

Everyone's rights in e-state

The e-State Charter

Tallinn, 26 March 2018

Explanation

Although the [Administrative Procedure Act](https://www.riigiteataja.ee/en/eli/523012018001/consolide), (English text available at <https://www.riigiteataja.ee/en/eli/523012018001/consolide>) which prohibits overburdening people and promises electronic operations, has been in force for more than 15 years, it has to be said that the provision of public services and distribution of information to people could often be more convenient and faster, considering the possibilities of electronic channels. The conclusion repeatedly reached by the National Audit Office in its audits¹ is that people are given the run-around more often than is appropriate in an e-state. However, how can the situation be changed?

The National Audit Office proposed the development of an e-state charter as a result of the audit report “Quality of public services in information society”, prepared in 2008. The proposition was inspired by the Dutch e-Citizen Charter. A first think tank consisting of e-service developers, politicians, civic society representatives and specialists helped gather into the charter the principal rights of everyone in an e-state and measurable criteria that public services in an e-state should comply with.

The charter has been written from the viewpoint of the users of public services and it lists the rights that people have when communicating with the agencies in the e-state. E-state is a society where people largely communicate via means of information and communication technology and information is often presented, stored and forwarded electronically. Public services include, for example, the issue of administrative acts for the realisation of a person's rights (e.g. planning permissions, benefits) and performance of their duties e.g. declaration of taxes, precepts) or the establishment of a suitable e-environment.

The charter also includes the assessment criteria that everyone can use to assess whether their rights have been considered in the provision of public services in the e-state. The charter allows each agency to review their operations easily and systematically and to set clear and easy-to-measure goals to the establishment of administrative procedures that are more focused on citizens. For the purposes of the charter, agencies are public authorities, local governments, legal entities in public law and any service providers in the private sector that provide services on the basis of administrative contracts or under their own responsibility. Everyone means all recipients of public services in the e-state, i.e. individuals and companies alike. The assessment criteria set out in the charter are based on an analysis of legislation and practice. All the principles and criteria of the charter are generally valid and important also in the use of other, not just electronic communication channels. Recalling the principles and specifying the content of good administration is necessary time and again in the case of e-communication.

As the possibilities of the e-state expanded, it became necessary to amend and update the charter, because the number of computer users is growing and service recipients prefer communicating with agencies via electronic

¹ See also audit reports “Quality of public services in information society” (2007 and 2010), “Activities of the state in implementing e-Health” (2014), “Usability of public e-services” (2016), “Overview of databases kept in municipalities, towns and cities” (2017) and others.

channels more than ever before, and they expect this to offer considerably more convenience than just sending e-mail. The Auditor General and the Chancellor of Justice agreed in updating the charter in 2016. The representatives of the Ministry of Economic Affairs and Communications helped develop the new text. Both the National Audit Office and the Chancellor of Justice to use the criteria highlighted in the e-state charter for the assessment of the quality of public services and making recommendations to the agencies.

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1. Right to receive comprehensive information about public services

1. Everyone has the right to easily obtain information about public services and the channels used to provide them. People can receive advice and assistance from officials if they cannot use electronic communication or service channels. Information and services are accessible via most of the widely used computer and smart device operating systems. Information can be obtained via a single contact point and it is personalised.

Public service means the operations between a person and an agency. Public services include receipt of licenses or benefits, submission of declarations, communication with agencies, obtaining information (e.g. on websites), etc. Services are provided either on the basis of applications or pre-emptively, e.g. on the basis of the events that took place in a person's life. Services are provided via different channels, such as online, at service bureaus, via telephone, e-mail or ordinary mail.

State portal or information gateway or single contact point is the website that contains information about public services and directs people to use electronic services.

2. Information about **public services** and their provision is collected to a convenient contact point that can be national (e.g. **the state portal** eesti.ee), sectoral (e.g. the e-services of the Centre of Registers and Information Systems at www.rik.ee) or agency-based (e.g. the services of the Police and Border Guard Board at www.politsei.ee). They explain how to get services, describe the process and deadlines of service provision, refer to legislation that regulates the provision of the service, contain links to e-service or web forms.

3. The services provided by the state and the local authorities alike must be offered at the contact points. This means that websites must provide information on the services of the same type provided at both levels (e.g. registration of births and deaths and the benefits paid by the state and the local government in relation thereto).

