does not fully include the concept of “simplification of administrative procedure”, the research referred to two areas of the administrative procedure that are complementary to each other (the relationships that occur between them, including by specifying common and separate parts of electronisation of administrative procedure, e.g. in the scope of keeping and making available files of procedure in electronic form). Moreover, solutions were presented in the field of simplification and electronisation of administrative procedures in the V4 Group countries, in institutional, subjective and objective terms.

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Design/Methodology/Approach: The analysis of domestic and foreign legal texts was used to implement the research assumptions (general legal regulation of administrative procedure presented by the Codes of Administrative Procedure and COVID-19 regulations in the V4 Group countries). Empirical research using sociological research methods was conducted in connection with the analysis of currently applicable simplifying solutions [the author implemented a component of social research using both qualitative methods – individual in-depth interviews with adult residents with biographical experience of being a participant in the administrative procedure (20 adults – 5 from each country of the V4 Group) as well as quantitative methods – online survey with participants of the administrative procedure (120 adults – 30 from each country of the V4 Group)]. In the research, the statistical method was applied to better illustrate the effectiveness of the currently conducted administrative procedure and to answer the hypotheses regarding the legitimacy of the development of the idea of administrative simplification.

Findings: The analysis shows that it is not yet possible to speak of an advanced development of administrative procedure in the Visegrad countries. The delay of the public administration in applying solutions that simplify administrative procedure is mainly due to unclear regulations and significant financial outlays needed. The above state of affairs has a negative impact not only on entities participating in the procedure but also on public administration bodies and administrative courts.

Practical Implications/Originality/Value: The initiated process of simplifying and electronicising administrative procedure must always take the form of comprehensive legal solutions that will allow for effective and efficient operation of public administration bodies and enable individuals to exercise their fundamental rights. Therefore, the article presents the latest difficulties related to the administrative procedure and examples of their solution.

Keywords: *electronic communication, digitalisation of public administration, good administration, new technologies, principle of speed of the proceedings, public administration in V4 countries*

JEL: K40

1 Introduction

The presented research issues play an important role in simplifying and electronicisation of administrative procedures in the Visegrad Group countries². Undertaking actions by the administration at the right time is a significant standard shaping the relationship between the state and the individual. The principle of speed and simplicity of operation, one of the cardinal principles of operation of the administration, is adopted in every Visegrad Group country³.

² Ustawa z dnia 14 czerwca 1960 r. – Kodeks postępowania administracyjnego (Consolidated text, Journal of Laws 2021, item 735 as am., further: Polish CAP); Act CL of 2016 on the Code of General Administrative Procedure (as in force on 2.01.2018, further Hungarian CAP); zákon č. 500/2004 Sb. ze dne 24 června 2004 further: Czech CAP); Zákon č. 71/1967 Zb. o správnom konaní (správny poriadok) (v znení zákona č. 204/2011 Z.z., further: Slovak CAP).

³ Art. 12 of Polish CAP, sec. 4 of Hungarian CAP, § 3 sec. 3 of Slovak CAP, sec. 6 of Czech CAP.

The postulate, which means the obligation of the shortest procedure duration, requires using the most economical and effective means in a particular case. It should be remembered, however, that the principle of material law applies equally, which affects the implementation of the principle of the speed of simplicity of action.

The right to good administration, which manifests itself even in the form of effective and efficient administration, is included in the fundamental rights of a citizen (Rixer, 2014, p. 125); therefore, ensuring appropriate conditions for its implementation is the goal of a democratic state ruled by law (Gołębiowska and Zientarski, 2016, p. 25). The fulfilment of the right to good administration leads to the delimitation of the scope of the relationship between the public administration and the individual (representing its own individual interest), who seeks the possibility of resolving a dispute in collision with the interest of the common good, represented by the administrative body (Srebalova and Peráček, 2020, p. 52; Pitschas, 1990, p. 110). In addition, it makes it possible to safeguard the rights of the individual and to systematise the conduct of entities carrying out public tasks (Princ, 2016, p. 109). Administrative law includes many legal acts, the provisions of which apply to virtually all spheres of citizens' life and the activities of the state. Due to this, from the point of view of good administration and access to an efficiently operating public administration, it becomes necessary to standardise or simplify the basic issues important for the functioning of public administration, which in the Visegrad Group countries have been regulated in a fragmented or divergent manner (Potěšil et al., 2021, p. 7).

The above state of affairs has a negative impact not only on entities participating in the proceedings but also on public administration bodies⁴ and administrative courts that apply the currently applicable law, as they encounter barriers limiting the ability to function efficiently, not only at the legislative level but also at the technical, material and personal level. Therefore, it is justified to conduct an analysis from a sociological and legal perspective and draw appropriate conclusions that will allow counteracting the obstacles existing in the administrative procedures of the Visegrad Group countries.

The cognitive goal of the research was to examine sociological issues related to the social perception of this issue (the perception of public administration bodies and their organisations, current demands of the public in the field of public administration activities or providing appropriate tangible and intangible tools for officials). Moreover, the secondary cognitive goal of the research was to determine the nature, significance, consequences and form of comprehensive modernisation of existing simplifications of the administrative procedure (Rixer, 2015, p. 82).

The fundamental assumption of the research was to answer the question: whether the currently existing procedural measures of a simplifying nature

4 In the report entitled *Poland 2030*, Poland, Slovakia and Hungary were defined as countries with ineffective and unproductive public administration, while the Czech Republic is on the border between the indicated factors (Wysocki, 2016, p. 173).

are beneficial for an individual from the point of view of protecting his rights. The criterion for assessing Visegrad Group countries' administrative procedures was their effectiveness⁵ and the simplicity of procedural measures of a simplifying nature, which was manifested in an increase in the number of cases handled in the same period of time and meeting social expectations concerning the activities of public administration bodies.

