

TOWARDS PEOPLE-CENTRED, RIGHTS-BASED PUBLIC SERVICES IN PORTUGAL **SUPPORTED BY AN OECD**

ANALYSIS OF CIVIC SPACE







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Introduction

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Designing and delivering policies and services that are responsive, inclusive, and accessible to all is fundamental to empowering 21st century societies and effectively meeting citizens' needs. In 2021, the Portuguese government, through its Administrative Modernization Agency (Agência para a Modernização Administrativa, AMA), requested the OECD Secretariat to undertake a pilot review to support Portugal's ambitious vision to transform public services by leveraging civic space and applying its Guiding Principles for a Human Rights Based Approach on Public Services (hereafter the "Guiding Principles") (Government of Portugal, 2022_{[11}). The OECD defines civic space as the set of legal, policy, institutional and practical conditions necessary for non-governmental actors to access information, express themselves, associate, organise and participate in public life (OECD, 2022_{[22}).

The Portuguese government's strategic vision is to transform services under a new paradigm that places citizens front and centre. The overall aim of the review on which this Highlights is based is to support the administration to explore how civic space can contribute to more inclusive and responsive public service design and delivery. It provides findings and actionable recommendations on how the government can foster an enabling environment that promotes inclusion, empowerment, and equity in the way services are planned, designed, delivered, and evaluated in the digital era, and that engages with the Portuguese population to understand and respond to its diverse needs.

Portugal invited the OECD to assess two public services in depth to provide recommendations to improve the design and delivery of services more broadly. These two services are:

The Digital Mobile Key (Chave Móvel Digital, CMD), Portugal's digital identity solution that allows citizens to access digital services and electronically sign documents; and

The Family Benefit for Children and Young People (Abono de Família), a monthly allowance to help families support and educate their children.

The analysis presents a new approach to assessing public service reforms that integrates the OECD's work on the protection and promotion of civic space with its work on digital transformation of government. Box 1 provides an overview of the methodology.

Digital government helps to strengthen civic space as it offers citizens greater access to services and can allow for continuous feedback from users. Equally, healthy civic space and the active involvement of citizens and stakeholders results in better quality services.

Box 1. Methods and tools underpinning the review

The OECD's methodology (OECD, $2020_{(3)}$) for assessing the vitality of civic space protection and promotion was adapted to Portugal's particular request to focus on civic space for public service reforms. The analysis is based on qualitative and quantitative data gathered, using the following tools and methods:

- Government self-assessment. AMA responded to a questionnaire from the OECD Observatory of Civic Space in February 2021 which covered a range of issues on the policy and legal context, Portugal's strategic vision for civic space, achievements and challenges, key actors, oversight mechanisms and public funding for civic space protection and public service reforms, achievemets and challenges.
- Fact-finding mission. A virtual OECD fact-finding mission took place from November 2021 to February 2022, with some additional interviews between March and May 2022. Interviews were held with 39 separate entities (with public officials from 24 ministries and public institutions, in addition to 15 civil society organisations).
- Literature review. The OECD conducted an extensive review of legal texts, government policy and strategy documents, think tank and academic reports, and government websites both in English and Portuguese.
- Legal analysis. As part of its partnership with the OECD, the US Library of Congress prepared a background report on Portugal's legal frameworks governing civic space.
- Public consultation. The Observatory of Civic Space held an online public consultation from October 2021 to February 2022, inviting submissions from non-governmental actors on four issues:

1.How can Portugal strengthen its commitment to civic space?

2.How can Portugal strengthen the enabling environment for civil society?

3.How can Portugal strengthen its commitment to citizen participation in public governance?

4.How can Portugal better plan, design, deliver and evaluate public services that respond to citizens' needs?

Twenty-seven contributions were received and were incorporated into the review.

- Service blueprints. AMA commissioned a detailed assessment of two services, the Digital Mobile Key and the Family Benefit. The objective was to understand the process, institutions, actors and mechanisms underpinning the service delivery chain by mapping the "status quo" of how services are currently delivered, including where citizens may face restrictions in terms of access, inclusion or participation.
- Survey on open government. The review includes comparative data from the OECD's 2020 Survey on Open Government, which featured a section on the protection of civic space.
- Peer review. Estonia and the United Kingdom participated as peer reviewers, providing analytical inputs and examples of good practices from their administrations, in addition to reviewing and commenting on an early draft of the full review.
- Fact-checking. The review was sent to the Portuguese government for fact-checking in October 2022. Substantive feedback was received in March 2023 and fully incorporated into the report.

Chapter 1: Public Service Reforms in Portugal

Portugal's strategic vision for public services

Over the past decade, the government of Portugal has embarked on an ambitious process to place citizens at the heart of service design and delivery. It is doing so by championing pioneering efforts that recognise civic space and human rights as central to advancing people-centred reforms.

The government reiterated its commitment to "Invest in quality public services" as part of its XXII and XXIII Government Programmes (2019-2022 and 2022-2026, respectively). The XXIII Government Programme places the transformation of services high on the reform agenda to support the modernisation, simplification and digitalisation of the state, with a prominent focus on meaningfully engaging citizens in the process (Government of Portugal, 2022_[4]). At the same time, it underlines the need to "improve the quality of democracy" to bridge the growing divide between the administration and citizens. This work will focus on five targets, including "deepening decentralisation to improve democracy and public service delivery".

The aim of reforming public services has been mainstreamed as a priority across a series of government strategies and plans in recent years. Portugal's 2030 Vision, for example, acknowledges the need to gradually build capacities within the administration to deliver a new generation of public services, empower citizens to participate in public decision making and to promote the inclusion of vulnerable groups (Government of Portugal, 2020_[5]). More recently, the Recovery and Resilience Programme (RRP) 2021-2026 allocated EUR 16.644 million in investments to restore sustained economic growth following the COVID-19 pandemic. The programme was elaborated in consultation with civil society and acts as an umbrella for numerous initiatives under which public processes and procedures are to be redesigned (Government of Portugal, 2021_{res}).

These reform priorities are rooted in a strong service delivery culture in Portugal. As a relatively young democracy, the country has achieved key milestones in establishing a robust service delivery infrastructure following the fall of the dictatorship in 1974. It follows a centralised model at the national level, with 19 ministries and affiliated entities delivering services across multiple sectors (Teles, 2020_[7]). Citizens can interact with the state through various channels, including an online one-stop shop called ePortugal.gov and onsite delivery interfaces and local service desks across the country respectively called Citizen Shops and Citizen Spots.

Since 2018, Portugal has promoted the decentralisation of public service delivery across its 18 regions, 308 municipalities and 3 092 parishes in an effort to continue scaling and broadening access at the local level.

These efforts have contributed to Portugal scoring highly in international rankings in terms of overall access, delivery, and quality of services, as well as trust in government. According to 2021 data from the Varieties of Democracy Institute (hereafter "V-Dem"), Portugal scores above the OECD average on various indicators measuring access to public services by gender (3.96 out of 4), socioeconomic position (2.8 out of 4) and rural-urban location (3.5 out of 4) (V-Dem Institute, 2022_[8]). Portugal also ranks among the top 20% of countries in the World Bank Government Effectiveness Index, which includes a component on public service delivery (World Bank, 2021_[9]). According to the World Gallup Poll, confidence in the national government has also increased in Portugal from 45% in 2007 to 61% in 2020, compared to the OECD average of 51% (OECD, 2021_{rm}).

The Secretary of State for Digitalisation and Administrative Modernisation has been at the forefront of public service reform efforts. The National Strategy for Innovation and Modernization of the State and Public Administration (2020-2023) has operationalised the government's reform vision, strengthening its focus on innovation, modernisation and the ability of stakeholders to participate in the public decision-making (OECD, 2020_[11]). This work aims to transition from the use of "legally imposed and one-off consultation processes" to a "representative participatory ecosystem" that can place the voice of citizens at the centre of decision making (Government of Portugal, 2022_[12]). Notably, through the SIMPLEX flagship programme, AMA has championed the administrative simplification of key procedures, digitalised public services, strengthened delivery channels at the local level, and adopted measures to support the continuity of operations during the COVID-19 pandemic.

Under the Action Plan for Digital Transition, adopted in 2020, the government has sought to pair digitalisation with simplification to avoid obsolete or redundant processes. In doing so, it has made great advancements with the digitalisation of over 1 768 public services on the ePortugal.gov portal, in line with the aims of the SIMPLEX programme. At the same time, it has also adopted measures to address the digital divides that persist in Portugal, including management of the 845 service desks called Citizen Spots to help different population groups to access over 200 public services (see Box 6).

Together, **these initiatives have allowed Portugal to make important progress in improving the interface between the state and the public**, harnessing protected civic space to hear from citizens and respond to their needs. With the adoption of pioneering digital solutions to improve citizens' lives, Portugal has been recognised as a digital champion in several international rankings and through its membership of the prestigious Digital Nations Group.

Leveraging civic space and human rights for public service reforms

A thriving civic space emerges through the combined efforts of a range of stakeholders, including public institutions, the private sector, civil society, and citizens. Maintaining a healthy civic space, both on and offline, is a prerequisite for good governance and public service reforms. It requires constant nurturing as evidence shows it can be easily undermined both through action and inaction. The OECD's work on civil society and civic space stretches back over a decade and aims to support countries in protecting civic freedoms (in particular freedoms of expression, peaceful assembly and association), promoting a healthy public interest information ecosystem, and improving the operating environment for civil society. By protecting and promoting these areas, governments can actively facilitate effective and inclusive citizen and stakeholder participation in public decision-making, including in public service reforms.

A human rights-based approach is firmly embedded in the OECD's analytical framework on civic space protection and promotion. Recognition of the similarities between the OECD's approach to civic space protection and Portugal's approach to service reforms (in particular, its Guiding Principles 1, 2, 5, 8 and 9) led the government



of Portugal to request that the OECD undertake this review (see Box 2).