4. The information required for the exercise of people's rights and performance of their obligations must always be up to date on the websites of agencies. The right to receive information also means that people can easily find the information they are looking for on the website of the agency. Therefore, websites must be structured in consideration of the needs of users. If the decision has been made to provide information on a website in several languages, then this information should be comprehensive in all languages.

5. A personalised view increases the accessibility and user-friendliness of services, e.g. the My Data sections in the state portal or the self-service environments in the web portals of local governments. The personalised view should show notices about the person's rights and obligations (e.g. expiry of the driving license, deadline for paying the land tax or the benefits related to the birth of a child). People who want to access the personalised view must be identified.

6. All public service providers must avoid overburdening people with expenses and administrative operations, e.g. by repeatedly requesting the same data and documents. Most of the time, people don't have to go to agencies in person, as services can be provided and applications can be filed online in the e-state. Officials explain the manners in which services are provided to people.

7. Public services may only be provided via electronic channels if alternative options exist for exceptional cases and getting advice and help is possible for people. An agency must also offer information about the service provision channels on their websites.

8. In the e-era, agencies should retain the possibility to communicate non-electronically and getting advice and assistance on the agency's premises or by telephone must be possible for as long as there are enough people who want to use this option. Officials should also help the people that don't know how to use a computer or have no possibility to use one, and who have requested advice for this. People can also be advised at the service points of municipality or city governments near their location by video conference.

9. Electronic communication with agencies and receiving services via the Internet (e.g. filling in and submitting electronic applications) must be possible with computers and smart devices that use the most common operating systems.

10. People may be required to visit an agency when public services are provided only if the official needs to meet the applicant in person due to the nature of the service. Such exceptions (e.g. applying for the first identity card) are stipulated by law.

The rights listed in this chapter are covered in the following acts:

- § 44 of the Constitution;
- subsections 5 (2) and (6), 7 (2), 14 (1) and § 36 of the Administrative Procedure Act;
- § 4, subsections 9 (2), 28 (1) and 29 (1), § 31, subsection 32 (1) and § 32¹ of the Public Information Act;

Table 1. Control questions about the right to obtain information and request assistance for receiving public services

| Control questions to people | Control questions to agencies |
|--|---|
| 1. Are the services easy to find? | 1. Are the services easy to find using a search engine? |
| 2. Are the terms and conditions and the procedure for provision of services understandably described? | 2. Has the agency offered an overview of services in all information channels? |
| 3. If the most widespread communication channels are not offered, has this been reasonably justified? | 3. Is the information given about public services in the state portal, local government or sectoral portals or on the websites of agencies up to date and easy to find for users? |
| 4. Can you obtain services via electronic channels? | 4. Are public services provided without overburdening people with expenses and administrative operations, incl. is asking them to visit the agency avoided, and are services provided via the Internet? |
| 5. Can you obtain services via the most widely used operating systems? | 5. Is information offered to people via a convenient contact point and in a personalised manner? |
| 6. Does the agency offer assistance if you cannot use a computer or there is a disruption in the provision of the service? | 6. Do the channel and the user's journey in the e-service environment correspond to the needs and capabilities of the users? |
| 7. Has the e-service been adapted to smart devices? | 7. Does the agency inform actively about the options and deadlines for getting e-services? |

2. Right to use national e-ID

11. In order to obtain public services, everyone has the right to identify themselves with the national e-ID without having to go and see an official. Some services can also be provided with weaker means of identification. The more personal the data or the bigger the impact of the service, the stricter the requirements to identifying people.

12. Everyone has the right to use an electronic means of identification when communicating with agencies. An ID card or residence permit card is a mandatory identification document in Estonia, which can be used to identify oneself when receiving services at agencies or electronically, and to sign documents **digitally**. People can get advice about how to use the national e-ID by calling the number 1777 or on the website www.id.ee.

13. Agencies must have the capacity to receive digitally signed documents and confirm their own documents with digital signatures or digital stamps. A person is identified when they give their digital signature, which means that requiring the enclosure of a copy of the person's identity document with the signed application is not justified.

14. The rights of people to receive services may depend on the manner in which they identify themselves electronically. Some operations are only permitted when the highly reliable national e-ID is used for **authentication**, which other manners of authentication (e.g. Smart-ID or Facebook) are permitted in the case of some operations. The agency decides the level of reliability of the e-identification system that is used to access the services. Other means of identification may also be used if a service is not related to personal data (e.g. an archive query to the National Archives).