The method of analysis of domestic and foreign legal texts was used to implement the research assumptions. It is obligatory to refer to the procedures functioning in other countries covered by the research to solve the issue of simplification and electronisation of administrative procedures and to find effective solutions.

Empirical research using sociological research methods was conducted in connection with the analysis of currently applicable simplifying solutions. In the conducted research, the statistical method was applied better to illustrate the effectiveness of the currently conducted administrative procedure and to answer the hypotheses regarding the legitimacy of the development of the idea of administrative simplification.

Parallel to the ongoing cabinet analysis, which consists of content analysis, the research implemented a component of social research using individual in-depth interviews⁶ with adult residents with biographical experience for being a participant in the administrative process as well as a quantitative – online survey (CAWI⁷) with participants of the administrative process. The implementation of the CAWI survey was part of a multi-stage research process related to identifying and describing the simplification and electronisation of the administrative procedure in the Visegrad Group countries, both in its current and anticipated shape. The entire research process consists of implementing the desk research method and using both quantitative (CAWI) and qualitative techniques (including IDI).

2 Implementation of CAWI surveys

The survey in the countries of the Visegrad Group was carried out from 24th of April 2021 to 25th of August 2021. The CAWI survey entitled "*Handling of official matters in the opinion of customers (Where? What? How?)*" was posted on the webankieta.pl portal and made available to a wide group of potential respondents, including through social networks, e.g., on Facebook.com. The sample selection for the study was deliberate; the questionnaire was completed by adults who dealt with a matter that required contact with the public administration in the last 1.5 years (from the end of 2019 to April 2021).

5 Consisting in ensuring the optimal sequence of procedural activities of the authority, flexibility and adapting the procedure to the type of tasks carried out by the administration.

6 IDI. The analysis of in-depth interviews were computer-aided and was carried out using MAX-QDA software.

7 Computer-Assisted Web Interview – a computer-assisted interview using a website.

A total of 120 people (30 from each country) from the Visegrad Group countries took part in the research group. Less than 3/4 of the respondents who completed the questionnaire were aged 18 to 34. 1/4 of the respondents were aged 35 to 54, 2 were aged 55–59, and 1 person who completed the questionnaire was of senior age.

In analysing the education level of the respondents, higher education was predominant, and the remaining 19 respondents had secondary education.

Characterising the research sample in terms of place of residence, it was diverse. Almost half of the respondents supported themselves by paid work, 27 people had the status of students, 7 people were self-employed, 1 person had the status of pensioner, and 1 respondent was unemployed.

The respondents declared contact (frequent or less frequent) with institutions which, due to their specific nature and wide range of competencies, are more often present in their everyday life – local government units (at the commune and district level) and entities dealing with social insurance. The respondents most often declared a lack of contact with ministries, voivodship offices and marshal offices. If someone declared contact with the ministry (17 such indications in total), it was rather frequent (5 indications) or definitely rare (7 indications); with the voivodship office (14 such indications in total) – definitely frequent (4 indications) or rather rare (4 indications); and with the Marshal's Office (12 such indications in total) rather rare (5 indications) and definitely rare (5 indications).

Among the “other institutions” that 4 respondents contacted were: Okmányiroda⁸, Slovak National Center for Human Rights, GOAP⁹ and USC¹⁰, with which the respondents described the frequency of contact as “rather frequent”.

Analysing the distribution of the aggregate responses of the respondents, determining the type of contact with individual public institutions in order to settle the matter, we can conclude that fully personal contact, compared to the Internet and mixed contact, was experienced by a smaller number of respondents. This is an important observation from the perspective of implementing e-government solutions, the main goal of which is to increase the effectiveness of public administration in terms of providing services, simplify the handling of official matters and enable obtaining information on them (Meier, 2012, pp. 60–61). Such a distribution of responses may also mean an increasing catalogue of matters that can be managed remotely (Baranyi et al., 2018).

The Internet contact was the experience of 30 respondents, who settled their case in the tax office, 24 respondents in the city/municipal office, 16 in ZUS¹¹/KRUS¹², 8 in the district governor's office, 6 in the voivodship office and 5 in the marshal's office. A significant number of respondents' responses in the

8 Hungarian body dealing with general administrative matters for citizens.

9 Waste Management of the Poznań Agglomeration in Poland.

10 Registry Office.

11 The Social Insurance Institution in Poland.

12 The Agricultural Social Insurance Fund in Poland.

case of online contact with the tax office and the city/municipal office may result, firstly, from more frequent contact with these institutions in general, and secondly, from the number of matters that can be fully settled in a given office via the Internet – e.g., submitting tax declarations, applying for an ID card, etc. Full personal contact was more frequent in the case of the city/municipal office (11 people), the district governor's office (8 people) and the tax office (7 people). Institutions where the respondents experienced mixed contact more often were: the city/municipal office (20 people), the tax office (11 people), the district governor's office (9 people) and the ZUS / KRUS (8 people).

In the case of contact made entirely via the Internet, the respondents used: a trusted profile¹³ (47 indications), ePUAP¹⁴, SZUF¹⁵ or Official electronic central portal of public administration (Czech POINT)¹⁶ (27 indications), E-Önkormányzat portál¹⁷ (10 indications) and mailbox¹⁸ (17 indications).

