Government Services Feedback Practices in Selected Jurisdictions

October 2017

The Law Library of Congress, Global Legal Research Center
(202) 707-6462 (phone) • (866) 550-0442 (fax) • law@loc.gov • http://www.law.gov

Contents

Introduction

Luis Acosta
Chief, Foreign, Comparative, and International Law Division II

This report surveys selected foreign jurisdictions on laws and practices regarding feedback on customer satisfaction from users of government services. The jurisdictions selected provide an array of representative approaches to obtaining feedback regarding user satisfaction.

In some countries, laws have been enacted requiring agencies to obtain information on customer satisfaction and incorporate such data into quality improvement efforts. In Italy, a 2000 law requires each government agency to "implement, after listening to the citizens . . . verification processes for the quality of services and user satisfaction." A Brazilian law enacted this year requires evaluation of the satisfaction of users of public services by means of annual surveys or other methods that guarantee statistical significance. In Sweden, many individual laws and regulations governing government programs require the responsible agencies to conduct customer surveys.

Many of the countries reviewed here have established programs for evaluating customer satisfaction of public services. In Argentina, a program to improve the culture of public administration includes a management instrument that embodies an agreement between each government agency and the Under Secretary of Public Management providing for an implementation plan governing the quality of service delivery; each such agreement includes provisions on user surveys conducted either where the service is rendered or online. In Australia, at the federal level, customers can access multiple government services online in one place, using a single login and password, and each agency provides links to online forms for complaints and feedback. Several Australian states in recent years have participated in the same whole-of-government customer satisfaction survey, allowing comparisons of performance across jurisdictions. Macau has a Quality Charter Program under which participating public agencies are required to conduct a citizen satisfaction survey at least annually; while each agency determines the form in which feedback is collected, there is a set of standardized questions covering five specified metrics. Botswana's Performance Management System for government agencies includes monitoring standards consisting of customer satisfaction surveys undertaken every two years as well as a system for the collection of immediate feedback.

Some countries surveyed here have provided for large-scale, centralized surveying of customer satisfaction. In the Netherlands, a major national survey was conducted in 2008–2010 by the State Secretary of the Interior and Kingdom Relations to gauge citizens' satisfaction with government services. In Germany, the Federal Statistical Office was charged with evaluating citizens' and businesses' satisfaction with government services through a general survey; the government used the results of the 2015 survey to implement the "Better Regulation Work Program 2016," which simplifies administrative procedures in areas identified in the survey.

Argentina

Graciela Rodriguez-Ferrand
Senior Foreign Law Specialist

Argentina's Citizen Charter Program (Programa Carta Compromiso con el Ciudadano, PCCC), created under Decree 229/2000[1] within the Under Secretary of Public Management under the Chief of Cabinets (Jefatura de Gabinete de Ministros), aims at transforming the culture within the public administration, by improving the relationship between the administration and citizens. The PCCC seeks to empower citizens to exercise their right to be heard, informed, and respected, and to receive a response or solution to their problems and needs related to public services.[2] It also aims at reinforcing a concept of public service and responsiveness that targets the satisfaction of the citizen by establishing assessments of public services, transparency, and feedback mechanisms.[3]

A key component of the PCCC is the Carta Compromiso (CC), a public management instrument implemented by service-providing public entities by which they make a commitment to citizens, setting objectives and results to be achieved.[4] The CC is implemented by an agreement entered into between a government agency and the Under Secretary of Public Management, who coordinates the program.[5] The agreement includes an implementation plan by which the public entity commits to deliver services based on standards of quality, facilitate the provision of information to the public about the services to be rendered, and establish feedback mechanisms.[6]

Public entities must submit an annual report on the advancement of their goals.[7] In addition the head of each agency must present a quarterly CC progress report to the Vice President, who heads the Commission on the Modernization of the State, the enforcement authority of the PCCC.[8] Decree 229/2000 provides in general terms that the ways and means of making the

---

[1] Decreto 229/2000 Carta Compromiso con el Ciudadano [Charter with the Citizen], BOLETÍN OFICIAL [B.O.], Mar. 14, 2000, http://servicios.infoleg.gob.ar/infolegInternet/anexos/60000-64999/62474/norma.htm, *archived at* https://perma.cc/GW94-E5CE.