15. Signing documents digitally may no longer be necessary if a person has identified themselves with the national e-ID to receive a service (e.g. confirmation of the personal income tax return). Agencies must analyse their organisation of work, legislation and the needs of the recipients of documents and decide whether the documents related to the service must be digitally signed or whether authentication is sufficient.

16. If access restrictions have been established on the information moving between a person and an agency, the information may be sent to the person in **encrypted** format in such a manner that they can only open it with an ID card or an equivalent tool. The agency must explain the procedure and ways of accessing the information to people in an understandable manner.

The rights listed in this chapter are covered in the following acts:

- subsections 5 (6), 7 (3) and (4), subsections 14 (4), 25 (1), § 27, subsection 55 (3) of the Administrative Procedure Act;
- subsections 4 (1) and (2), 13 (2), 14 (2) and §§ 15 and 43 of the Public Information Act;
- § 24 of the Electronic Identification and Trust Services for Electronic Transactions Act;
- §§ 6 and 8 of the European Union Regulation on electronic identification and trust services for electronic transactions.

The national e-ID of Estonia is a means for electronic identification of persons and giving one's digital signature, which has the highest level of security. ID card, residence permit card, Mobile-ID, Digi-ID and the e-resident's ID and the PIN codes required for their use are the e-ID tools offered by the state of Estonia. The Estonian personal identification code is the basis for the national e-ID.

The people who are not citizens of Estonia and don't live in Estonia, but want to receive Estonian services, can identify themselves in an electronic environment with the e-resident's card.

The term **authentication** is often used for the electronic identification of persons.

The Estonian digital signature is an e-signature of the highest level of security that is used to give a signature that is equivalent to a handwritten signature and can be checked.

Encryption with ID card is mainly meant for transporting data in an insecure environment, such as the public Internet and e-mail. Encryption is not meant for long-term retention of data.

Table 2. Control questions about the right to use Estonian e-ID

| Control questions to people | Control questions to agencies |
|--|--|
| 1. Do you have a valid ID card (or resident permit card if you are not a citizen of Estonia or the European Union) and do you keep it very carefully? | 1. If electronic identification of persons with the national e-ID is not possible upon the provision of the service, then has this been reasonably justified? |
| 2. Are you aware of the options of using Digi-ID and Mobile-ID? | 2. Is the requirement to sign documents digitally upon the receipt of services justified and necessary? |
| 3. Have you memorised your PIN codes and do you keep them a secret? | 3. Has an analysis been carried out to determine the operations that require the service recipient to identify themselves with the national ID and the operations in the case of which a weaker means of identification is acceptable? |
| 4. Do you know how to give a digital signature? | 4. Does the agency instruct the service recipient in the use of national e-ID, e.g. direct them to the e-ID help centre? |
| 5. Do you know where to get help if you need to renew the certificates required for digital signing or to install the software required for digital signing? | |
| 6. Can you obtain the service without visiting an official in person and by using the national e-ID? | |

3. Right to receive public services easily and conveniently

17. Everyone has the right to receive public services easily and conveniently. Public services are provided in such a manner that people do not have to get caught up in technicalities. Agencies do not burden people with unreasonable demands. Agencies exchange information in order to provide services more conveniently to people. If all data exist, the agency provides the services arising from law on its own initiatives whilst also considering the wishes of the person.

18. In general, it should be possible to obtain services in such a manner that installing additional software on the recipient's computer would not be necessary. The agency includes the users in the design and testing of the services in order to make them more user-friendly. It must be possible to fill in and send web forms on a computer or smart device.

19. The use of electronic web forms must allow people to disclose all of the information that they feel should be disclosed to the public service provider. The field for explanations or comments should have enough room for text and enclosing documents with the electronic form when necessary must also be possible.

20. Upon the receipt of services, people are not required to resubmit the data that already exist in the databases of the state and local government agencies. They must also not be required to present paper documents or their copies if the data on them is held in databases. The service provider should guarantee that these data get from the databases to the e-service of the agency. The use of pre-populated web forms reduces the likelihood of

errors when data are entered and saves time for people and officials. Agencies do not require people to check or confirm the correctness of the data on pre-populated forms, but it must be possible for people to inform the agency of any mistakes they have found.

21. Agencies must not require people to obtain the approval of other agencies if the agency can obtain it itself on the basis of the existing data. If the provision or approval of a service is outside the competency of the specific agency the person contacted, the official will advise the person which agency they should contact or pass on the application themselves and inform the service recipient about this. Agencies must cooperate to share information concerning public services and use it to provide quality services.