13 Provision of art. 3 point 14 of the Act of 17th of February 2005 on Informatization of the Activities of Entities Performing Public Tasks (Consolidated text, Journal of Laws 2021, item 2070, as am., further: u.i.d.p), stipulates that the expression "trusted profile" shall be understood as an electronic identification means that contains a set of data identifying and describing a natural person who has full or limited legal capacity, and that has been issued in the manner referred to in Article 20c or Article 20cb.

14 Electronic Platform of Public Administration Services, further: ePUAP. According to art. 3 point 13 u.i.d.p, the ePUAP system is an ICT system "in which public institutions make services available through a single access point on the Internet".

15 The changes adopted by the Hungarian legislator in 2015 allowed the introduction of a matrix of 'regulated electronic administration services' (regulated e-administration services) into the system, which is a kind of 'toolkit' (service kits) aimed at ensuring the electronicisation of public administration. One of the elements included in the "toolkit" is the "space for personalised case handling" (SZÜF), where more than 680 types of administrative cases can be handled by all individuals and legal entities that have a "customer gateway". In 2019, the Hungarian legislator has obliged all legal persons, as well as those representing the legal profession, to use the electronic communication system through the so-called company gateway (Horvat et al., 2021, p. 141).

16 Czech POINT is a project aimed at reducing excessive bureaucracy in the relationship between citizens and public administration. Czech POINT serves as an assisted point of public administration, enabling communication with the state through one place so that "data not the citizen" circulates. The aim of the Czech POINT project is to create a guaranteed service for communication with the state through one universal place, where it is possible to obtain and verify data from public and non-public information systems of public administration, to officially verify documents and deeds, to convert written documents into electronic form and vice versa, to obtain information about the course of administrative proceedings in relation to the citizen and to file a submission for the initiation of proceedings of administrative authorities (<<https://www.czechpoint.cz/public/>>, accessed 20 June 2022).

17 Hungarian e-municipality portal. The e-municipal portal is the place for electronic local government administration in the ASP system of local government. Municipalities using the Local Government ASP system provide their customers – both natural persons and legal entities – with the services necessary for their customers to administer their affairs electronically via the eMunicipal portal. General rules on electronic administration and trust services are obliged to provide electronic administration pursuant to Section 9 (1) of Act CCXXII of 2015: the person acting as a customer as the customer, state, local government, (a) a public body, a government, a public administration or a budgetary body, public prosecutor, notary, public body, other administrative authorities not covered by sub-paragraphs (a) to (a), and the legal representative of the client (<https://ohp-20.asp.lgov.hu/gyik_ki_veheti_igenybe>, accessed 20 June 2022).

18 On the 1 July 2009, in the Czech Republic, the Information System for Data Boxes (ISDS) was launched on the basis of Act No. 300/2008 Coll., on Electronic Acts and Authorised Conversion of Documents. The Czech legislator has obliged all public authorities, including administrative bodies, to use their so-called "data boxes". If any of the addressees (parties to the proceedings) have a data box set up, it is the duty of the authority to deliver any pleadings only electronically. Most legal persons and individual members of certain professions, such as lawyers, are obliged to set up and use data boxes. In addition, non-business individuals may also voluntarily apply to set up a data box.

On the 1 August 2016 Slovak data boxes for receiving documents were created for all natural persons and corporate bodies residing in Slovakia and divisions registered in the commercial

In analysing the distribution of respondents' answers concerning the trusted profile, it can be observed that if someone already knew this solution, they usually used it – 54 respondents knew and used it, compared to 13 respondents who knew and did not use it. Only 1 person did not know this tool. The distribution of answers looks similar in the case of the ePUAP, SZUF and Czech POINT platforms, 37 respondents knew and used this solution, and 22 respondents knew and did not use it. In the case of e-services: E-Önkormányzat portal, podatki.gov.pl¹⁹, PUE ZUS²⁰, empathy²¹, there is also an advantage between those who know and use (32 persons) and those who know and do not use (26 persons), but it is small and amounts to 6 indications. In the case of securing a qualified signature and e-IDcard, the trend is the opposite, as more people know and do not use these solutions. In the case of the qualified signature, 15 people know and use it compared to 43 who know and do not use it; in the case of the e-evidence, 10 people know and use and 46 people know and do not use it. In case of not knowing particular solutions, the respondents indicated more often ePUAP, SZUF and Czech POINT (9 persons), secure qualified signature (9 persons), e-services (7 persons) and e-evidence (11 persons). However, indications of not knowing the tools were at a low level.

The respondents most often indicated “taxes and fees” (44 responses) and “civic matters” (39 responses) as those matters which required contact with a public institution in the last 1.5 years. Administrative matters with the smallest number of indications, which may be specific and are handled occasionally, include – “environmental protection” (1 indication), 2 indications were obtained for cases related to “regional development”, “protection of consumer rights”, and “security and crisis management”.

Analysing the distribution of responses in each category of matters, the most numerous indications of handling matters entirely via the Internet concerned: “taxes and fees” (29 indications), health and social affairs (9 indications), real estate, housing and commercial premises (4 indications), business activities (5 indications), access to public information (4 indications).