[2] *¿Qué es el Programa Carta Compromiso con el Ciudadano?* [*What is the Citizen Charter Program?*], INSTITUTO NACIONAL DE LA ADMINISTRACIÓN PÚBLICA (INAP), http://capacitacion.inap.gob.ar/?cursos=que-es-el-programa-carta-compromiso-con-el-ciudadano-in-dc-20290 (last visited Oct. 23, 2017), *archived at* https://perma.cc/HH5K-L6VS.

[3] *Id.*

[4] *Carta Compromiso con el Ciudadano*, MINISTERIO DE MODERNIZACIÓN [MINISTRY OF MODERNIZATION], https://www.argentina.gob.ar/modernizacion/cartacompromiso (last visited Oct. 23, 2017), *archived at* https://perma.cc/7V4E-3UBU.

[5] *Id.*

[6] *Id.*; Decreto 229/2000 art. 5.

[7] Decreto 229/2000 art. 17.

[8] *Id.* art. 18.

results public will be determined by the Vice President.[9] Public agencies that are signatories of the CC are recognized through awards for compliance and meeting CC goals.[10]

In order to ensure that users' opinions are taken into consideration, each CC signed by an individual agency includes a chapter on citizen participation, which contains user surveys conducted either where the service is rendered or online.[11] Statistics and results are published and made available to the public on each agency's website.[12] No general regulation on user satisfaction surveys is available, but the full text of the CC signed by each individual agency is available through the PCCC portal.[13]

In 2002 the World Bank launched a pilot project in Argentina on the use of so-called "citizen report cards," which are basically surveys of citizen satisfaction with public services.[14] The pilot project involved only pension and unemployment benefits services.[15] However, as no further mention of the program was located, it appears that the citizens report cards program was not fully implemented.

According to the CC portal, the yearly evaluation of the PCCC includes an assessment of the tools for surveying citizen satisfaction.[16] According to the PCCC 2014 statistics, more than 104 citizen surveys have been conducted in forty-three public agencies during a six-year period.[17]

---

[9] *Id.*

[10] *Id.* art. 20; *Prefectura premiada por su labor en la implementación del Programa Carta Compromiso con el Ciudadano* [*Coast Guard is Awarded for Its Performance in the Implementation of the PCC with the Citizen*], TRANSPORTES Y COMERCIO EXTERIOR (Jan. 16, 2012), http://www.comex-online.com.ar/noticias/val/52775/prefectura-premiada-por-su-labor-en-la-implementacion-del-programa-carta-compromiso-con-el-ciudadano.html, *archived at* https://perma.cc/JY23-JJ4M (click "See the Screenshot View").

[11] For a sample CC, *see* DIRECCION NACIONAL DE MIGRACIONES [NATIONAL DIRECTORATE ON MIGRATION], QUINTA CARTA COMPROMISO CON EL CIUDADANO 39 (Apr. 2015), https://www.argentina.gob.ar/sites/default/files/carta_compromiso_migraciones_2015_quinta_carta.pdf, *archived at* https://perma.cc/YH4D-SX65.

[12] *Id.*

[13] *Organismos adheridos a Carta Compromiso* [*PCCC Participating Agencies*], MINISTERIO DE MODERNIZACIÓN, https://www.argentina.gob.ar/cartacompromiso/organismosadheridos (last visited Oct. 23, 2017), *archived at* https://perma.cc/47PJ-NRE3.

[14] Magüi Moreno Torres, *Argentina's* Cartas Compromiso: *Strengthening the Role of Civil Society for More Accountable Public Services*, EN BREVE (World Bank), Feb. 2004, No. 40, at 2, https://openknowledge.worldbank.org/bitstream/handle/10986/10367/284400English0En0breve040.pdf?sequence=1&isAllowed=y, *archived at* https://perma.cc/KFJ3-CWXZ.

[15] *Id.*

[16] 4. "Monitoreo," *Implemetación de Carta Compromiso* [*Implementation of CC*], MINISTERIO DE MODERNIZACIÓN, https://www.argentina.gob.ar/cartacompromiso/implementacion (last visited Oct. 23, 2017), *archived at* https://perma.cc/9ACY-QNUT.