Database or register is a streamlined data set of the state, local government or other performer of a public function that is established and used for the performance of the functions stipulated by law.

Information system consists of tools for the collection and retention, processing and issue of information. Its main elements are a database, software, hardware and other IT tools.

22. There must be a legal basis for exchanging information with other **databases** and **information systems** and the service provider must generally use a safe data exchange channel (X-road). Communication between agencies must be quick and secure so that administrative acts can be given without delay and the document exchange solution of the X-road should therefore be used for exchanging documents. Data exchange must be preferred to document exchange.

23. An agency provides services on its own initiative on the presumed intention of the people and on the basis of the data in national databases, and in compliance with the purpose of the service. For example, if a person becomes entitled to the support for pensioner living alone or exemption from land tax and all of the data required for the provision of the service exist in the agency's or the state's databases, then the service may be automatically provided. The service provider should inform the person about the receipt of the service and of the option of waiving it. The intention and right of privacy of the person are considered when services and assistance are provided.

24. The interests of people with special needs must be considered in the development of public services. For example, the websites of agencies should comply with the standard that sets requirements to web content accessibility (**WCAG** – Web Content Accessibility Guidelines).

The WCAG standard includes the requirements to website accessibility and provides the guidelines for compliance with the requirements to website developers and content editors.

The rights listed in this chapter are covered in the following acts:

- subsections 5 (2), § 6, subsection 15 (4), §§ 16 and 40 of the Administrative Procedure Act;
- subsection 17 (1) and § 18 of the Administrative Cooperation Act;
- § 13 of the General Part of the Economic Activities Code Act;
- subsections 43³ (2) and 43⁶ (2) of the Public Information Act;
- subsections 17 (1) and (3) of the General Part of the Social Code Act;
- § 6 of the European Union General Data Protection Regulation (will enter into force on 25.05.2018).

Table 3. Control questions about the right to receive public services easily and conveniently

| Control questions to people | Control questions to agencies |
|---|---|
| 1. Is the course of provision of the service understandable and convenient to you? | 1. Is an automatic data request sent to the national databases about the data required for the service after the person has been electronically identified? |
| 2. If the content of the service means that acquiring the approvals of other agencies yourself would be the reasonable option, then did the service provider give you the information and assistance required for obtaining the approval? Does the service provider share comprehensive information and assistance for acquiring the approvals? | 2. Does the agency obtain the necessary approvals itself without requiring the documents and consent of other agencies from the people? |
| 3. Are you required to provide data that you have already given to the state and that have not changed? | 3. Are services provided on the agency's own initiative and the person is only asked to give their consent if all of the data and approvals exist? |
| 4. Do the electronic web forms allow you to add sufficiently detailed explanations to their applications if necessary? | 4. Is it possible for people make proposals for improving the data in the national databases during the provision of a service? |
| 5. Can you save documents or web forms and send them without having or downloading special software? | 5. Has the agency described its services in the administration system for the state information system (RIHA)? |
| 6. Is the information required for obtaining services electronically (e.g. help, error messages, guidelines) easy to find, relevant and unambiguous? | 6. Is the information required for obtaining services electronically (e.g. help, error messages, guidelines) easy to find, relevant and unambiguous? |
| | 7. Have the interests of people with special needs been considered upon service provision (sufficient contract, the website can be read with aids)? |
| | 8. Do the information systems and software products meant for the general public include the support of Estonian language technology tools? |

4. Right to receive information about the progress of service provision

25. Everyone has the right to receive information about the progress made in processing their matters. People have the right to receive an overview of the course and deadline of service provision when they start applying for a public service. It is easy for people to check the stage that the resolution of their application has reached.

26. The websites of agencies must include unambiguous and easy to find information about whether and how an overview of the progress of the application can be obtained and by which deadline the service must be provided. In addition to other channels (e.g. telephone), it should be possible for people to also monitor the stage their application has reached in an e-service environment, and to also find out which agency or sub-agency is dealing with the application.

27. The applicant can monitor the progress of proceedings after they have been reliably identified (e.g. with the national e-ID). For example, a person can check the stage of proceedings their application has reached in the e-service of the Road. After entering the state portal and identifying oneself, it is also possible to request notifications of the stage and deadline of proceedings for some services (e.g. the services of the Social Insurance Board or the Road Administration).