AMA's LabX (Centro para a Inovação no Setor Público, the Centre for Public Sector Innovation) championed the development of the Guiding Principles for a Human Rights Based Approach on Public Services in 2021, as part of a broader commitment to further leveraging the country's civic space to facilitate peoplecentred reforms (Government of Portugal, 2022_[1]). As the first of its kind, Portugal's methodology responds to the government's vision to gradually transform the way public institutions operate and interact with citizens by promoting a new generation of services grounded in a values-based and people-centred perspective. The introduction of the principles is particularly timely, as the government is making a series of investments in the redesign of public processes and procedures for an inclusive, fair and resilient recovery in the context of the National Recovery and Resilience Programme (NRRP) (Government of Portugal, 2021_[6]).

Box 2. Portugal's Guiding Principles for a Human Rights Based Approach on Public Services

A human rights-based approach is a method used to review policies, legal frameworks and initiatives through the lens of human rights and the state's obligation to enforce them. It defines rights-holders (citizens and stakeholders) and duty-bearers (governments), as well as the civic freedoms that people are entitled to under relevant legal frameworks. It empowers rights-holders to claim their rights and duty-bearers to meet their obligations. Accountability, empowerment, inclusion and the rule of law are embedded in the approach.

The Guiding Principles were launched during Portugal's Presidency of the Council of the European Union¹ in June 2021, following a comprehensive design process. Notably, AMA's LabX was given the mandate to develop this framework by Resolution of the Council of Ministers No. 51 of 18 June 2020 under the "Never Forget Initiative" of the 75th Programme on the Memory of the Holocaust.

The nine principles were designed based on user research studies and onsite interviews with over 700 citizens and 500 service providers across the country. Findings from this research revealed a series of challenges, including long wait times, uneven delivery across municipalities, and access barriers placing disadvantaged communities at risk of exclusion.

The nine Guiding Principles are:

5. Ensuring privacy and citizens' personal

data security.

1. Promoting citizens' participation at all stages of	6. Considering misuse cases as a serious problem
the process, particularly from excluded or	to tackle.
disadvantaged groups.	
	7. Promoting continuous services monitoring
2. Designing, first and foremost, for the communities	and assessment.
in vulnerable situations.	
	8. Developing the right-holders' and duty-bearers'
3. Analysing, in a systematic way, the expected and	capacities.
unforeseen consequences of service availability.	
	9. Ensuring transparency on obligations,
4. Valuing the process as much as the outcome.	responsibilities and rights regarding services.

1. The Portuguese Presidency of the Council of the European Union took place from January to June 2021 (https://www.2021portugal.eu/en). Source: Government of Portugal (2022₁₁), 2021 Portugal.eu – Guiding principles for a Human Rights Based Approach on Public Services, https://www. portugal.gov.pt/en/gc22/communication/document?i=guiding-principles-for-a-human-rights-based-approach-on-public-services. **Overall, the Guiding Principles provide a roadmap to usher in a new generation of public services grounded in an "omni-channel and human-centric perspective" to improve the quality, compliance and agility of existing processes and procedures.** The approach acknowledges the importance of factors such as geographic location, access to information, timeliness and special needs, all of which are core factors of high performing public service, according to the OECD Serving Citizens Framework (see Table 1) (Baredes, 2022_[13]). Recognition of these factors is particularly important to address the needs of hard-to-reach populations and to ensure equal access to services.

Table 1. The OECD Serving Citizens Framework

Access	Responsiveness	Quality
Affordability	Courtesy and treatment	Effective delivery of services and outcomes
Geographic proximity	Match of services to special needs	Consistency in service delivery and outcomes
Accessibility	Timeliness	Security (safety)

Source: Baredes (2022,14), "Serving citizens: Measuring the performance of services for a better user experience", https://doi.org/10.1787/65223af7-en.

The Guiding Principles call on policymakers to adopt a holistic perspective to guarantee the full alignment of public services with core democratic principles and values. On the one hand, they underline the need to strengthen services that directly contribute to protecting and promoting fundamental human rights, such as those related to access to health, education, and social protection. On the other hand, they also call for all public services to be accessible, transparent and responsive to people's needs. The framework underlines that fighting discrimination, addressing inequalities, enabling stakeholder participation, and promoting a digital and data-driven public sector are at the core of translating these aspirations into action.

LabX also developed a Methodological Guide for Public Services Based on Human Rights (Government of Portugal, 2021_[15]). It provides actionable instructions for public institutions to design and evaluate the performance of public services in line with each of the nine Guiding Principles, providing guidance on the use of practices and methods such as ethnographic service surveys, diagnostic tools to assess participation, stakeholder checklists and plain language guidelines, among others. As part of the Mosaico initiative , LabX is leading a gradual rollout of the Guiding Principles until 2024 in a test ecosystem composed of 25 selected services that are identified in the NRRP. This will be the first step to scaling up the adoption of the principles across the public administration, in addition to supporting the evaluation and redesign of key services.



The broader context for digital government reforms

Portugal is known for its effective and forward-looking approach to digital transformation and user-centric service design and delivery. One indicator for the effectiveness of public sector transformation is the maturity of digital government. The OECD's Digital Government Index (DGI) ranks Portugal tenth among 33 participating countries (29 OECD Members and 4 non-Members) and third among European Union (EU) countries (OECD, 2020_[16]). Table 2 summarises Portugal's performance against the six dimensions of the OECD Digital Government Policy Framework.

		Digital by design	Data-driven pubic sector	Government as a platform	Open by default	User -driven		Composite score
	Digital Government Index Score	0.63	0.5	0.85	0.55	0.43	0.52	0.58
	Rank among participating countries	10	10		26	18	10	10

Table 2. Digital Government Index: Snapshot of results from Portugal

Note: A total of 29 OECD Members and 4 non-Member countries (19 EU countries) participated in the Digital Government Index. The OECD Members that did not take part are: Australia, Hungary, Mexico, Poland, the Slovak Republic, Switzerland, Türkiye and the United States. Source: OECD (2020₍₁₆), Digital Government Index: 2019 results, https://doi.org/10.1787/4de9f5bb-en.

Portugal ranks in the top ten for four of the six dimensions, including third for "government as a platform".

Portugal's strengths in these areas allow for the use of digital technologies and data to create services that proactively meet users' needs (OECD, 2019_[17]). At the same time, Table 2 also shows two areas in which Portugal's performance could be improved. These areas – namely "user-driven" and "open by default" – are where the linkage between digital government and civic space is at its strongest.

Being user-driven is a central aspect of developing inclusive, people-centred public services. Governments that are user-driven adopt inclusive methodologies to emphasise the participatory role of people in identifying their needs and shaping the processes, services and policies that respond to them (OECD, 2020_[18]). The OECD DGI highlights three related areas – structured guidelines for engaging users, connecting work on digital divides across government and coherently measuring satisfaction – on which Portugal could place more focus.

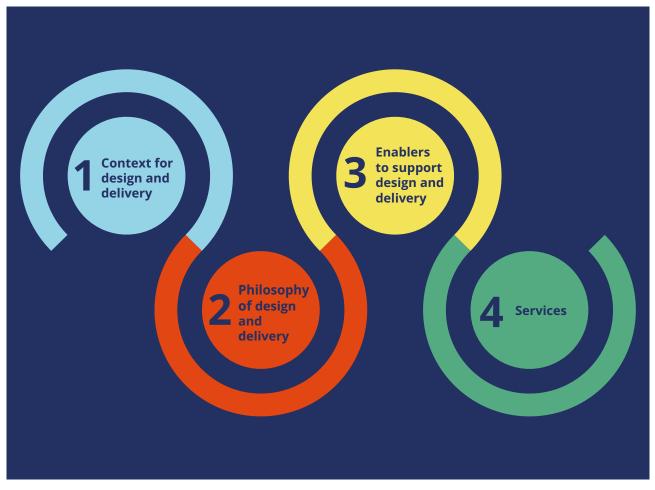
Portugal's lowest performance is in "open by default". This dimension assesses the extent to which government data and policy-making processes (including algorithms) are made available for the public to engage with, within the limits of existing legislation and in line with the national and public interest. Government openness and access to information is a crucial aspect of a robust civic space as it allows people to inform themselves about policymaking and to take informed positions in public debates. While efforts have been made to promote

open data reuse outside the public sector, the level of support for public officials, including training, remains low between the stated ambitions for inclusive engagement and the actual involvement of citizens and civil society.

The OECD Framework for Service Design and Delivery

Figure 1 provides another valuable lens through which to consider Portugal's ongoing reform processes. This framework focuses on the country-specific context and philosophy underpinning public services and the necessary enablers for their success.

Figure 1. OECD Framework for Service Design and Delivery



Source: Baredes (2022,14), "Serving citizens: Measuring the performance of services for a better user experience", https://doi.org/10.1787/65223af7-en.

1. The context for design and delivery

Leadership

Portugal's sustained political commitment to transforming public services is illustrated by the creation of a dedicated Secretary of State for Digital Transition during the XXII government, who led the development of an Action Plan for Digital Transition (Government of Portugal, 2021_[20]). The action plan recognised that achieving the full benefits of digital transformation requires a whole-of-society effort that prioritises inclusion, capacity



building and transformation across both the public and private sectors. This commitment was further extended in 2022 with the appointment of a dedicated Secretary of State for Digitalisation and Administrative Modernisation reporting directly to the Prime Minister. While ministerial-level interest and focus have been powerful catalysts for change in Portugal, establishing governance structures that can encourage a shift in the way public institutions operate is also crucial for achieving sustainable and resilient change. The Council for Information and Communication Technologies in Public Administration (Conselho para as Tecnologias de Informação e Comunicação na Administração Pública, CTIC) and the Inter-ministerial Council for Digitalization (Conselho Interministerial para a Digitalização) are important vehicles for these efforts.