[17] "Año 2014: Encuastas," *Resultados de la Carta Compromios* [*Results of CC*], MINISTERIO DE MODERNIZACIÓN, https://www.argentina.gob.ar/cartacompromiso/resultados (last visited Oct. 23, 2017), *archived at* https://perma.cc/AU7P-5MYB.

Australia

Kelly Buchanan
Chief, Foreign, Comparative, and
International Law Division I

SUMMARY In recent years there appears to have been a move in Australia to provide government services to customers in a more centralized, customer-focused manner, including through the use of online portals where multiple services can be accessed in one place. Individual agencies may continue to collect feedback from customers through online forms and other mechanisms. Some states, including New South Wales and South Australia, have also started using a whole-of-government survey mechanism to solicit feedback annually on the customer service provided by a number of agencies. The use of the same approach by different jurisdictions allows for benchmarking, comparisons, and sharing of best practices between jurisdictions.

I. Introduction

There are no laws at either the federal or state/territory levels in Australia specifically requiring government agencies to seek customer satisfaction feedback. However, some guidance has been developed by different entities and some state governments have worked to develop whole-of-government approaches in addition to the mechanisms used by individual agencies to solicit feedback or handle complaints.

II. Complaint Handling

The Commonwealth Ombudsman investigates complaints from members of the public about federal government departments and agencies.[1] There are also state and territory ombudsmen. These entities may provide best-practice guidance to government agencies within their jurisdictions; for example, the Commonwealth Ombudsman has published a *Better Practice Guide to Complaint Handling*.[2]

III. Customer Feedback on Federal Government Agencies

At the federal level, several service agencies participate in the myGov online account initiative, which allows customers to access government services and personal notices online in one place, using a single login and password. This includes Medicare (the publicly-funded health care system), the Australian Taxation Office, Centrelink (which administers benefit payments), the

[1] *About*, COMMONWEALTH OMBUDSMAN, http://www.ombudsman.gov.au/about (last visited Oct. 12, 2017), *archived at* https://perma.cc/6PQG-KFEZ.

[2] COMMONWEALTH OMBUDSMAN, BETTER PRACTICE GUIDE TO COMPLAINT HANDLING (Apr. 2009), http://www.ombudsman.gov.au/__data/assets/pdf_file/0020/35615/Better-practice-guide-to-complaint-handling.pdf, *archived at* https://perma.cc/AL9B-KM64.

Department of Veterans' Affairs, and the National Disability Insurance Scheme.[3] Links to the contact information for each of the relevant agencies is provided on the site,[4] with each agency providing online forms for complaints and feedback.

IV. Customer Feedback on State Government Agencies

State governments have undertaken various initiatives to measure customer satisfaction with government services. In recent years, several states have conducted the same annual whole-of-government customer satisfaction survey, allowing for comparisons between Australian jurisdictions and with other countries that also use the survey. The following provides information regarding this initiative, and related or past activities, from the perspective of two of the states involved.

A. New South Wales

In New South Wales, one of the legislated objectives of the Public Service Commissioner is to "foster a public service culture in which customer service, initiative, individual responsibility and the achievement of results are strongly valued."[5] In 2012, the New South Wales government appointed the first Customer Service Commissioner in the country. Reforms that were subsequently implemented included "a 'one-stop shop' – Service NSW – with service centres, a single 24/7 telephone service and a single digital channel."[6] The Service NSW website provides an online form for customer feedback and complaints.[7]

In 2013, the Public Service Commission Advisory Board and the Customer Service Commissioner developed a "whole-of-government customer satisfaction instrument," which was intended to "complement existing agency initiatives and create a coordinated approach to customer service reform."[8] The resulting survey of people who use public services was conducted by the Customer Service Commissioner in 2014, involving "6,208 customers, including 5,189 from the general population and 1,019 from the business community, responding

[3] *About myGov*, MYGOV, https://my.gov.au/mygov/content/html/about.html (last visited Oct. 12, 2017), *archived at* https://perma.cc/VY2Z-ZBDT.

[4] *Contact Us*, MYGOV, https://my.gov.au/mygov/content/html/contact.html (last visited Oct. 12, 2017), *archived at* https://perma.cc/EL7J-ZGMQ.