Most respondents indicated that they had already used particular e-government tools before the pandemic. The pandemic became a mobilising factor to use, particularly the trusted profile (for 14 people) and the ePUAP, SZUF, Czech POINT or electronic mailbox (for 8 people).

register on the website www.slovensko.sk. The data boxes are created by the Government Office of the Slovak Republic automatically and free of charge to all citizens over 18 years. The box is activated automatically during the first log-in of an operator to the e-portal. When activated the data box can be used for receiving documents from public authorities electronically. The obligation to use data boxes relates only to corporate bodies and divisions; for natural persons (i.e. self-employed persons) it is voluntary (<https://www.slovensko.sk/sk/agendy/agenda/_elektronicke-schranky-zakon1/>, accessed 20 June 2022).

19 The tax platform of electronic services in Poland.

20 The Platform of Electronic Services of the Social Insurance Institution in Poland (PUE ZUS) is a tool that facilitates access to services provided by the Social Insurance Institution in Poland.

21 The Empathy system allows to submit applications via the Internet, among others for: granting social assistance, family allowance and supplements, childcare allowance, care allowance.

During the COVID-19 pandemic, respondents had the opportunity to use the existing e-infrastructure. The pandemic situation, particularly the lockdown and the related temporary limitation of the possibility to enter offices and personally contact an official²², was quite a test for public institutions (Hoffman and Balázs, 2021, p. 113; Horvat et al., 2021, pp. 150–152; Szewczyk, 2020, p. 19). Probably in many cases, the choice of handling their affairs with the help of e-government tools became necessary for some citizens, mobilising them to set up, for example, a trusted profile or mailbox.

3 IDI interview

In order to deepen the knowledge acquired during the implementation of the CAWI surveys, it was decided to develop selected issues in the qualitative research, consisting in conducting individual in-depth interviews (IDI)²³. The respondents (20 adults – 5 from each country from the Visegrad Group countries) were selected for the qualitative research in a targeted manner by giving a positive answer to the initial - filtering question, “Have you dealt with the Office in the last 2 years?”.

3.1 Respondents’ experiences in contact with public administration bodies

Respondents described the difficulties arising in connection with the handling of their case, for example:

- the need for a personal visit to the office,
- long terms for online appointment appointments,
- the necessity to obtain a number traditionally and the related waiting in the long queue,
- no possibility to settle the matter online,
- the need to fill in official forms by hand.

Apart from official matters, the simplicity and ease of dealing with other matters of everyday life is increasingly often experienced, especially through: the possibility of arranging them online, computer-filled forms, products and services delivered to the client’s door without leaving home and collecting a number, in order to wait for the queue. Such experiences taken from the commercial market change the standards of service through the prism of which the client defines his expectations in relation to services provided by

22 In accordance with Article 15zzzzzn of the Act of 2nd of March 2020 on special solutions related to prevention, counteraction and eradication of COVID-19, other infectious diseases and crisis situations caused by them (Journal of Laws 2021, item 2095 as am.); Act No. 67/2020 Coll. on certain emergency measures in finance relations related with the spread of the dangerous contagious human disease COVID-19; Act XII of 2020 on the containment of coronavirus; resolution of the Government of the Czech Republic of 15th of March 2020 No. 241 on the adoption of a crisis measure.

23 In the IDI, the respondent has the opportunity to express himself unlimitedly, to answer all the questions asked with his own words, without having to limit himself to ready-made proposals for answers in the cafeteria of a closed question, as is the case when filling in the questionnaire (Gudkova, 2012, p. 113; Kaczmarek, Olejnik, and Springer, 2016, p 113).

public institutions. The expectation of a quick course of the procedure, which will be carried out remotely with the use of new technologies, seems to be justified in the period of technological and digital acceleration that we have recently experienced (Gramlich, 2010, p. 288; Taman, 2020, p. 693, Smítka and Borkovcová, 2019, p. 1481)²⁴. It is worth noting that nowadays, generations of people are entering adulthood for whom the Internet is a natural environment for functioning, and personal visits to settle the matter, queues at the office or handwritten filling in of forms are a kind of archaism.

In the opinion of the majority of respondents, the way a specific public administration body handles a given case translates into the way such an institution is perceived and makes positive or negative assessments about its functioning: *“I think so. Tax offices always have a patch for very basic procedures where the slightest mistake is unforgivable.”* (Respondent No. 5).

3.2 Strengths and weaknesses of public administration

Summarising the statements of the respondents regarding the strengths and weaknesses of the institutions in which they dealt with their affairs and the handling of handled cases, several dominant factors can be distinguished:

²⁴ 2030 Digital Transformation Strategy for Slovakia, At <<https://www.mirri.gov.sk/wp-content/uploads/2019/10/SDT-English-Version-FINAL.pdf>>, accessed 24 June 2022.

Table 1. Strengths and weaknesses of public administration and handling matters handled therein, in the opinion of respondents

S	simplification of procedures through the possibility of settling the matter online (without leaving your home)	W	the need to submit and collect documents in person
	assistance from officials and their explanations		queues
	speed of settling the matter		difficult to fill in, and illegible forms
	available procedure instructions (FAQ)		unpleasant service - impression of mass market service
	developing electronisation and computerisation of the process		slowness of action and a long time to get things done
	substantive correctness of issued decisions		sense of scattered responsibility, excessive procedures
	openness to new technologies		complicated procedure
	better communication, clear descriptions of procedures		requirements for individual certificates / documents (the so-called »paperwork«)
	providing online forms on websites		high rotation of employees in service positions
	the possibility of booking a visit in the form of online		different interpretations of the law and procedures by officials
	office hours		
	lack of communication between public administration bodies administrations to exchange information		
	no digital security		

Source: own study based on the respondents' answers in the qualitative research.

Respondents were asked to assess the work of officials, in particular the working tools available to officials and the general conditions of their work.