28. Everyone should be able to request notifications either via an e-service environment or information gateway about the deadlines of all of the service provided to them, incl. about completed (i.e. the decision has been made) and ongoing proceedings. It should be possible for a person to request notifications themselves either as a package or one by one.

29. The service provider must also explain to people which operations the parties to the proceedings must complete themselves in advance. If the facts of the proceedings are clear and proven, the agency carries out the proceedings immediately without waiting for the deadline to arrive.

The rights listed in this chapter are covered in the following acts:

- subsection 44 (2) of the Constitution;
- subsections 35 (2), 36 (1) and § 41 of the Administrative Procedure Act;
- § 11 of the General Part of the Economic Activities Code Act.

Table 4. Control questions about the right to receive information about the progress of service provision

| Control questions to people | Control questions to agencies |
|--|---|
| 1. Do the websites of agencies give clear overviews of the services and their provision? | 1. Has the agency created the option for service recipients to monitor the progress of proceedings in the e-service environment? If such a monitoring option has not been created in the e-service environment, then does the agency reply to the queries of persons immediately? |
| 2. Have the course and deadlines of service provision been explained to you? | 2. Does the agency offer people the option to request notifications in the e-service environment? |
| 3. Can you find contact details and information about person who provides the service to you in the different stages of the proceedings on the agency's website – down to the agency, structural unit or the official? | |
| 4. Can you monitor the course of the provision of the service via the e-service environment? | |
| 5. Are you informed about the status of the service provision depending on the selected communication channel (e-service, post, telephone)? | |

5. Right to know what data agencies have collected and how they are protected

30. Everyone has the right to know what data an agency has collected about them and how they are protected. Everyone has the right to request amendment of inaccurate personal data. Personal data are collected and used for the purposes and in the extent defined by legislation. Agencies guarantee the security and reliable storage of personal data. Logs are kept of the queries made about a person and the justification of such queries is consistently checked.

Personal data means the data that can be directly or indirectly associated with a person, such as the name, date of birth, place of residence, marital status, the person's assets, etc.

Data processing means the collection, viewing, correction, amendment, retention, etc. of data pursuant to law.

31. Everyone has the right to ask an agency about the purpose for which and the legislation on the basis of which their data are collected. An agency must disclose the data they have collected about a person to them when requested by the person. When developing an information system, an agency must find the solutions that make it possible to give people overviews of who and when uses or forwards their personal data in the information system.

32. People have the right to assess the correctness of the data collected about them and inform agencies or any errors they find via the state portal or the e-service environment of the agencies, and request correction of the data.

33. As an exception, a person must not be given access to the data kept at an agency if this may damage the rights and freedoms of another person, threaten the protection of the secrecy of a child's parentage, obstruct the prevention of a crime or apprehension of a criminal offender or make ascertaining the truth in offence proceedings more difficult.

34. Agencies often ask people for the same personal data, such as their contact details, time and again. The databases of the state and local governments should exchange information and the collection of the same data for different databases should be avoided. It is in a person's own interests to give the municipal or city government information about their correct place of residence and, if necessary, the place where they are temporarily staying, and inform them when their address changes. It is also in a person's interests to activate their official e-mail address in the state portal eesti.ee.

35. A trail must be left of personal data processing at agencies. Information about personal data processing in databases could be accessible to persons in the e-service environment of the agency (if the person can be securely identified) or the state portal without the submission of an information request to the agency.

36. The agencies that manage databases should implement the Personal Data Usage Monitor software of the X-road and allow people to check in the state portal which agencies have used their data. If saving every single person-based trace would not be reasonable – for example, if data were only processed to update them or the data of several people have ended up in the result of a query, but the data of the specific person are not processed further – the agency must explain the principles of data forwarding and processing to everyone interested in this.

Personal Data Usage Monitor is a central software that allows everyone to monitor the use of their personal data via the X-road and check whether the data processor complies with the requirements of the Personal Data Protection Act.

37. Personal data may be processed in agencies only by authorised persona and only for the performance of their official duties. Personal data may not be viewed out of curiosity or on someone else's request. Data may be sent to other agencies only on the grounds and pursuant to the procedure stipulated by legislation.

38. Agencies grant access to personal data in their information systems only to those who have a justified need for this and prohibit several person logging in an information system with the same credentials. The easiest way to guarantee this is by allowing access to information systems only with national e-ID. It is possible to ascertain who viewed a document and if suitable measures are used. Since 2018 agencies have been required to appoint a data protection specialist who checks the existence of the necessary security measures.