Changing demographics

Portugal's demography is changing. The Portuguese population of 10.3 million is experiencing a "double demographic ageing" phenomenon, with a high share of the population over the age of 65 (182 older adults per 100 young people) together with the lowest birth rates in the EU (7.7%) (Statistics Portugal, 2021_[21]). According to the 2021 Census, the number of foreign residents in Portugal increased by 40% between 2011 and 2021, amounting to 5.4% of the total population (555 299 people) (Statistics Portugal, 2021_[21]; Esteves, 2021_[22]). It is important for those responsible for designing and delivering public services to recognise related structural trends. These include the gap in access to services and digital confidence between richer, younger, Portuguese-born individuals in urban coastal environments and poorer and older counterparts living inland, in rural settings, or those born outside of Portugal, in addition to the aging population and the growing diversity of the population.

2. The philosophy underpinning design and delivery

A focus on the philosophy underpinning public service design and delivery reflects on the behaviour and attitudes that contribute to the wider outcomes experienced by users.

Understanding whole problems and creating end-to-end solutions

The culture, attitude and behaviour of public servants play a significant role in ensuring that the outcomes of public service reform efforts reflect an aspiration to focus on people's real needs rather than responding to government priorities or desk based assumptions. Portugal has taken action to solve cross-governmental challenges and understand whole problems facing users. For example, the Citizen Shop model was inspired by the opportunity to gather multiple public institutions in one location to ensure different parts of connected processes could be completed at the same time. The culture underpinning public service reforms is changing in Portugal.

The culture, attitude and behaviour of public servants play a significant role in ensuring that the outcomes of public service reform efforts reflect an aspiration to focus on people's real needs rather than responding to government priorities or desk based assumptions. Portugal has taken action to solve cross-governmental challenges and understand whole problems facing users. For example, the Citizen Shop model was inspired by the opportunity to gather multiple public institutions in one location to ensure different parts of connected processes could be completed at the same time. The culture underpinning public service reforms is changing in Portugal with a greater receptiveness and proactivity regarding user-driven thinking and the consideration of particularly vulnerable groups who cannot always access services. However, there is still more to do to ensure end-to-end transformation that addresses whole problems. There is evidence of narrow e-government approaches (e.g. making individual interactions electronic) taking precedence over redesigning services end-to-end through the use of digital practices, technology and data.

Involving citizens and stakeholders

When designing and delivering services, it is critical to involve users in the research, testing and evaluation of new features and functionality. Prior to 2017, there were efforts to measure satisfaction, but it was uncommon for public service teams to conduct in-person exploration. Since its creation in 2017, LabX has led the way in developing a different approach that has popularised the use of experimentation, co-creation and user engagement in the design and testing of services. As a result of these efforts, there are now standardised approaches for ensuring accessibility and usability among users. However, despite the recent increase in opportunities and portals for citizens to engage, for example, AMA views the generally low appetite for participation as a key obstacle to implementing participatory initiatives.

3. Key enablers to support design and delivery

Common models and methodologies

By using policy levers and standardised models and methodologies for service design and delivery, countries can create a common understanding of how to make services more accessible, ethical, equitable and responsive to user needs. The OECD Good Practice Principles for Service Design and Delivery in the Digital Age helps guide countries in their pursuit of these goals (OECD, 2022_[23]). Adopting these models and methodologies can help to achieve uniformity and consistency, increased inclusion and accessibility, an improved user experience, and greater agility in service delivery. In Portugal, the Mosaico Common Model for the Design and Development of Digital Services (hereafter "the Common Model") sets out principles, standards, guidelines, reference architectures and common technologies underpinned by 18 pieces of national legislation and seven pieces of European legislation. AMA leads this initiative in collaboration with the CTIC. Box 3 lists the 11 principles underpinning the

Common Model. Several of the principles (e.g. numbers 1, 2, 3 and 4) are particularly relevant to civic space. Under the provisions of the NRRP, the Common Model and the Guiding Principles will be applied to the 25 priority services identified for reforms. These services have the potential to serve as models for other public institutions wishing to apply the same standards.

Box 3. Principles underpinning the Mosaico Common Model for the Design and Development of Digital Services in Portugal

The Common Model establishes 11 statements of purpose and guidelines that public entities must abide by:



In sum, while the Portuguese government has embraced an ambitious reform agenda, it faces a challenging road ahead to translate its vision for people-centred public services into action. The following chapters explore related opportunities and challenges further and provide concrete recommendations on ensuring that public services become more accessible, inclusive and responsive for all.

Chapter 2: Civic Space and its relevance for public service reforms

When civic space is protected and robust, citizens and stakeholders can play an active role in the

services that they receive. Their participation can range from influencing policy priorities to planning, tracking government budgets and expenditures, contributing to the design and delivery of public services, monitoring and evaluating results, and providing oversight and demanding accountability for public spending. This, in turn, allows governments to form strategic partnerships with civil society and align services and related policies to societal needs. Box 4 considers the unique value of the OECD's work in this area, followed by a reflection on the broad context for the protection and promotion of civic space in Portugal.

Box 4. The added value of the OECD's civic space lens for public service design and delivery

The civic space lens that is central to the review recognises that a healthy civic space is an essential precondition for effective public service reforms. It goes beyond and complements other OECD approaches to public service reform in four concrete ways:

1. A rights-based perspective

The analysis is grounded in a rights-based approach to public service design and delivery. Core to this approach is an understanding of the state as a dutybearer and individual citizens as rights-holders.

3. Analysis of the enabling environment for civil society

The review places a particular emphasis on unpacking the enabling environment in which civil society organisations operate in Portugal, recognising the positive role the sector can play in partnering with public institutions at local and national levels throughout the service delivery cycle.

2. Focus on equality and non-discrimination

The analysis is grounded in a rights-based approach to public service design and delivery. Core to this approach is an understanding of the state as a dutybearer and individual citizens as rights-holders.

4. Focus on placing citizen and stakeholder participation front and centre

The analysis places a strong focus on how governments engage with citizens and civil society in reform efforts, examining relevant legal and policy frameworks, institutions, methods, tools and fora used.

Sources: Baredes (2022_[13]), "Serving citizens: Measuring the performance of services for a better user experience", https://doi.org/10.1787/65223af7-en; Welby (2019_[25]), "The Impact of digital government on citizen well-being", https://doi.org/10.1787/24bac82f-en; OECD (2020_[26]), Digital Government in Chile – Improving Public Service Design and Delivery, https://doi.org/10.1787/b94582e8-en; OECD (2021_[27]), G20 Compendium on the Use of Digital Tools for Public Service Continuity, https://doi.org/10.1787/6f800fd5-en.

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The OECD recognises that a diverse range of actors should be involved in the design and delivery of public services in democratic societies. The chain of different actors includes politicians, line ministries and front-line public service providers, including CSOs and the private sector. Within this framework, citizens are key players in the service delivery relationship as rights holders while the state provides services for the public good as a duty holder. In return, citizens can demand information about performance from public sector institutions and enforce accountability through formal political mechanisms (e.g. elections), or other mechanisms (e.g. interest groups, protests, informal social organising). Engaging citizens and stakeholders as partners can support governments in delivering high-performing public services that are grounded in a people-centric perspective by improving: access (e.g. affordability, proximity and accessibility); responsiveness (e.g. treatment, special needs being met and timeliness); and the quality and outcomes of delivery (e.g. effectiveness, consistency and security) (Baredes, 2022₁₁₄₁).

The broader context for civic space protection in Portugal

The protection and promotion of civic space is relatively strong in Portugal. The country has made significant progress in recent decades in establishing robust regulatory, policy and institutional frameworks that foster the necessary conditions for citizens and stakeholders to access information, associate, organise, express themselves and participate in public service reforms. Over time, these efforts have contributed to Portugal's high score in international rankings on related dimensions of civic space protection and democratic governance (Box 5).

Box 5. Portugal performs well in global rankings related to civic space and democratic governance

CIVICUS rated Portugal as "open" in 2022. This is the highest possible ranking; only 3.4% of countries are in this category (CIVICUS, 2022_[28]).

According to the World Justice Project, rule of law is robust in Portugal; it ranks 27th out of the 140 countries assessed (World Justice Project, 2022_[32]). Article 19's Global Expression Report 2022 ranks Portugal as eighth out of 161 in terms of freedom of expression (Article 19, 2022₁₃₀₁).

According to Freedom House (Freedom House, $2022_{[33]}$), Portugal has a total score of 95 out of 100 with a status of "free".

Portugal ranks among the top 15% of countries in V-Dem's Liberal Democracy Index, ranking 22nd out of 178 countries (V-Dem Institute, 2022₁₂₄₁).

Sources: CIVICUS (2022_{[28}), CIVICUS Monitor, https://monitor.civicus.org/; V-Dem (2022_{[29}), Liberal Democracy Index, https://www.v-dem.net/data/the-vdem-dataset/; World Justice Project (2022_{[32}), Rule of Law Index 2022, https://worldjusticeproject.org/rule-of-law-index/global; Article 19 (2022_{[30}) Global Expression Report 2022, https://www.article19.org/wp-content/uploads/2022/06/A19-GxR-Report-22.pdf; Freedom House (2022_{[33}), Freedom in the World 2022, https://freedomhouse.org/country/portugal/freedom-world/2022; Core civic freedoms, such as those of expression (Article 37), peaceful assembly (Article 45), association (Article 46), the right to access information (Article 268), the right to personal data protection (Article 35), and the right to equality and non-discrimination (Article 13), are protected by the Portuguese Constitution. National legislation also safeguards these principles, notably through laws on access to information (Law No. 26/2016), data privacy (Law No. 58/2019), press freedom (Law No. 2/1999), discrimination (Penal Code and Law No. 3/2011) and the civil code. Two government decrees are particularly important for citizen and stakeholder participation in service delivery: Decree-Law No. 135/99, which establishes measures to receive compliments, complaints, and suggestions from users; and Decree-Law No. 274/2009, which regulates procedures related to consultations on legislation and policies that fall under the government's authority. In practice, relevant regulatory directives are operationalised through national cross-sectoral strategies in areas such as equality and non-discrimination, media literacy, inclusion, integration (e.g. of migrants), digital security, social security, and public sector innovation.