[5] Government Sector Employment Act 2013 No 40 (NSW) s 10(e), https://www.legislation.nsw.gov.au/acts/2013-40.pdf, *archived at* https://perma.cc/CN83-W45P.

[6] PUBLIC SERVICE COMMISSION, A BETTER PICTURE: STATE OF THE NSW PUBLIC SECTOR REPORT 2014, ch. 3, "Customer Focus: Importance of the Customer," http://www.psc.nsw.gov.au/reports---data/state-of-the-sector/previous-editions/state-of-the-sector-2014/chapter-3--customer-focus/importance-of-the-customer, *archived at* https://perma.cc/VG8J-WAMY.

[7] *Contact Us*, SERVICE NSW, https://www.service.nsw.gov.au/contact-us (last visited Oct. 16, 2017), *archived at* https://perma.cc/A97A-2ACR; *Customer Complaints*, SERVICE NSW, https://www.service.nsw.gov.au/customer-complaints (last visited Oct. 16, 2017), *archived at* https://perma.cc/QPD3-TYMF.

[8] PUBLIC SERVICE COMMISSION, *supra* note 6.

to a telephone survey, face-to-face interviews, and mobile phone-based or online questionnaires."[9]

In terms of initiatives by individual agencies, the Public Service Commission found in 2013 that "94% of the 83 agency respondents collect feedback from their customers and nearly three-quarters make changes as a result of views presented by customers."[10]

The Public Service Commission's *State of the Sector* report for 2015 states that

> The NSW Government believes a strong customer-centred approach is essential for delivering the best possible services. Across NSW, public sector agencies seek customer feedback to help improve the quality of their services. The Customer Service Commissioner's Customer Satisfaction Measurement Survey, which the PSC Advisory Board helped establish in 2014, is an additional method of regularly measuring customer satisfaction across the whole public sector.
>
> The Customer survey is designed to provide a greater understanding of how customers perceive public service performance; the overall customer satisfaction with different types of services; the key drivers of customer satisfaction; and areas for improvement to increase overall sector performance.[11]

The 2015 report goes on to discuss the outcomes of the survey for that year and to compare the results to other jurisdictions. It also includes a message from the Customer Service Commissioner who states that various whole-of-government initiatives aimed at improving services to customers

> will be supported by a measurement framework that will build on the annual *Customer Satisfaction Measurement Survey*. The 2015 survey benchmarked our performance against other jurisdictions, highlighting opportunities for cross-jurisdictional learnings and education. This survey will be implemented each year, and we will continue to benchmark our performance against other governments and leading public sector organisations.[12]

The *State of the Sector* report for 2016 also discusses various aspects of developing and maintaining a customer-focused culture in the public sector. This includes leadership development programs, employees being surveyed regarding how senior managers and their agency overall perform in relation to the area of customer focus, as well as polling customers annually using the Customer survey.[13] The report notes that many agency leaders have "built

[9] *Id.*

[10] *Id.*

[11] PUBLIC SERVICE COMMISSION, TO THE NEXT LEVEL: STATE OF THE NSW PUBLIC SECTOR REPORT 2015, ch. 3, "Customer Focus," http://www.psc.nsw.gov.au/reports---data/state-of-the-sector/previous-editions/state-of-the-sector-2015/chapter-3 (last visited Oct. 12, 2017), *archived at* https://perma.cc/DEE9-VTFD.

[12] *Id.*

[13] PUBLIC SERVICE COMMISSION, LEADERSHIP MATTERS: STATE OF THE NSW PUBLIC SECTOR REPORT 2016, ch. 2, "How Do Our Leaders Lead the Sector?," http://www.psc.nsw.gov.au/reports---data/state-of-the-sector/state-of-the-sector-2016/chapter-2 (last visited Oct. 12, 2017), *archived at* https://perma.cc/88NJ-JLPK.

customer awareness into their induction programs, emphasising the alignment of customer service, business purpose and values."[14] Another approach "has been to replace government with customer service at the top of an agency's strategy pyramid. This simple visualisation represents a significant cultural change, as the focus has shifted from examining inputs to the quality of outputs. The focus is on creating a high-performance culture."[15]