Three out of 17 respondents said that conditions and tools are rather sufficient. However, in their statements, respondents mentioned possible ways to improve the situation of officials and the quality of their work. Six people explicitly mentioned insufficient working conditions. From the statements of the respondents, a catalogue of areas for improvement was created:

- low salaries,
- high workload (high number of cases handled),
- old hardware and software,
- shortage of equipment,
- lack of training to improve soft skills.

Most of the areas for improvement mentioned by the respondents lie with the managers of offices and the need to undertake institutional changes, not necessarily individual ones implemented by the officials. Obviously, depending on whether we are dealing with self-government or government administration, a lot will depend on the system of financing the activities of particular offices (whether those funds come from their budgets or the State Budget). Eliminating the problems indicated by the respondents requires a decision of the management in order to implement structural, organisational and technical changes in public administration units (Peters, 2009, pp. 23–25).

3.3 Factors facilitating authority-customer contact

On the basis of the respondents' statements concerning the actions taken by the public administration to facilitate the parties in administrative proceedings with the administrative authorities, the following table formulates a list of "factors facilitating contact".

Table 2. Factors facilitating residents' contact with the office

Factors facilitating contact	Examples of concrete solutions identified by respondents	
1. Implementation of procedures	"Contact with the office online", "possibility to contact the office by email or via e-domain", "change of office hours to the afternoon"	"Increasing the possibility to contact a specific, responsible employee by phone"
2. Personnel factors	Increase in staff numbers	Customer service training
3. Providing access to information	"Mobile information points of offices"	"An accessible helpline that can actually be called".
4. Use plain language	"It would certainly be a big help to use simple language in communication with the inhabitants. Having a comparison between a municipality office in a small town and a voivodeship office in Poznań, I could see that communication is much simpler and more accessible in a small town, where the official communicates with the customer in a simpler and more accessible way and, most importantly, has more time to serve him, so contact with the office is much more satisfying."	"Delaying of a person helping to fill in documents"

Source: own elaboration based on respondents' answers in the qualitative survey.

Particularly noteworthy is an issue that received little attention in the CAWI survey related to the use of plain language²⁵ in public administration. In the current public discourse, there is a lot of focus on using plain language, which

25 <<https://www.gov.pl/web/sluzbacywilna/prosty-jezyk>>, accessed 22 June 2022.

would change the level of understanding of official letters, instructions and forms (Sobczak, 2018; Zach-Kubicka, 2019; Vinnai, 2019, p. 102; Dvořáková, 2021, p. 8; Schöpflin, 2009).

Simple communication is when accessible language is used, and the principles of plain language are applied. They can significantly improve the quality of documents produced by officials, and such communication benefits both the sender and the recipient. Simple language works well both in communication with the recipients of public services (citizens or foreigners) and with people who hold the highest positions in the state²⁶.

The conviction that a sign of professionalism and high competence are letters written in very advanced and specialised [technocratic (Krężotek, 2012, pp. 63–64; McKenna and Graham, 2000, p. 220)] language and accompanied by appropriate legal footnotes and quotations from laws and codes is a conviction that is not reflected in the needs of participants in administrative proceedings and other clients dealing with matters in offices²⁷. Participants of the proceedings, regardless of their level of education and age, need simple and undisguised communication, particularly in administrative acts (administrative decisions or decisions), which grant rights and, above all, impose a certain type of administrative obligation.

3.4 Simplifying the use of public administrations

As part of the thematic block “simplifying matters in the office”, respondents were obliged to interpret the term: “*a matter that is easy to settle in the office*”.

Graphic 1. Features of a simple matter to be dealt with, mentioned by the respondents



Source: own elaboration based on respondents’ answers in the qualitative survey.

²⁶ This issue is also recognised by administrative courts in Poland. In the judgment of 16th of September 2016, II FSK 2216/14 (LEX No. 2108987), The Supreme Administrative Court raised the issue of misunderstanding the content of the letter as a prerequisite for reinstating the time limit for filing objections to enforcement proceedings.

²⁷ According to the experience of the 2nd Tax Office in Zielona Góra (Poland), the collection of overdue payments has significantly improved following the introduction of a new format of tax notices (<<https://podatki.gazetaprawna.pl/artykuly/1402878,podatki-prosty-jezyk-pism-powrawia-sciagalnosc.html>>, accessed 22 June 2022)

Most respondents knew the meaning of the term “simplification of administrative procedure”. Respondents were able to point to specific features of a simplified procedure and list actions that lead to simplification.

“Simplification of the procedure” in the descriptions of the respondents is a process leading to simplification of the procedure, its de-formalisation, optimisation, i.e., settling matters that will become uncomplicated, and their procedure will be faster and will take place remotely.

The simplification of the procedure, in the opinion of the respondents, is encapsulated in a few words:



Table 3. Categories of factors which, in the opinion of respondents, influence the simplification of the procedure

List of factors	Quotes from respondents			
Factor 1. Forms	Fewer forms, simpler to fill in		Interactive applications	
Factor 2: Service	Changing the way officials work	The internal organisation of the administration, which is aware of the procedures and follows them by properly organising the whole process.	Reducing queues	
			Opening of offices during hours when it would be possible for full-time staff to use the services of the office.	
Factor 3. Form of contact	Email contact with the office	Enabling contact with officials by email		
Factor 4. Regulations, procedures	Application of the simplified handling of cases under the CAP.	Opening electronic databases from which an official could directly attach evidence from a previous case concerning the same person.	Possibility of electronic publication of an administrative act (in the case of multiple parties to proceedings). Extension of the scope of the e-PUAP system.	More cases should be dealt with on the basis of statements made by the applicant (the parties to the proceedings).
	Digitisation of files, possibility to issue certificates/extracts on the spot in the form of print-outs from the IT system, modelled on the court information portal.		Improving the flow of information within the office so that it is not the customer who runs between windows and departments but officials who quickly get to the necessary information they already have.	