The government's efforts to protect civic freedoms have benefited from being anchored and articulated in the Portuguese open government agenda. As a member of the Open Government Partnership (OGP) since 2017, the government, through AMA, has undertaken a range of initiatives to promote the principles of transparency, integrity, accountability, and stakeholder participation. In doing so, Portugal has made significant progress with the establishment of the first national participatory budget in 2017, the open data portal in 2018 (dados.gov), a multi-stakeholder forum in 2018, a consultancy platform for citizens and stakeholders in 2019 (consulta.lex), a transparency portal in 2021 (transparência.gov), an online civic participation portal in 2021 (participa.gov), and the first-ever National Participation Day in 2022. As part of its current OGP National Action Plan (2021-2023), Portugal identified public service design and delivery as a strategic focus area by adopting a commitment aimed at "developing inclusive service channels for accessing public services" (Government of Portugal, 2021₁₃₆₁).

An OGP multi-stakeholder forum led by AMA was established to foster inclusion and collaboration in the development of Portugal's OGP National Action Plans. The forum brings together actors from civil society as well as leading entities within the Portuguese administration, such as the General Secretariat of the Presidency of the Council of Ministers, the Committee of Access to Administrative Documents and the Tax and Customs Authority, among others. The open government agenda is thus a powerful instrument to support the adoption of the Guiding Principles alongside favourable civic space conditions that can enable reforms for more inclusive and accessible public services.

At the same time, the evolving political context in Portugal calls for strengthening existing governance arrangements to facilitate the adoption of the Guiding Principles and a whole-of-government approach for their implementation. So far, anchoring the Guiding Principles in short-term initiatives (e.g. Portugal's EU Presidency) has resulted in uneven political backing and limited buy-in and uptake beyond AMA. Moving forward, efforts to update them in line with feedback and evolving needs and to promote buy-in, uptake, and their longterm sustainability, will be crucial to support a cultural shift within the Portuguese administration in the way that public services are delivered.



Chapter 3: Creating the conditions for people-centred public-services

The right conditions for people-centred, human rights-based services can be created through sustained efforts to protect civic freedoms, to promote equality and non-discrimination, and to enhance digital security, inclusion and the ethical use of technologies.

Protecting freedoms of expression, peaceful assembly, association

The protection of civic freedoms is essential so that citizens and stakeholders are able to participate in public debates, including to voice any concerns, and to advocate for their needs either as individuals or as part of collectives. **All people in Portugal have the legal right to express and publish their thoughts freely, through words, images or other means, and to receive information without impediments or discrimination.** V-Dem has consistently scored Portugal highly – higher than the OECD and EU averages - in its index measuring freedom of expression (Figure 2), although there was a drop in score in 2022. At the same time, despite a comprehensive legal framework governing access to information, both citizens and public officials lack awareness of this right, and implementation and enforcement of legal and institutional frameworks are in need of strengthening.

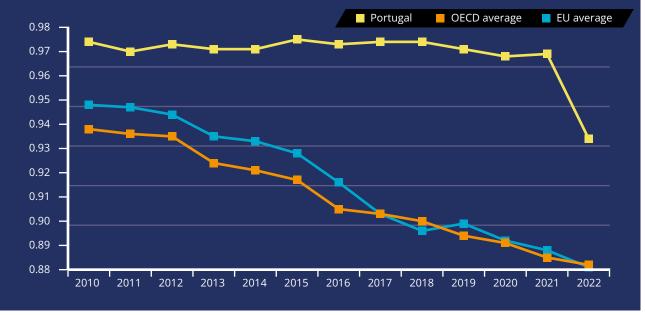


Figure 2. Freedom of expression in Portugal compared to OECD and EU, 2010-22

Note: On a scale of 0 (lowest) to 1 (highest). Source: V-Dem (2022₁₃₇), Freedom of Expression and Alternative Sources of Information Index, https://www.v-dem.net/data_analysis/VariableGraph/. All citizens have the right to assemble peacefully (including the right to protest) and relevant legislation is broadly in line with other OECD Members and with international human rights standards. Likewise, over the last decade, the country has consistently ranked among the top performers of the V-Dem index (Figure 3.) measuring protection of peaceful assembly, mostly ranking higher than the OECD and EU averages. As in many OECD Members, however, a recent decline underscores the difficulties experienced by citizens and civil society during the COVID-19 pandemic, with the introduction of confinement measures and other restrictions limiting spaces for peaceful protest. Despite the end of restrictions due to the pandemic, Portugal's score continued to decline in 2022, while the OECD and EU averages bounced back somewhat, resulting in rankings above the Portuguese score for the first time in the past decade (Figure 3).

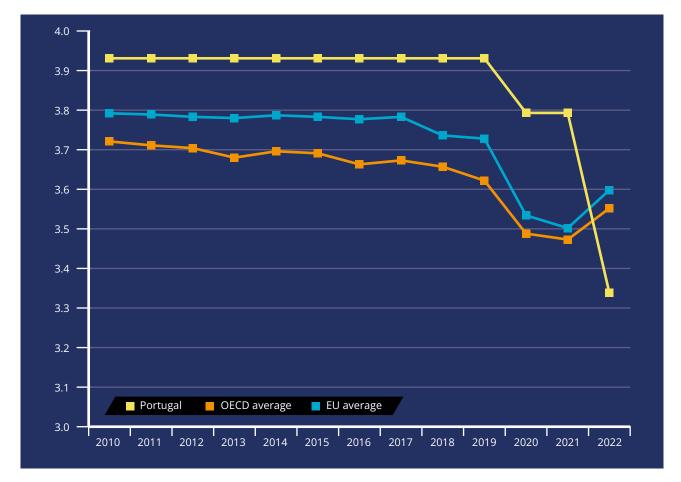


Figure 3. Freedom of peaceful assembly in Portugal compared to OECD and EU, 2010-22

Note: On a scale of 0 (low) to 4 (high). The V-Dem Institute's indicator on freedom of peaceful assembly is based on the evaluation of multiple ratings provided by country experts, of whom about 85% are academics or professionals working in media or public affairs (e.g. senior analysts, editors, judges); about two-thirds are also nationals of and/or residents in a country and have documented knowledge of both that country and a specific substantive area. Source: V-Dem (2022₁₃₈), Freedom of Peaceful Assembly Indicator, https://www.v-dem.net/data_analysis/VariableGraph/.

Citizens have the right to form associations freely and without prior authorisation, except for those aiming to promote violence. Associations may pursue their objectives freely and without interference from public authorities, and they may not be dissolved by the state, nor can their activities be suspended, except by judicial decision (see Chapter 4 on strengthening participation through support to civil society).



Promoting equality and non-discrimination

Equality and non-discrimination are cross-cutting themes in the OECD's work on civic space, as both are essential preconditions for inclusive, responsive and effective democratic participation on an equal basis with others. These principles are particularly essential to service design and delivery as, when enforced, they can provide protection to marginalised persons and groups from exclusion. It is thus essential that teams developing public services consider from the outset which groups in society may face obstacles in accessing services and work to address this as part of the design process. Ongoing monitoring of accessibility and feedback to understand which groups are excluded and what their – possibly evolving - needs are, is also key.

Overall, challenges related to discrimination, racism and exclusion are hindering the ability of vulnerable and marginalised groups to access public services on an equal basis in Portugal. Notably, the Guiding Principles (Principles 1 and 2) highlight the need to ensure that public services are accessible to all people. Discrimination and social exclusion reflect a crosscutting challenge in Portugal that is of acute relevance for initiatives to foster more people-centred service design and delivery.

Portugal has made notable progress in creating policies, such as thematic strategies, for different vulnerable and underrepresented populations, and in championing targeted initiatives to facilitate equal access to services. Yet, despite these efforts, challenges persist. Multiple stakeholders indicate that there is a rise in xenophobic and anti-immigrant, anti-Roma and racist sentiments (CommHRCoE, 2021_[39]; Freedom House, 2021_[40]; FRA, 2021_[41]; ECRI, 2018₁₄₂₁). There is an overall trend of rising numbers of related complaints and manifestations of racial hatred, xenophobia and intolerance in Portuguese society. This is reflected in the number of complaints received by the Commission for Equality and Against Racial Discrimination, which saw a 44% increase between 2017 and 2021 (Commission for Equality and Against Racial Discrimination, 2021₁₄₃₁). There is also a rise in the number of hate crimes reported, reaching 150 in 2021, an increase of 14% compared to 2020. In addition, there has been an increase in hate speech in the public and online space against minorities and vulnerable groups.

To combat discrimination and prejudice against the Roma community, both the government and CSOs have conducted awareness-raising campaigns. Portugal has also made notable efforts to support migrants and refugees. Under the purview of the High Commission for Migration (ACM), under the Ministry of Internal Affairs, the National Support Centre for the Integration of Migrants (CNAI) was created to provide one-stop shop assistance by grouping all relevant services, institutions and support offices in one place. Portugal has a Network of 144 Local Support Centres for the Integration of Migrants (known as CLAIM). There are also multiple active municipal plans for the integration of migrants. Despite measurable improvements, however, this group continues to encounter challenges in accessing public services.

The foreign-born population in Portugal was 0.7 million in 2021, representing 6.5% of the population (OECD, $2022_{[44]}$). As of May 2022, there were 52 active municipal plans for the integration of migrants.