A report on the key findings of the New South Wales 2016 Customer Satisfaction Measurement Survey is available online.[16] With respect to the scope and approach, the report states that

- 'Customers' in this survey are citizens that have had direct dealings with services provided by the NSW Government in the last 12 months.
- In 2016, the online survey was undertaken with 5,369 customers. This included 4,237 consumers and 1,132 business customers.
- The survey captured customer feedback on 22 different NSW Government services (described in the customers' language).
- Feedback received from customers about each of the individual services have been aggregated to provide a view of the performance of NSW Government services overall.
- The same survey was also undertaken with customers in [other jurisdictions].[17]

B. South Australia

The approaches to soliciting feedback from South Australian government agency customers have evolved over the past ten years. In 2007, the Government Reform Commission produced a *Customer Service Good Practice Guide* that "outlines key considerations for improving service delivery throughout the South Australian public sector."[18] One of the elements of effective customer service that the *Guide* suggested should be considered was to "identify and understand your customers" through seeking direct feedback from customers "by asking them what they need, want and expect." Appendix A of the *Guide* contains "a practical guide for measuring customer satisfaction."[19]

The South Australian government's most recent strategic plan included the following target in relation to customer and client satisfaction with government services: "Increase the satisfaction of South Australians with government services by 10% by 2014, maintaining or exceeding that

[14] *Id.*, ch. 6, "How is the Sector's Culture Changing?," http://www.psc.nsw.gov.au/reports---data/state-of-the-sector/state-of-the-sector-2016/chapter-6 (last visited Oct. 12, 2017), *archived at* https://perma.cc/WY9W-B3AZ.

[15] *Id.*

[16] CUSTOMER SERVICE COMMISSIONER, NSW WHOLE OF GOVERNMENT CUSTOMER SATISFACTION MEASUREMENT SURVEY: 2016 KEY FINDINGS, https://www.comprac.nsw.gov.au/ArticleDocuments/1045/2016-Customer-Satisfaction-Measurement-Survey-Findings.pdf.aspx, *archived at* https://perma.cc/HS7L-YDS5.

[17] *Id.* at 2.

[18] GOVERNMENT OF SOUTH AUSTRALIA, CUSTOMER SERVICE GOOD PRACTICE GUIDE (2007), https://publicsector.sa.gov.au/wp-content/uploads/20070101-Good-practice-guide-Customer-service.pdf, *archived at* https://perma.cc/D6CM-9SR6.

[19] *Id.*, App. A, at 8.

level of satisfaction thereafter."[20] The plan notes that between 2008 and 2012 (excluding 2011, when the survey was not conducted), "the SASP [South Australia's Strategic Plan] Household survey provided the data for this target's key measure. A new whole of government satisfaction measure will be established for 2016–17 with an agreed common methodology expected to be rolled out to all agencies in May/June 2016."[21] Copies of the 2012 survey questionnaire and responses are available online,[22] as are summaries and reports regarding the survey for each year it was conducted.[23]

According to a 2013 report on strategies and achievements with respect to the strategic plan goal, the South Australian government had at that point "purchased a licence to use the Canadian Common Measurement Tool (CMT) to measure customer satisfaction. The tool is made up of eight core questions that measure the key drivers of customer satisfaction. There is also a set of additional questions that can be used to further understand the drivers of satisfaction."[24]

In addition to the strategic plan, the South Australian government's "Modern Public Service" policy,[25] which is supported by a "Charter of Public Service Guarantee" and the state ombudsman's "Complaints Management Framework," "identifies the need for agencies to assess customer satisfaction in order to identify opportunities where they can improve their service to the community."[26] In 2016, Service SA (the South Australian government's "central point of contact for citizens and businesses looking to access government related information and services") partnered with the New South Wales Office of the Customer Service Commissioner "to implement its first Customer Satisfaction Measurement Survey in South Australia."[27] This survey "captures a holistic view" of the government's customer service, and "includes baseline scores for whole-of-government customer satisfaction. South Australia was benchmarked against New South Wales, Victoria, Queensland, Canada and the United Kingdom, through representative population samples."[28]

---

[20] SOUTH AUSTRALIAN GOVERNMENT, SA STRATEGIC PLAN, Target: 32, http://saplan.org.au/targets/32-customer-and-client-satisfaction-with-government-services (last visited Oct. 12, 2017), *archived at* https://perma.cc/SWN6-V9RQ.