39. When retaining personal data is no longer necessary, agencies must liquidate them by destroying the data medium or deleting the data in such a manner that they cannot be recovered. If the retention deadline has not been stipulated by legislation, this deadline will be determined by the agency considering the objectives of collecting the personal data and other needs. If data does not need to be in personalised format when retained for a long time, the data must be made anonymous. The data that must be retained for a long time will be sent to the archive.

40. If there are suspicions that the personal data in the databases of the state and local governments have been abused, the person should first request explanations from the specific agency. If such explanations are not enough, the person should contact the Data Protection Inspectorate, the police, the Chancellor of Justice or a court.

The rights listed in this chapter are covered in the following acts:

- § 6, subsections 10 (1) and (2), §§ 14, 16, 19-26 of the Personal Data Protection Act;
- subsections 28 (31¹), 43¹ (1); 43³ (2) and 43⁶ (2) of the Public Information Act;
- subsection 44 (3) of the Constitution;
- subsection 7 (4) and § 19 of the Administrative Procedure Act;
- §§ 31 and 33 of the Archives Act;
- Articles 6, 12-19, 21-25, 30 and 32 of the European Union General Data Protection Regulation (will enter into force on 20.05.2018).

Table 5. Control questions about the right to know what data agencies have collected and how they are protected

| Control questions to people | Control questions to agencies |
|---|--|
| 1. Can you find information on the agency's website about the purpose for which your personal data are collected and how the collected personal data are protected? | 1. Is information about the operations performed with personal data in the databases of agencies and about the officials who performed them saved and preserved? |
| 2. Can you check the correctness of the personal data collected about you in databases? | 2. Have the rights to access personal data only been given to officials who need to process personal data due to their duties, and to the extent required for the performance of the duties? |
| 3. Can you request amendment of your personal data if it becomes evident in the | 3. Are only such data related to persons that need to be preserved and whose |

| | |
|---|---|
| course of the provision of an service that the data are inaccurate or out of date? | preservation deadline has not expired kept in the agency's archive? |
| 4. When you inform an agency about changes in your data, does it pass this information on to the competent agency on its own initiative or does it ask you to update your data? | 4. Are personal data destroyed after the expiry of their retention deadline? |
| 5. Can you see in an online environment (e.g. the state portal) who has made queries about your data or to whom the data have been sent? | 5. Are traces (logs) of viewings and uses of the personal data of people systematically analysed in agencies? |
| 6. Does the agency explain on its website the purposes for which queries about personal data are made and to whom they are sent where necessary? | 6. Does the agency explain the goals and legal grounds of data processing to people? |
| | 7. Has the agency implemented the Personal Data Usage Monitor of the X-road and is requesting information in the state portal possible? |
| | 8. Has the agency appointed a data protection specialist and does it implement a system of information system security measures? |

6. Right to give feedback about organisation of service provision

Did you know that

It is important to analyse whether the activities of officials and the operations established in agencies contribute to the achievement of the agency's goals as it gives the state an overview of whether its activities are serving their purpose. Thus, it should be reviewed from time to time whether

- the established deadlines are adhered with when the applications of people are processed;
- people are given enough information about the agency's activities so they can exercise their rights in a timely manner;
- the services of the agencies and the information offered online are up to date;
- the web environment of the agency is easy to use etc.

An opinion like this makes it possible to decide what the quality of service provision at the agency is like.

41. Everyone has the right to express their opinion of service quality to the service provider and make proposals about the improvement of services. The recipients of public services are included in the assessment of service quality and this is part of service quality monitoring. Information about service quality is published on the website.

42. An agency must have an overview of the services it provides and the people that use them. Agencies request feedback about the e-service environment or the understandability and user-friendliness of web forms from service users and manage such feedback systematically. Everyday users are asked to provide feedback at a reasonably frequency. The people who gave not received services may be included in service testing with their consent.

43. The satisfaction of users with the service provision process is one of the indicators of the quality of service provision. The other indicators are the frequency of service provision, the cost of the services for the agency and the time people spent on obtaining the service. Other indicators are also used if necessary, e.g. how many mouse clicks have to be made to find important information on the Internet.

44. Agencies constantly assess the quality of the organisation of service provision. Agencies change the organisation of work, IT solutions or legislation on the basis of quality assessment.

45. Information about the quality of the organisation of service provision is public.

46. Agencies also monitor and assess the quality of the public services the provision of which they have delegated to the private sector.