Source: own elaboration based on respondents' answers in the qualitative survey.

Respondents were asked to identify specific issues that they felt should be simplified freely. After analysing the individual responses of the respondents, 3 criteria emerged which were used by the respondents:

- The criterion of being goal-oriented,
- Urgency criterion,
- Criterion relating to the subject matter.

Table 4. Things that respondents think should be simplified

Criterion of target orientation
<ul style="list-style-type: none">• obtaining certificate extracts from the land register
Urgency criterion
<ul style="list-style-type: none">• matters requiring a quick solution (issuing important documents, certificates)
Criterion relating to the subject matter
<ul style="list-style-type: none">• civil affairs (vehicle registration documents, civil status records, identity cards, passports),• tax matters,• building matters,• social and community matters,• legalisation of residence of foreigners,• real estate matters,• matters related to economic activity,• matters related to municipal management.

Source: own elaboration based on respondents' answers in the qualitative survey.

3.5 E-administration

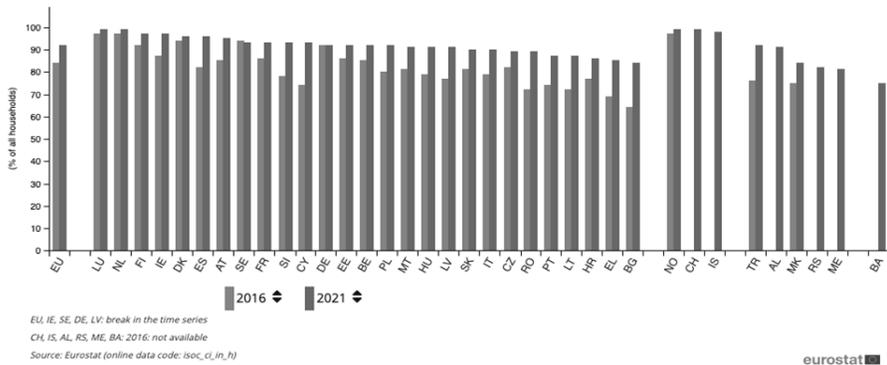
In the case of the respondents in the qualitative study, all of them were able to use the Internet on a daily basis, generally frequently, on different devices: computers, laptops, tablets, mobile phones and in different professional and private situations.

Eurostat's report entitled "Internet access of households, 2016 and 2021"²⁸, shows that among the countries of the Visegrad Group, Poland leads the way in terms of household Internet access (92 pp.). It is followed by Hungary (91 pp.), Slovakia (90 pp.) and the Czech Republic (89 pp.). Poland and Hungary scored the biggest upward trend in the period 2016-2021 – by 12 pp. The level of this indicator varied depending on the type of household, class and degree of urbanisation of the place of residence and area of the Visegrad group country. House-

²⁸ <https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Digital_economy_and_society_statistics_-_households_and_individuals&oldid=576887>, accessed 21 June 2022.

holds in areas with a high degree of urbanisation and large cities were more likely to have access to the Internet at home than households in other areas.

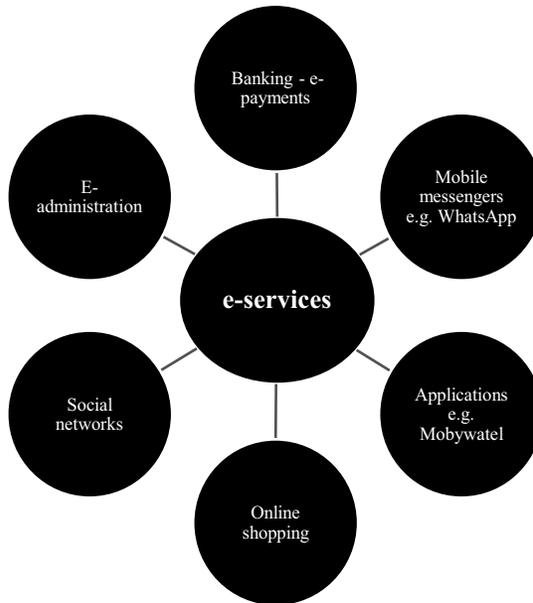
Internet access of households, 2016 and 2021



Source: Eurostat

Therefore, the fact that among the 20 IDI respondents, all of them had access to the Internet has a statistical justification in quantitative research.

Graphic 2. Types of e-services used by respondents on a daily basis



Source: own elaboration based on respondents' answers in the qualitative survey.

The concept of e-government was familiar to most respondents (19 out of 20 people), and they were able to define it. Often the definitions referred to associations and common-sense attempts to explain the meaning of the term,

e.g. "It is an e-government system for handling official matters and communicating with customers." (Respondent No. 9)

In response to the next question, the respondents stated that the operation of e-government affects the handling of official matters; all agreed on the positive impact of e-government on their handling of matters at the office:

1) "I am convinced that e-administration could do a lot of good. It would certainly speed up the operation of offices, the waiting time for cases would not be so long." (Respondent No. 5)

2) "It certainly speeds up certain processes, which saves a lot of time, especially for people working during the hours when the office is open, and they do not have the opportunity to come to the office in person". (Respondent No. 8)

Graphic 3. Types of issues which, according to the respondents, would be most effective in dealing with e-government



Source: own elaboration based on respondents' answers in a qualitative study.