Reinforcing institutional mechanisms to safeguard fundamental rights

The Portuguese Ombudsman and the thematic national commissions (e.g. the Commission for Equality and against Racial Discrimination, CICDR) function as oversight bodies with the ability to receive complaints, including related to access to public services. They help to protect victims of discrimination and supervise the implementation of strategic commitments by relevant line ministries. In practice, the Ombudsman receives and analyses complaints made against public authorities. It can launch inquiries and investigations and provide recommendations. However, it does not have enforcement powers. The CICDR has the competency to receive complaints based on discrimination, apply sanctions, and recommend measures to prevent discrimination. Public officials noted that oversight bodies lack adequate human and financial resources, hindering their ability to effectively deliver on their respective mandates.

Enhancing digital security, inclusion, and people-centred use of technologies

In today's fast-paced and evolving digital era, public service provision is being revolutionised through digitalisation, while at the same time yielding challenges related to data privacy, equal access and digital divides. Technological developments are taking place faster than the speed at which governments can readily integrate them into existing public service delivery models, and there can be tensions between the use of technology and the safeguarding of fundamental rights.

Digital transformation of the public sector for a new generation of people-centred services

Portugal continues to promote digital transformation of its public sector and is considered a leader in the digitalisation of public services. The country ranks 15th out of the 27 EU countries that are part of the 2022 edition of the Digital Economy and Society Index (European Commission, 2022_[45]) and is in line with the provisions of the OECD Recommendation on Digital Government Strategies.

Efforts in this regard have at the same time supported a move towards a data-driven public sector. The Portuguese government has a robust open government data (OGD) governance framework that is led and coordinated by AMA. A key enabling factor has been AMA's financial autonomy which protects OGD funding from the influence of political cycles. Citizens can access a wide range of public services through a robust online and offline delivery architecture. As mentioned above, the ePortugal.gov portal launched in 2019 serves as an entry point for citizens and businesses to access online public services. It has various features to facilitate online interactions with the state, including services organised under life events, a directory of public websites, a map for onsite service provision, a complaints mechanism and sites to access personalised information on medical and fiscal services. In addition, Citizen Shops and Citizen Spots provide access to over 200 public services (Box 6).



ePortugal

The national digital gateway, ePortugal.gov, is the focal point for access to information and public services. It includes Sigma, a virtual assistant (chatbot) that can carry out services such as changing a citizen's address.

Citizen Map

The Citizen Map is available through a web browser or its own dedicate mobile apps and catalogues over 5 000 locations relating to public services.

Citizen Spots

845 Citizen Spots provide a physical counter that combines digital services from different public institutions (or public interest entities, such as utilities) in a single helpdesk.

Business Spots

32 Business Spots support entrepreneurs, including in learning about creating a business, carrying out company registration or seeking information on relevant legislation.

Citizen and Business Contact Centres

Portugal has dedicated contact centres for both citizens and businesses that can be reached either by telephone or via a series of web-based contact forms on ePortugal.gov.

Citizen Shops

At 68 dedicated locations around the country, Citizen Shops place multiple public and private entities in the same physical space to make it easier to address needs that cover multiple organisations as well as providing benefits in economies of scale and scope to the public sector.

Sector-specific channels

Different sectors and organisations maintain their own websites and in-person service channels. There are over 3 000 in-person locations in Portugal. 763 offer employment services, 339 focus on tax and finance, 295 provide support for social security and pensions, 45 are dedicated to mobility and transport, and 33 handle working conditions. There are also 609 courthouses and 407 registry offices.

Sources: AMA (n.d._{[46}], Service, https://www.ama.gov.pt/web/agencia-para-a-modernizacao-administrativa/atendimento; ePortugal (ePortugal, n.d._{[47}), Locations for public services – addresses and hours, https://eportugal.gov.pt/locais-de-atendimento-de-servicos-publicos.

Addressing data privacy and digital security concerns to increase trust in government digital services

The protection of privacy and personal data are at the core of a fair and inclusive digital civic space. While digital transformation has opened a new realm of possibilities for governments to provide higher quality services, notably by automatising the handling of large volumes of data, it has also introduced various risks in terms of an individual's privacy, cybersecurity attacks and growing instances of surveillance (OECD, 2021_[48]). As part of ongoing efforts towards enabling a data-driven public sector, Portugal has taken important steps to protect personal data in the framework of the EU's General Data Protection Regulation (GDPR), alongside the gradual consolidation of a robust digital security policy, for example, through the National Cyber Space Strategy (2019-2023) and the creation of the Observatory for Cybersecurity (Observatório de Cibersegurança). Despite these achievements, perceptions of low digital security and data protection in Portugal are contributing to the limited uptake of both online and offline public services.

As in other OECD Members, Portugal is increasingly using digital technologies to share data between public and private institutions, in addition to using biometric data and video surveillance. As the government explores potential avenues to integrate the use of biometric data in public services, such as the Digital Mobile Key, there is an opportunity to engage with CSOs and other relevant actors to introduce safeguards against breaches of privacy and instances of surveillance curtailing civic freedoms.

Bridging digital divides for more inclusive and accessible public services

Equal access to government digital services requires ensuring an inclusive digital transformation. Digital inclusion has remained a high priority for the Portuguese government. Notably, the Iniciativa Nacional Competências Digitais Programme (INCoDe) launched in 2017 and updated in 2021 has sought to enhance digital development through a series of integrated policies in government programmes. Furthermore, through the Observatory of Digital Competencies, various initiatives have been launched such as trainings, education programmes, research, and the creation of communities to address inclusion issues (e.g. for elder citizens) (Government of Portugal, 2019_[49]). Despite these efforts, a large share of the Portuguese population is still not sufficiently well-equipped to take part in today's digital society. As Figure 4 illustrates, the total share of individuals with general digital skills (basic or above basic) is slightly below the OECD average with large discrepancies between the elderly (13%) and young people (65%) (OECD, 2021₁₄₈₁).



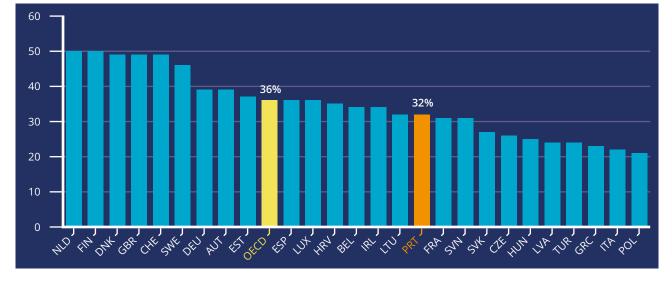


Figure 4. Levels of digital skills by country

Note: Eurostat Indicator: Individuals with basic or above basic digital skills. Source: Eurostat (2021₁₅₀), Individuals' level of digital skills, https://ec.europa.eu/eurostat/databrowser/view/isoc_sk_dskl_i21/default/table?lang=en.

The resulting digital divides continue to present barriers for different groups to access online public services. Approximately one out of five individuals in Portugal does not have access to the Internet and the usage rate of in the last 12 months (82%) remained below the OECD average (88%) (OECD, 2021_[48]). With pronounced income disparities at the local level, access to online public services has thus remained uneven across regions. While Citizen Shops and Citizen Spots have been crucial to bridging this gap through the delivery of onsite services at the local level, their availability is not evenly distributed. Older segments of the population (aged 65-74) have faced increasing instances of exclusion and have been one of the main target audiences of the INCoDe Programme, notably through specialised training (Programa Literacia Digital 50+) and support in accessing online interfaces (Government of Portugal, n.d.₁₅₁₁).

According to Eurostat, 49% of the total population in Portugal used online public services in 2021 (Eurostat, 2021₁₅₂₁).

Promoting ethical use of technologies in the delivery of public services

With digital transformation at the core of ongoing reforms in Portugal, algorithms and other artificial intelligence technologies are increasingly being used to automate and improve the quality of public services. There is room to strengthen the responsible use of artificial intelligence in the public sector by increasing transparency concerning the use of algorithms. For example, it is difficult to understand how decisions on the allocation of social benefits are made using algorithmic processing, as there is limited information available in existing guidelines and institutional websites on the criteria used.

Chapter 4: Promoting participation in the design and delivery of public services

Portugal's high-level political commitment to fostering participatory practices in public services is supported by a diverse set of policy documents, including strategies, roadmaps and plans. Importantly, the Guiding Principles call on public sector providers to promote participation at all stages of the process, with a focus on vulnerable or disadvantaged groups, as well as developing right-holders' and duty-bearers' capacities.

Guiding Principle 1: Promote citizens' participation at all stages of the process, particularly from the excluded or disadvantaged groups

When designing a new service, it should be ensured that citizens are involved at all stages of the process, whether in the research, co-creation or new service piloting and monitoring, ensuring that it avoids inequalities, discriminatory practices or unfair power relations that may promote fundamental rights alienation.

Guiding Principle 8: Developing the rightholders and duty-bearers' capacities

To guarantee stakeholders' empowerment, it is crucial to ensure that duty-bearers have the knowledge, mandate, resources and willingness to fulfil their obligations and that right-holders know, in turn, how to claim them and who they can hold responsible for any gaps, ensuring accountability, transparency, participation and non-discrimination.

Notably, the Transformar programme, which promotes administrative modernisation and is managed by LabX, has a dedicated focus on participation. It aims at "developing a broad and inclusive participatory ecosystem and systematically incorporating it into public management, in each organisational and cultural context" (LabX, n.d._[53]). Sectoral policy documents focused on particular groups play an important role in promoting participation concerning services, such as the National Strategy on the Rights of the Child (2021-2024), the National Implementation Plan of the Global Compact for Migration (adopted in 2019), and the National Strategy for Equality and Non-Discrimination (2018-2030). These documents were not only elaborated in a participatory

manner, but also tailored to include actions that increase the access and engagement of stakeholders in the service cycle.