The rights listed in this chapter are covered in the following acts:

- subsection 44 (3) and § 46 of the Constitution;
- subsections 28 (1), 32 (1) and 36 (1) of the Public Information Act;
- subsection 5 (1) of the Administrative Cooperation Act.

Table 6. Control questions about the right to give feedback about service quality

| Control questions to people | Control questions to agencies |
|--|---|
| 1. Do you know that you can give feedback and make suggestions about services? | 1. Have you explained on the agency's website how people can give feedback about service quality and make suggestions about improving the quality of services? |
| 2. Is giving an opinion about the provision of services easy, e.g. is feedback about service quality requested in the course of providing the service? | 2. Are people requested to provide feedback about the understandability and user-friendliness of the service immediately after it was provided? Is giving feedback easy for people? |
| 3. Do you give feedback if there were problems in obtaining the service? | 3. Does the agency analyse user feedback systematically? |
| 4. Do you give feedback if everything went well when obtaining the service? | 4. Does the agency regularly assess the quality of its services, incl. people's satisfaction with the services? |
| 5. If you made suggestions about improving services, have you received feedback about this? | 5. Have the service recipients been included in testing when services are developed? |
| | 6. Is information about service quality visible on the website? |
| | 7. Have the persons responsible for service quality been appointed? |

Open data means public sector information the general use of which is not restricted by law. State and local government agencies produce, collect and retain large quantities of data, such as statistical, spatial, economic and environmental data, archive materials, books, museum collections. In order to use data efficiently, they must be presented in a regular machine-readable format, which guarantees that they can be reused. Machine-readable open data can be reused by the public sector, universities and research institutions for analyses or the establishment of new services.

Open data increase the transparency of governance, inclusion of citizens, innovation; they boost the economy and scientific research.

Machine-readable means information that computer software can understand.

7. Right to receive information from agencies electronically

47. Everyone has the right to receive information from agencies via the agreed contact address or the official e-mail @eesti.ee. Information not subject to access restrictions is made public. Agencies give relevant information on their own initiative. Information of general interest is shared via the channels preferred by data users. Information is also given as open data in machine-readable format.

48. Every e-ID holder in Estonia has an official e-mail address. People activate their official e-mail address in the state portal and thereby also become users of the "My Documents" service.

49. After a person has activated their official e-mail address, the agency should use this as the primary address for giving information to them. If the official e-mail address has not been activated or if the person has requested that specific information be sent to another e-mail address or by post, the information will be sent in the requested manner.

50. If a person has activated their official e-mail address and not submitted any other contact details to the agency for information exchange, the agency will send messages about sent documents or information to the official e-mail address. The messages includes a link to the web environment where the person can read the information or document after identifying themselves electronically. If the agency does not have its own secure web environment, the document will be sent via the "My Documents" service in the state portal or by e-mail after being encrypted.

51. Agencies may sent reminders and other messages that do not contain sensitive personal data to the official e-mail address. The message must be related to the performance of public functions.

52. If information containing sensitive personal data is sent to a person's e-mail address and not to a web environment where the person can read it after identifying themselves, the information attached to the e-mail message must be encrypted. Encryption guarantees that only the person to whom the information is sent can access the sensitive data.

53. People must be included in the solution of issues related to them. Agencies must give people sufficient notice of any intentions that concern the rights and interest of people so that they can form an opinion and defend it if necessary. In order to inform about important decisions (for example, planning and environmental decisions), the agency must use the channels through which the information gets to the interested persons.

54. Everyone has the right to freely receive information for general use and to distribute it. Individuals and companies alike have the right to public information in order to acquire knowledge, make decisions and prove their administrative operations.

55. Agencies may inform about intentions and share other information of general interest via the state portal, RSS feed, social media, mobile apps or various web portals (information system for draft acts, osale.ee, Ametlikud Teadaanded, thematic portals). If possible, information should be offered according to specific areas (e.g. parents of pre-school children, business in city centre) or by the principle of regional preference (e.g. detailed plans initiated in a certain city district).

56. The agency publishes information about access to its open data and the fee charged for the reuse of such data on their website. The agency is responsible for the published open data being correct and up to date. The users who use these data repeatedly must also keep their services and data up to date and renew them if necessary. Agencies should include stakeholders, such as entrepreneurs, educational and research institutions and others in order to choose an easy way for submitting open data.