The matters which the respondents settle with the use of the Trusted Profile, data box or client gate are diverse:

- applying for an IDcard,
- access to information about current state of a case,
- applying for social allowances,
- filing a tax return in the tax portal,
- applying for registration of economic activity.

In their statements, the two respondents who expressed their positive attitude towards simplifying the procedure and e-government highlighted some issues that may contribute to civic exclusion among certain types of customers dealing with their affairs. These are: experiencing digital exclusion and having a low level of digital skills and knowledge of Internet use. In particular, older people²⁹ are more exposed to a digital exclusion experience. The re-

²⁹ In 2019, among seniors aged 65–74 asked about their computer use in the past 3 months, 34.1% confirmed that they had used a computer during this time (i.e., 2.4 percentage points

search shows that older people are most often deprived of Internet access or have low computer and Internet skills. Paradoxically, e-government, which would be additionally connected with minimising the possibility of settling issues in a fixed office, would be connected with a significant hindrance and deepening of digital exclusion, also in the civic dimension. It is worth noting that, on the issue of digital exclusion, the Czech Constitutional Tribunal took a position, stating in its judgment of 21 July 2011 that “in today’s global communication society, the objective impossibility of access to the Internet cannot be considered at all. The complainant’s assertion that he ‘does not have the internet’ does not in itself imply an objective impossibility of fulfilling the obligation imposed by law. Again, the fact that compliance with a statutory obligation requires, for example, the payment for an internet service cannot be characterised as unconstitutional, since the performance of certain activities always entails certain costs, which must be taken into account. The exception would be if such costs were liquidating or disproportionately high”³⁰.

3.6 Public administration during the COVID-19 pandemic

Respondents’ experiences of the impact of the pandemic on changing the way they do official business were varied. For some respondents, the pandemic situation did not affect the quality of their errands, as even before the pandemic, they had handled all their errands, which were possible to handle, online. One respondent pointed out that they did not have to do any errands in the office when the pandemic started. they did them before the pandemic and 1.5 years after the pandemic started. During this time, adequate and well-functioning solutions were found in many areas of functioning to the changing social reality in which offices overcame the initial impasse in functioning. One respondent stated that the pandemic was a motivating factor in starting to use e-government. Some respondents pointed to the negative impact of the pandemic on time taken to handle cases (delays), their protraction and the inaction of authorities.

In their statements, respondents drew attention to the negative impact of the pandemic on the work of public administration during the first months of its duration.

Respondents perceived and experienced difficulties in:

more than in 2018). People of this age are increasingly likely to use computers regularly (i.e., at least once a week), but still the percentage of regular users in the analysed age range was lower compared to younger people (Kamińska-Gawryluk, 2021, p. 17; Lacová et al; 2022, p. 150). The authors of the report “*Wykluczenie cyfrowe podczas pandemii. Dostęp oraz korzystanie z Internetu i komputera w wybranych grupach społecznych*” state that digital exclusion in Poland (not only during the pandemic) has the face of seniors – “in 2019, 3.63 million people aged 55–74 have never used the Internet, such people represent 80.4% of all nonusers. 3.74 million people aged 55–74 have never used a computer, such people account for 78.1% of all non-users” (<<http://www.federacja-konsumentow.org.pl/s,1479,wykluczenie-cyfrowe-podczas-pandemii.html>>, accessed 23 June 2022). A similar phenomenon can be encountered in Slovakia (<<https://spectator.sme.sk/c/20050628/slovakia-is-digitally-divided.html>>, accessed 22 June 2022) and in Czech Republic (Lupač and Sládek, 2008, <<https://cyberpsychology.eu/article/view/4210/3251>>, accessed 22 June 2022).

30 Judgment of the Czech Constitutional Tribunal of 21 July 2011, III. ÚS 1513/11.

- appointment of office visits,
- additional restrictions on making an appointment for a fixed visit,
- the submission of documents (letter boxes located in the halls of public offices),
- delays in dealing with cases.

Respondents, in the first weeks-months of the pandemic, observed a lack of preparedness of offices to work online to issue decisions remotely, as the handling of cases was based on paper documents that were not digitised (Horvat et al., 2021, pp. 150–151).

Respondent No. 7 pointed out a positive change in the performance of the offices as the pandemic progressed. According to the respondent, the authorities started to respond adequately to the changing situation. Offices can be described in this case as “learning” institutions which try to improve their functioning even in crisis situations where the time to adapt and change is very limited (Valenza et al., 2022, pp. 67–69).

One respondent pointed out that the pandemic had become a catalyst in terms of increased use of remote communication tools that were already available before the pandemic, e.g., email and telephone contact.

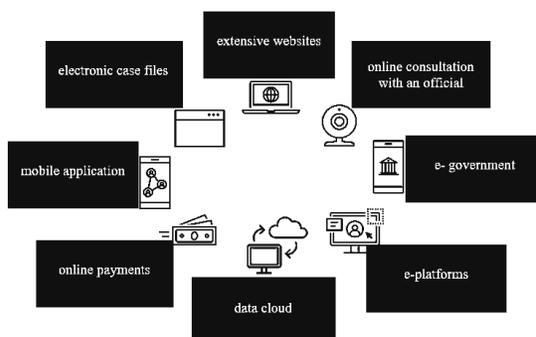
Respondents who noticed facilitations introduced by the public administration pointed out to:

- improvement of email and telephone communication,
- introducing an appointment calendar and the possibility of booking an appointment online,
- intensifying the electronisation of public administration.