Nevertheless, while various policy documents encourage participation in their specific domains, efforts appear to be disjointed and the overall national participation agenda lacks whole-ofgovernment coordination and steering. There is, thus, an opportunity to develop a more comprehensive participation strategy to outline the government's vision, set long-term objectives and milestones, improve coordination, and introduce monitoring and evaluation, possibly as part of a broader strategy supporting the civil society sector.



Utilising mechanisms and tools to strengthen participation

Portugal has elaborated a wide variety of mechanisms and tools to consult citizens and stakeholders, including in relation to public services.

Information mechanisms

Information mechanisms are shaped by relevant laws on access to information, as these cover both reactive and proactive disclosure of information. In 2018, the government released a new version of its centralised open data portal (dados.gov), where users can directly access and reuse public data sets from different public bodies. Nevertheless, Portugal currently ranks 23rd out of 34 countries on the 2019 OURData Index, with an overall score of 0.51, below the OECD average of 0.60 (OECD, 2019_[54]). While there has been progress in terms of data accessibility, Portugal ranks below the OECD average in terms of data availability and, importantly, in government support for data reuse. Portugal has taken recent steps to develop portals for the proactive publication of sectoral information, with one example being the Transparência.gov portal.

Consultations on legislation and policies

Portuguese citizens and stakeholders have a range of opportunities to provide feedback on new legislation and policies. For example, the ConsultaLex.gov platform allows them to participate in the legislative process and submit suggestions. To date, the platform has gathered 3 714 comments in 224 public consultations on regulations. Consultations are also held on the elaboration of policy documents, as is the case in most OECD Members.

Participatory budgeting

Consultation also takes place in the context of the budget cycle, including on the budget allocated to public service provision. Among the different types of innovative citizen participation that exist, Portugal has been a champion of participatory budgeting. Since the early 2000s, it has been practicing participatory budgeting at the municipal level. In 2017, it conducted the first nationwide participatory budget in the world, the Participatory Budget of Portugal initiative, which is now an annual exercise.

Participatory methods that are specific to public services

Decree-Law No. 135/99 requires all service providers to pursue administrative modernisation, including through the consideration of feedback from users. AMA's online platform (participa.gov) is a key tool that allows users to provide feedback. In line with EU standards on usability and accessibility, AMA also conducts consultations with end users of its online platforms, which often relate to public services. For instance, in the framework of the SIMPLEX programme, LabX consults users of the ePortugal.gov portal to identify avenues for improvement. Another example is the Usability and Accessibility Seal, which assesses how user-friendly the websites of public institutions are and rewards them with bronze, silver or gold seals. More broadly, all portals have feedback mechanisms. LabX also conducts ad hoc initiatives that aim to embed citizen participation and co-creation in the design and testing of public services, for example with language simplification workshops aimed at making public documents more accessible for citizens.

Regarding offline methods, each service provider has a physical complaints book called the Yellow Paper Book and a box to receive complaints, compliments, and suggestions. More recently, the government developed an online version called the Electronic Yellow Book (Livro Amarelo Eletrónico). It works as a centralised online portal where citizens and stakeholders can submit feedback regarding public services. In 2021, the government updated the portal to make it more user-friendly. Whether a complaint is submitted online or offline, service providers are obliged to respond with due justification and, if applicable, on the measures taken or to be taken, within a maximum of 15 days. Surveys are also conducted at the end of calls to access services via call centres and visitors to Citizen Shops are invited to evaluate their experience via QR code or SMS. In addition, AMA conducts annual surveys through the Citizen Shops and Citizen Spots. While these provide a valuable snapshot of service performance once a year, they lack real-time insights, however, that could be used to iterate services and improve outcomes for users.

Beyond what is mandated by law and the ad hoc consultations on in-person services and online platforms, there is no systematic monitoring of who is – and who is not – accessing services and providing feedback. Indeed, the absence of effective mechanisms for the involvement of users that systematically integrate their feedback in public service design makes participatory outcomes dependent on individuals and their personal workloads, levels of interest, context, and time. While CSOs regularly take part in relevant consultations, there is an opportunity to enhance this partnership. The lack of meaningful participation opportunities was the most frequently noted concern in the OECD's public consultation for the review.

Reinforcing institutional support for participation

Institutional responsibilities for participation are mainly linked to efforts to move towards more digital and data-driven service delivery. AMA oversees the implementation of the SIMPLEX programme and the Portugal Participatory Budget as well as the coordination of the OGP process. The advisory groups of ad hoc oversight mechanisms in thematic policy areas are also key players. These bodies are composed of a variety of stakeholders from the public sector and civil society that are relevant to each policy area. Examples include the Commission for Citizenship and Gender Equality and the three advisory groups of the High Commission for Migration: the Council for Migration; the Consultative Council for the Integration of Roma Communities; and the Commission for Equality and against Racial Discrimination.

Individual ministries, such as health and education, also play an important role. The current Government Programme notes that public participation in the life of health services is essential as it allows citizens "to become active agents in the management of their pathways in the health services, promotes the organisation of civil society associations that represent the interests of users and contributes to a culture of transparency and accountability". Similarly, in the education sector, the government has pledged to focus on promoting youth participation.

The institutional architecture has, thus, enabled the elaboration of policy frameworks, mechanisms and tools that have effectively increased the engagement and variety of stakeholders involved in service design and delivery. While public institutions routinely conduct participatory practices, most lack a designated mechanism to lead and co-ordinate related activities. As a result, public officials reported that although there is strong will, institutions and personnel lack the necessary skills, capacities, and guidance and have a limited understanding of existing legal and policy frameworks. The centre of government could empower AMA by communicating its mandate on participation more widely across the ministries and ensuring it has the tools and political backing to fulfil its role.



Strengthening support to civil society

A healthy and vibrant environment for civil society to operate in is a key enabler of inclusive and effective participation in service design and delivery. Civil society benefits from a relatively favourable enabling environment in Portugal. Data from V-Dem illustrate that Portugal is above or in line with the OECD average in terms of the robustness of its civil society (0.85 out of 1 in the Core CSO Index) and benefits from low levels of CSO repression (3.74 out of 4) and a high degree of CSO consultation (1.52 out of 2) (see Figure 5).

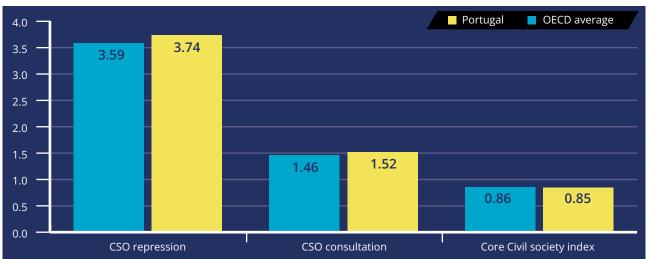


Figure 5. Portugal's scores in Varieties of Democracy Institute's civil society indices, 2022

Note: CSO repression indicator (on a scale of 0-4, where 0 indicates severe CSO repression and 4 no repression); CSO consultation indicator (on a scale of 0-2, where 0 indicates no consultation exists and 2 indicates CSOs are given a voice on key policy issues); the Core CSO Index measures how robust civil society is (on a scale of 0-1, where 0 indicates low and 1 high). Source: V-Dem (2022₁₅₅), Indicators on core CSO index, CSO repression and CSO consultation, https://www.v-dem.net/data_analysis/CountryGraph.

CSOs are generally led by volunteers, with only a small share composed of remunerated staff. At the same time, CSOs have been able to consolidate a strong presence and foster inter-agency collaboration through various national networks and platforms. There are three major federate structures bringing civil society together and facilitating collaboration: the National Confederation of Solidarity Institutions (Confederação Nacional das Instituições de Solidariedade), the Union of Portuguese Holy Houses of Mercy (União das Misericórdias Portuguesas) and the Union of Portuguese Mutualities (União da Mutualidades Portuguesas).

CSOs continue to fulfil a primary role in bridging delivery gaps and facilitating access to a broad range of public services. Notably, the Portuguese state regularly contracts private institutions and other non-governmental associations to provide vital social care services, with a focus on child and elderly care. These actors are primary partners implementing programmes as part of government strategic plans in areas such as inclusion, combating discrimination, gender equality and media literacy. In addition, Portuguese migrant associations serve as a first point of contact and play an important role in the integration of these communities in public life through awareness-raising, accompaniment in formal state documentation processes, and language facilitation. CSOs have been important advocates for the rights of marginalised groups in the design of policies and services. They also act as a first line of defence in their function as watchdogs by holding public institutions accountable for the delivery of public services and social programmes. Notably, there was consensus during interviews for the review that the CSO sector in Portugal has played a critical historical role in reporting cases pertaining to lack of access to public services and other shortcomings through international fora, national complaint mechanisms, and other informal avenues. **The government has recognised the important contribution of civil society in its Guiding Principles.** In this context, it could consider developing an overarching policy framework to formalise, align and scale its work with the sector. The use of a CSO policy or strategy is a helpful practice that has been adopted in 68% of OECD Members to improve and promote an enabling environment for CSOs (OECD, 2022₁₂).

Ensuring access to funding for civil society

Access to funding is a core component of the necessary enabling environment for CSOs to flourish, operate and partake in public decision making. It comes in different forms (e.g. core funding, project funding, procurement for service delivery) for different purposes and related transparency measures help to ensure accountability, particularly as regards funding for public service delivery. As in many OECD Members, the sustainability of the civil society sector is a significant challenge in Portugal. Government support has been particularly prominent in the domains of citizenship, gender equality, combating discrimination and social inclusion in recent years (FRA, 2021₁₅₇₁). In the framework of the Portugal 2020 Programme, the Commission for Citizenship and Gender Equality directed resources towards the promotion of human rights and social inclusion to mitigate the effects of the COVID-19 pandemic. EUR 22 million were allocated as part of the programme to more than 200 initiatives led by CSOs working on a variety of issues. Financial resources provided by subnational governments represent a lifeline for the survival of small and local CSOs. These federal government funds are complemented by substantial contributions from the EU and the financial mechanism of the European Economic Area (EEA Grants). Private donations are another important source of income, although there is no consolidated data available from the government on funding sources. Table 3 provides an overview of obstacles to accessing funds, both public and private, for CSOs operating in Portugal. The sector could benefit from the collection and centralisation of upto-date data on government funding and related opportunities, including to promote equal access to disbursed funds, in addition to transparency and accountability.