The rights listed in this chapter are covered in the following acts:

- subsection 25 (1) and § 27 of the Administrative Procedure Act;
- § 3¹, subsection 28 (31¹); § 31² of the Public Information Act;

Table 7. Control questions about the right to receive information from agencies electronically

| Control questions to people | Control questions to agencies |
|---|---|
| 1. Has your @eesti.ee address been diverted to your personal e-mail address that you check all the time? | 1. Does the agency use the opportunity to send information and documents to people via the @eesti.ee e-mail address if people have activated it? |
| 2. Is there enough space for receiving messages in your personal inbox? | 2. Does the information system allow people to review the delivered information if they have been electronically identified? |
| 3. Do you know how to open the encrypted documents sent to your e-mail address? | 3. Does the document management system allow you to send documents to people via the "My Documents" service in the state portal? |
| 4. Does the agency offer information via different electronic channels in addition to e-mail, incl. real-time advice via a messaging application or video conference? | 4. Does the agency send people reminders (e.g. about the expiry documents or other rights) or other important messages to their activated official e-mail address or another agreed e-mail address? |
| 5. Are you aware of your right to participate in the making of important decisions and be included in discussions? Do you know that information about the preparation of decisions and discussions is published in several electronic channels? | 5. Does the agency use the channels most likely to be used people to give information to them? |
| | 6. Can people use personal information services (e.g. requesting news feeds from agencies, searches according to subjects and other criteria)? |
| | 7. Are people offered access to the agency's document register and open data? |
| | 8. Are open data registered in the open data portal and are they updated regularly? |

8. Right to participate in decision-making processes

57. Everyone has the right to participate in the making of decisions that concern themselves and the society. The state and local governments support the inclusion of people in the decision-making process, guarantee that they are informed in a timely manner and create an environment where people can express their opinions.

58. In a democratic society, it is possible for everyone to be informed of the activities of public authorities, make proposals, submit opinions and receive feedback. People and stakeholders should be included in decision-making as early as possible – either when goals are set, possible solutions are offered or the drafts of decisions are presented. Agencies will ask people and stakeholders for their opinions upon consultations and give feedback about the consideration of these opinions.

59. Public consultation is used for decisions that have a considerable impact on stakeholders or that affect the development of the entire society and state. The drafts information system eelnoud.valitsus.ee is used for this purpose. It is a working environment of agencies where they can

approve documents, submit them to the Government and the Riigikogu, and where public consultations take place. The drafts information system allows everyone to monitor the processing of drafts, find documents, participate in public consultations and make comments about documents that are pending approval.

60. The drafts information system is connected to the participation website www.osale.ee, which is a communication environment for government agencies and citizens where everyone can submit proposals to the state about the creation of new or the amendment of existing legislation.

61. Proceeding from good practice, government agencies include stakeholders and the general public when decisions that concern them are made. An overview of the process of inclusion can be found at <https://www.valitsus.ee/et/kaasamine-ja-osalemine>.

62. It should also be possible to give feedback about the drafts of city and rural municipality councils and governments in the web environment in sufficient time before they are passed. Information about the work of local governments can be viewed on their websites. Some local governments also use the VOLIS software solution, which allows people to learn about the decision-making processes of local governments, incl. the processing of drafts and the work of the council. VOLIS can also be used to organise referenda.

63. Everyone can make proposals to the Riigikogu for the amendment of effective regulation or better organisation of community life by way of popular initiative. The Riigikogu must process addresses with at least 1,000 signatures. For example, the web environment rahvaalgatus.ee can be used for making proposals.

The rights listed in this chapter are covered in the following acts:

- § 4, subsection 9 (1), §§ 28, 29 and 31 of the Public Information Act;
- §§ 48 and 50 of the Administrative Procedure Act;
- Chapter 3 of the Response to Memoranda and Requests for Explanations and Submission of Collective Addresses Act.

Table 8. Control questions about the right to participate in decision-making processes

| Control questions to people | Control questions to agencies |
|--|---|
| 1. Can you use online inclusion environments such as eelnoud.valitsus.ee , osale.ee , volis.ee and rahvaalgatus.ee ? | 1. Can people obtain information about the solution of issues that are of major public interest (e.g. the establishment of construction plans) from the websites of the agency? |
| 2. Is easy for you to submit your opinions and proposals? | 2. Are people or stakeholders included in the solution of issues of major public interest on the initiative of the state or local governments? |
| 3. Does the agency give feedback about the opinions and proposals received in the course of inclusion? | 3. Does the agency publish the proposals of people or stakeholders and the feedback given about them? |