Respondent’s statements regarding the introduction of solutions in offices to make it easier to deal with cases during the pandemic tended to be dominated by proposals for e-solutions, e.g., the data cloud (on official computers) and e-government platforms.

Based on the suggestions made by the respondents, the proposed solutions have been prepared and can be seen in the graphic below.

Graphic 4. Solutions to improve office operations during a pandemic



Source: own study based on the respondents' answers in the qualitative research³¹.

4 Summary

The issue of simplifying and electronising administrative proceedings is one of the most pressing social issues in the Visegrad Group countries (Skulová et al. 2019, pp. 44–50, Jendroška, 2003, pp. 28–31), which are discernible in the sociological research conducted on a survey group of people from the Visegrad countries (in a CAWI survey – 30 residents from each country and in an IDI interview – 5 residents from each country), and manifests itself in four assumptions:

- 1) legal regulations should be more flexible and understandable;
- 2) the level of procedural formalism, relating, e.g., to a smaller number of required documents or the possibility of submitting declarations binding for the authority, should be reduced and adjusted to the subject matter of the case;
- 3) public administration bodies should focus on the use of the simplest solutions, including e-administration solutions aimed at settling the matter within a reasonable time;
- 4) the entity participating in the procedure should be more aware of its rights, including the possibility of using simplified procedural measures, e.g., simple and transparent official forms, which would have instructions for correct filling in.

Despite the fact that in each of the Visegrad Group countries, national legislators have adopted slightly different solutions in terms of simplification and electronisation of administrative proceedings, the conducted research shows that the existing problems, which affect public administration bodies on the one hand, and the participants of the proceedings on the other, are the same. The above leads to the conclusion that a more effective solution to the existing problems (especially the most currently “burning” ones) would be the

³¹ The proposals have been developed using the following studies as an aid: Kučera and Kyncl, 2010, pp. 107–108; Apter, 2022, p. 280; Sabri, 2016, pp. 49–54; Kim et al., 2022, pp. 365–366.

adoption of solutions at a supra-national level and an attempt to implement them into national legal orders.

The analysis of the presented issue concludes that it is not yet possible to speak of an advanced development for administrative procedures in the Visegrad countries. The current legal acts pertaining to this issue require further modernisation, which manifests itself, for example, in numerous new amendments undertaken by national legislators. The delay of public administration in the use of solutions simplifying administrative procedures is mainly due to unclear regulations, and the significant financial outlays needed (e.g., modernising the IT infrastructure of public administration offices) (Frumarová, 2022, p. 140). It is worth noting that some of the solutions related to the electrification of administrative proceedings already existed in the Visegrad countries long before the COVID-19 pandemic (databox in the Czech Republic since 2009, in Slovakia since 2016, ePUAP in Poland since 2005, and SZUF in Hungary since 2015). Only the outbreak of the COVID-19 pandemic and the introduction of numerous restrictions (change in the organisation of offices, rotation work of officials, and the inability to establish personal contact with the participants of the procedure) in the Visegrad countries, was its 'booster' resulting in significant use of electronic tools. On the other hand, the outbreak of the pandemic has very much curtailed innovation and the willingness to introduce new 21st century technologies in public administration that would correspond to the current technological level, e.g. artificial intelligence or data clouds (Vogl et al., 2020, p. 950; Leśniak, 2022). It should be justified by the lack of common knowledge on this subject and the imperfection of the existing, less advanced technological solutions currently used by public administration bodies, but require further modernisation to meet the current standards. The current state of affairs in all the countries of the Visegrad Group is visible, for example, in the results of The Digital Economy and Society Index (DESI) ranking, published by the European Commission, where the Czech Republic is ranked 25, Poland – 28, Slovakia – 29, and Hungary – 32 (Betcik, 2022).

The functioning of e-government in the Visegrad countries in many administrative matters is still limited to the provision of information and the possibility to download website forms or to handle only selected administrative matters via IT platforms (ePUAP, SZUF, Czech POINT). The issue of the lack of IT competencies of officials and the users themselves (participants in the administrative procedure) still arises. In addition, there is also the problem of technological exclusion resulting from the advanced age and the lack of access to electronic devices and the Internet. However, as the excerpt from the Czech Constitutional Tribunal's ruling quoted in the study shows, the significant development of internet accessibility in households does not allow the conclusion that the imposition of certain public law obligations on an individual requiring only electronic solutions, e.g. making payments electronically to public entities, can be considered unconstitutional.

It is worth noting that the potential of the digital skills of the inhabitants of the Visegrad Group is noticeable and manifests itself, for example, in the use

of various types of applications for dealing with everyday matters, e.g., banking applications for making bank transfers or making purchases.

Effective e-government is one of the pillars of simplifying and electronisation of administrative proceedings. At the same time, thanks to the development of e-administration, there is a noticeable improvement in the democratisation process of the Visegrad Group countries, which will lead in the future to building a solid Central European information society. In order for the above goal to be achieved, it should be remembered that the initiated process of simplifying and electronising administrative proceedings must always take the form of comprehensive legal solutions that will allow for effective and efficient operation of public administration bodies and, on the other hand for individuals to exercise their fundamental rights³².

³² Document entitled “Good Administration through a Better System of Administrative Procedures” has been produced by OECD with financial assistance of the EU <https://www.sigmaweb.org/publications/Comments_LawAdminProceduresKosovo_JN_Oct2012_Eng%20%20.pdf>, accessed 25 June 2022.

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