Type of funding	Main obstacles
Government funding	 Over-reliance of CSOs on this type of funding. Insufficient resources disbursed. Short-term time frame of funding. Low levels of awareness due to the ad hoc, fragmented and disjointed nature of available funding opportunities. Communication around these opportunities is limited and dispersed. Allocation of funding to a limited list of priority policy issues. High-risk financing modality introducing the need to incur a debt upfront and conditioning the transfer of funds upon the completion of project activities. Access to funds predetermined by economies of scale. Complex application process to access funds. Administrative burdens.
International funding	 Accessed is through open calls managed by government institutions. Burdensome processes that can favour long-term and large-scale projects. Limited scope of policy issues that does not represent the diverse Portuguese sector. Limited support from foundations.
Donations from individuals	 High degree of competition. Only organisations with "public utility" designation can benefit from this type of funding.
Donations from the private sector	 Limited in number. Incentives for corporations to donate have decreased in light of the negative economic impacts of the COVID-19 pandemic. Absence of tax incentives for corporations to provide funding for CSOs.

Table 3. Overview of obstacles for the civil society sector in Portugal to access funding



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Chapter 5: Putting a people-centred approach to public services into practice

This final chapter considers how to implement the Guiding Principles in ongoing service design and delivery in practice. It begins with a review of the two case studies chosen by the Government of Portugal for the review, the

Digital Mobile Key (Box 7) and the Family Benefit for Children and Young People (Box 8). Drawing on the analysis of the two services and civic space protection more generally, it ends with reflections on achieving more inclusive, accessible, rights-based and people-centred public service design and delivery across the entire public sector in Portugal.

Box 7. Case study: Digital Mobile Key

The Digital Mobile Key (Chave Móvel Digital, CMD) is Portugal's national mobile digital identity solution that allows citizens to access digital services and electronically sign documents using their smartphones, tablets or laptops. The CMD offers a simple and convenient way to access multiple services provided by both the public and private sectors, handled through two-factor authentication via SMS or email. Before the introduction of the CMD, authentication was managed by logging in with different credentials for each service provider or by using an individual's Citizen Card with a physical card reader and authentication with a personal PIN (which was generated when the card was issued).

The CMD team conducts user research and embraces an agile methodology, releasing updates and improvements in two-week sprints based on user feedback. Adoption of the CMD has accelerated in recent years, growing from around 250 000 activations a year to over 1 million for the last four years, with a cumulative total of 4.8 million active CMD accounts representing approximately 59% of the eligible population in Portugal (Figure 6).

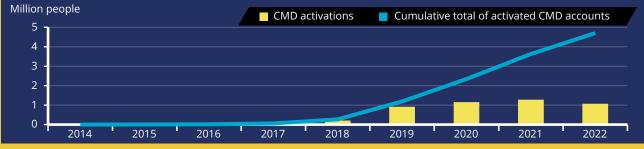


Figure 6. Adoption of the Digital Mobile Key in Portugal, 2014-22

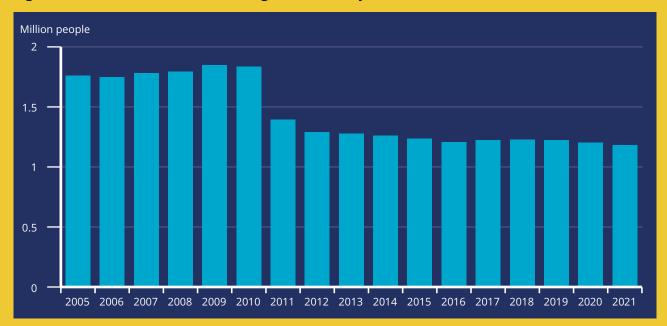
Source: Autenticacao.gov (2022, ss), Digital Mobile Key statistics, https://www.autenticacao.gov.pt/web/guest/estatisticas-de-chave-movel-digital.

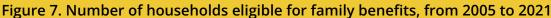
To improve speed and usability, the option of activating the CMD using biometrics and the autenticação.gov app was launched in January 2023. The biometric functionality of the CMD leverages a user's facial image as well as their fingerprints to confirm their identity against the data contained within a user's Citizen Card. Another option is the Serviços Públicos app on Vodafone TV. Prompted by a proposal made through the SIMPLEX Programme, this app allows users to access a handful of services, including to request the CMD, which then generates a letter sent to the user's address with the confirmation details.

Box 8. Case study: Family Benefit for Children and Young People

The Family Benefit for Children and Young People (the Abono de Família, hereafter "the Family Benefit") is a monthly allowance paid to help families support and educate their children. It is managed by the Social Security Institute (Segurança Social, SSI). The procedure can be initiated by parents, legal representatives, the person, or entity responsible for the child or the young person themself, if over the age of 18. To apply for the benefit, both legal representatives and the child need to have a social security number.

Children and young people are eligible if they live in Portugal and are not in employment. In all cases, the household must qualify on two fronts: the total worth of movable assets must be less than EUR 105 314.40, and the family's reference income must be equal to or less than the fourth income bracket level, which was EUR 19 696 in 2022. Figure 7 shows that, after a dramatic reduction in the number of those eligible for family benefits between 2010 and 2011, the figure was 1.17 million in 2021, the lowest since 2005.





Source: SSI (2022_[59]), Statistics, https://www.seg-social.pt/estatisticas.

The process to receive the Family Benefit is cumbersome, requiring users to assemble different documentation and complete multiple application forms. Much of the information required by the SSI to validate a claim could potentially be sourced from within the government, thereby reducing the administrative burden on users and the time taken to process a claim. The SSI recognises that there are opportunities to make its services more userfriendly and has worked with researchers to identify means of improvement.

At the same time, the SSI does not have a structured or real-time approach to obtaining quantitative or qualitative feedback, which limits the extent to which these services are subject to continuous development. Citizens can submit written complaints that districts are expected to address within ten days. However, it is not easy to lodge a complaint, and the complaints themselves are not managed within a centralised system, meaning there is no analysis of recurring issues or any insights that could improve the system as a whole.



How these services reflect the Guiding Principles for a Human Rights Based Approach

Principles 1-4: Shaping the design of a service

1. Promote citizens' participation at all stages of the process, particularly from excluded or disadvantaged groups (partially met)

The first principle emphasises the importance of integrating the perspective of users throughout the entire life cycle of a service, from its conception through implementation and ongoing operations and improvement. While the respective CMD and Family Benefit teams incorporated user input into their design approach, the ambition expressed by this principle to promote participation at all stages and from disadvantaged groups was not central to their initial design or ongoing practice. Neither service assessed the extent of adoption among eligible recipients, leaving both lacking insight into the experiences of potentially excluded groups. While both are established services, there are opportunities to reconsider their operations to promote a more participatory and inclusive model. For example, the Family Benefit service already has an existing structure that could facilitate the participation of vulnerable groups. The SSI works in the community with households through its national network of social workers, providing a real opportunity to develop approaches that consistently embed user-driven and user-centred understanding of people's needs throughout the service life cycle.

2. Design, first and foremost, for the communities in vulnerable situations (partially met)

The second principle challenges those designing public services to address the most fragile and vulnerable communities before considering other user groups. This involves understanding users' circumstances when they express a particular need and being able to identify the "whole problem" they face.

The Family Benefit responds to a well-understood and articulated need for vulnerable communities. Its eligibility criteria indicate its purpose of targeting those who need it most. However, while the policies themselves are strong, the onus is on individuals to apply for services; applications for multiple allowances are not proactively triggered and assessed using data already held by the government. Similarly, although people can acquire and activate their CMD through different channels, there are still barriers to access, especially for those in vulnerable circumstances who may not have access to a mobile phone or the necessary documentation. While the design of the CMD as a self-contained solution is helping to achieve greater levels of adoption, it needs to be understood in the context of more general challenges related to authentication. These include the need to recognise cross-border digital identities and empower citizens to control and manage consent about how their data are used and exchanged within the government.

3. Analyse, in a systematic way, the expected and unforeseen consequences of service availability (not met)

The third principle stresses the importance of being analytical in framing, understanding, and mapping the impact of public services, both expected and unforeseen. By engaging users in the design process, services can better meet the needs of vulnerable populations and become more responsive. Consequence scanning is therefore essential as a tool for ensuring teams are aware of how their work affects users. Unfortunately, there was limited evidence that the Family Benefit or CMD teams had established practices, either ad hoc or systematic, for analysing the consequences of their services. Using the tools that are already at LabX's disposal, such as the Anticipatory Innovation Starter Kit – which was developed with the support of the OECD – could contribute to strengthening the adoption of this principle.

4. Value the process as much as the outcome (not met)

The fourth principle is a crucial aspect of changing the mindset of public service teams in Portugal. While the outcome of a service is important, this principle calls for teams to focus on the process as well. This means that internal aspects of the service should be sustainable and reflect the ideals of being inclusive, accessible and people-centric. Both the CMD and Family Benefit teams are focused on delivering the intended outcomes for their users. However, the process has not been given as much prominence as it could have. More emphasis could have been placed on encouraging exchanges between service providers and citizens, providing responses to their feedback, and building trust by showing how their insights were reflected. Doing so would improve the user experience and, consequently, the overall outcome.

Principles 5 and 6: Technical maturity

5. Ensure privacy and citizens' personal data security (met)

The fifth principle is core to designing and delivering public services in the digital age. In recent years, incidents of mishandled data and privacy breaches have damaged trust in the government. To address this, various safeguards and provisions are needed to ensure trustworthy and secure handling of data throughout the government data value cycle. The Family Benefit and the CMD have implemented several measures to ensure privacy and data security in line with the GDPR requirements.

6. Consider misuse cases as a serious problem to tackle (met)

The sixth principle is about limiting fraud and misuse by mitigating security risks and designing services that can withstand malicious actors. The CMD is notable for how its design increases security and prevents fraudulent use or access to services and data by the wrong people. The Family Benefit service has placed a high value on security, even at the expense of usability.



Principles 7-9: Inclusive and transparent operational maturity

7. Promote a continuous services monitoring and assessment (partially met)

The seventh principle highlights the importance of government services being adaptable in response to feedback from a variety of monitoring and assessment activities. At a foundational level, the CMD exists because the team responsible for digital identity in Portugal identified deficiencies in the earlier model, particularly from an inclusion point of view. The Family Benefit team is also monitoring and assessing the security and safety of its service, as well as routine service performance indicators. For a service designed to support the needs of vulnerable communities, one of its priority objectives should be to achieve close to 100% uptake and related data are essential to understanding accessibility challenges and identifying how they might be addressed.

8. Develop the right-holders' and duty-bearers' capacities (partially met)

The eighth principle emphasises the importance of public services taking a holistic approach to meeting the needs of users beyond completing a transaction. While there is a growing preference for digital services, it is important to address the potential digital divides that may exclude certain right-holders from accessing public services. For instance, both the CMD and the Family Benefit services offer in-person support to those who may not have confidence in using digital services, which helps to develop their capacities to thrive in the digital age. However, beyond the Family Benefit, the SSI could do more to embed this idea into the design of its services more broadly and throughout the service life cycle, as well as consider the rights of service users.

9. Ensure transparency on obligations, responsibilities and rights regarding services (partially met)

The final principle is an extension of Principle 8 and further emphasises the importance of openly communicating with users to ensure they have a full understanding of everything they need to know about a given service. For both services, this principle poses a challenge for future work in effectively communicating any transformational use of digital technology or data to service users. For example, the greater use of biometric data or making services more automated may introduce negative outcomes.

Overall, the Guiding Principles have the potential to bring significant benefits to Portugal's public service design and delivery. However, it will take sustained effort and commitment from public servants and policy makers to fully realise these benefits.

Overall conclusions and recommendations from the review

The review comes at a valuable moment in the evolution of Portugal's commitment to achieving people-centred, inclusive services and embedding a participatory, user-driven approach to societal needs that takes full advantage of its civic space. Portugal has made significant strides towards developing a strong foundation in terms of both protecting and harnessing its civic space and providing leadership at a political and organisational level for embracing people-centred ways of working.

The pilot project on which the review is based shows great potential and offers a unique and valuable perspective on evaluating and reforming public services that will be widely applicable across the public sector in Portugal, as well as other OECD Members seeking to make their services more responsive and proactive. The OECD stands ready to further support Portugal and other OECD Members and Partners in their efforts to deliver better public services for all.

Recommendations for achieving more inclusive, accessible, people-centred, rights-based public service design and delivery in Portugal

The following provides a summary of the main recommendations and actions for the Government of Portugal to consider.

1. Placing people at the front and centre of public service design and delivery

To strengthen its ambitious reform processes, Portugal should continue to promote people-centred, rights-based, end-user perspectives in the design, delivery and evaluation of public services that reflect the needs of diverse audiences, particularly those who are under-represented.

2. Harnessing bottom-up energy for change

True transformation that embeds a more inclusive, accessible, and people-centred approach to public services will require inspirational champions at every level of the public sector, from senior management to frontline officials. Identifying leaders and harnessing their passion can be powerful in building momentum, as could public recognition of their work.

3. Facilitating inclusion more systematically

Besides ad hoc consultations on in-person services and online platforms, there is no systematic monitoring of who can access services, and which groups are excluded and why. Inclusion could be enhanced by monitoring and evaluating relevant services; collecting feedback from citizens, CSOs and other stakeholders more systematically; and engaging in targeted outreach initiatives to under-represented groups.



4. Facilitating civil society collaboration and leadership in public service reform processes

The government could partner with organisations more proactively and consistently and consider creating an advisory board composed of private sector, academia and civil society representatives to institutionalise collaboration and provide ongoing inputs in the development of policy levers such as the Guiding Principles, the Common Model or other forthcoming initiatives aimed at enhancing public service design and delivery.

5. Promoting regular participation of stakeholders *throughout* the public service life cycle

Portugal has established an impressive stakeholder participation ecosystem through its multi-stakeholder forum in the framework of the OGP, existing consultation platforms (i.e. ConsultaLex.gov and Participa.gov) and other relevant initiatives (e.g. National Participation Day, participatory budgeting). Learning from the experience of LabX and building on the existing infrastructure for participation, it could seek to enhance the quality and quantity of opportunities, both online and offline, to engage stakeholders at all stages of the public service life cycle.

6. Facilitating cross-institutional cooperation for public service design

The SIMPLEX programme has been very successful at facilitating co-operation and collaboration across organisational boundaries. AMA plays an important convening role and, through the Council for Information and Communication Technologies in Public Administration (CTIC) and the Interministerial Council for Digitalization, could secure the leadership and mandate to convene multiple institutions to solve problems facing users that would otherwise continue to be treated in a fragmented and siloed way.

7. Continuation of a strong central mandate and leadership on public service reforms

Portugal's public sector modernisation has benefited from the support and commitment of senior politicians in advocating for inclusive, accessible, and people-centred public services. It is crucial to continue investing in AMA and securing the necessary resources to attract and retain a talented workforce that can effect change across the government. AMA would benefit from being empowered with the mandate and authority to propose cross-cutting changes to public service design and delivery.

8. Continuing to invest in, and develop, digital government transformation

The government of Portugal could consider using the Digital Government Policy Framework to inform strategic approaches for the effective design and implementation of digital technology and data. This will help to further enhance the digital government maturity of the public sector.

9. Seeking clarity about the channel strategy for Portugal

Portugal has made commendable efforts in complementing digital channels with access to in-person services,

particularly to reach marginalised communities and serve the elderly. However, the presence of different web channels and in-person networks managed by multiple organisations can lead to fragmented user journeys. The Citizen Shop and Citizen Spot networks have helped to decentralise operations at the local level, but there is a need to empower municipal governments to tailor service delivery to the needs of the local context and population. The government of Portugal could further articulate a whole-of-government approach building on the existing commitments in its 2nd OGP National Action Plan.

10. Developing a consistent narrative and methodology for public service reforms that the entire public sector recognises and endorses

At a strategic and political level, there has been a consistent approach in the language used to describe the ambition for public service transformation. However, this is not matched by a consistent narrative and methodology among practitioners. It is essential that individual initiatives such as the Guiding Principles and the Common Model are brought together into a clearly communicated agenda for change. Furthermore, for AMA's vision for the future of public service design and delivery to translate into everyday practice among public sector organisations, it will be essential to disseminate its objectives and associated activities more widely.

11. Using policy levers (e.g. policy tools and resources) to guide behaviour and promote, support and incentivise change in teams leading public service reforms

Transforming approaches to designing and delivering public services relies on changing how teams operate and behave. AMA directly reports to the Prime Minister and has the mandate for digital transformation across society, allowing it to offer incentives, set expectations, and enforce policies to embed a different way of working. In this new role, AMA may wish to consider whether new policy levers could be introduced and tailored to the Portuguese experience.

12. Setting ambitious performance targets and strengthening monitoring and watchdog initiatives

Increasing the frequency and availability of performance reporting will be a helpful contribution to enhancing efforts to respond to feedback and continuously improve individual services. Strong reporting metrics and ambitious targets focused on systemic change and the organisational culture could be useful. In addition, it will be critical to empower and actively facilitate citizens and civil society to operate as independent assessors and watchdogs. The facilitation of funding, whether from public or private sources, for independent expert thinktanks and CSOs could help in this regard.

13. Continuing to monitor the quality of civic space and addressing any restrictions

Ongoing monitoring of the different dimensions of civic space protection to identify and tackle any emerging negative trends will help to ensure the correct conditions are in place for Portugal's public service reform agenda to achieve maximum impact. A coordinated approach to monitoring from the Centre of Government would enhance this effort across ministries and other public institutions.

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Notes

- 1. In the context of this review, the term citizen is meant as any inhabitant of a particular place and not as a legally recognised national of a state.
- Stakeholder is defined as any interested and/or affected party, including: individuals, regardless of their age, gender, sexual orientation, religious and political affiliations; and institutions and organisations, whether governmental or non-governmental, from civil society, academia, the media or the private sector (OECD, 2017_[55]). The focus of the review was on civil society participation in public service reforms but recognises that other stakeholders are also involved.
- 3. For more information about decentralisation, please see https://transparencia.gov.pt/pt/municipios/indicadorespor-municipio/descentralizacao-de-competencias/#indicators_counties_reinforcement_parish_skills_id.
- 4. LabX defines a human rights-based approach as a working methodology that "promotes, protects and fulfils human rights and democracy, by integrating norms, standards and principles of international human rights law throughout the full service cycle" (Government of Portugal, 2021₍₁₃₈₎).
- 5. The Mosaico initiative falls under TicAPP (Centro de Competências Digitais da Administração Pública, the Public Administration Digital Competencies Centre within AMA).
- 6. See https://www.opengovpartnership.org/multistakeholder-forums/ and https://ogp.eportugal.gov.pt/en/inicio.
- 7. See https://labx.gov.pt/projetos-posts/antecipatory-innovation/?lang=en.