[21] *Id.*

[22] *SA Strategic Plan Household Survey*, DATA SA, https://data.sa.gov.au/data/dataset/79a561df-2d3f-4765-aab5-f5661bc703ec (last visited Oct. 12, 2017), *archived at* https://perma.cc/Q83S-7CTP.

[23] GOVERNMENT OF SOUTH AUSTRALIA, SA STRATEGIC PLAN, "Our Progress," http://saplan.org.au/our-progress (last visited Oct. 12, 2017), *archived at* https://perma.cc/ZTS8-QYVY.

[24] GOVERNMENT OF SOUTH AUSTRALIA, SA STRATEGIC PLAN, Target 32, "Key Strategies and Achievements" (Nov. 2013), http://saplan.org.au/media/W1siZiIsIjIwMTQvMDcvMDEvMDZfNDRfNDJfODQzX1RhcmdldF8zMi5wZGYiXV0/Target%2032.pdf, *archived at* https://perma.cc/2B38-GKP4.

[25] GOVERNMENT OF SOUTH AUSTRALIA, BUILDING A STRONGER SOUTH AUSTRALIA, NO. 14: A MODERN PUBLIC SERVICE (2013), https://www.premier.sa.gov.au/images/policies/building_a_stronger_sa-a_modern_public_service.pdf, *archived at* https://perma.cc/P82P-6WAZ.

[26] *Government Services and Information*, DEPARTMENT OF THE PREMIER AND CABINET, http://www.dpc.sa.gov.au/what-we-do/services-for-business-and-the-community/government-services-and-information (last visited Oct. 12, 2017), *archived at* https://perma.cc/55FZ-95CR.

[27] *Id.*

[28] *Id.*

The Department of the Premier and Cabinet states that

> [a]gencies across government are working together to share best-practice on customer experience, including use of the Common Measurement Tool to develop a consistent approach to complaint handling and agency-level customer satisfaction measurement.
>
> A new online portal will go live on www.sa.gov.au early in 2017, giving customers access to a whole-of-government complaints and feedback channel, which will direct comments to the responsible agency to follow-up.
>
> Service SA has also developed and published a suite of tools around customer intelligence to help agencies adopt best practice in customer service.
>
> We are listening to our customers, and to support improved monitoring and performance the Customer Satisfaction Measurement Survey will be conducted every year.
>
> Feedback on 23 different types of government services will be collected and shared across government – including in the areas of education and training, justice, health, family and community services, business and trade services, consumer information, transport, utilities, arts and leisure, and planning and environment.[29]

[29] *Customer Satisfaction Measurement Survey*, DEPARTMENT OF THE PREMIER AND CABINET, http://dpc.sa.gov.au/what-we-do/services-for-business-and-the-community/government-services-and-information/customer-satisfaction-measurement-survey (last visited Oct. 12, 2017), *archived at* https://perma.cc/UN4Q-P6NT.

Botswana

Hanibal Goitom
Foreign Law Specialist

In 1999, Botswana introduced what is known as the Performance Management System (PMS), one of whose objectives was the inculcation of a culture of performance and accountability within government agencies, with the aim of improving the efficiency of the delivery of public services.[1] While the PMS was said to have brought about some improvements, it largely proved ineffective as indicated by a 2005 customer service satisfaction survey, which found that the customer satisfaction level was only at 25%.[2] Therefore, Botswana sought to make further improvements through an initiative launched in 2006, the Business Process Reengineering.[3] As part of this program, the Directorate of Public Service Management (DPSM) developed service standards for government agencies.[4]

Developed as part of this program are what are known as monitoring standards. The standards are "benchmarked and monitored in three categories: reliability, quality of delivery and customer service."[5] The monitoring of services is done through a mix of internal and external audits and periodic customer service satisfaction surveys.[6] The system for collecting customer service satisfaction feedback appears to mandate two different ways of engaging the public: through customer satisfaction surveys undertaken every two years, and through a system for the collection of immediate feedback from citizens that every government agency is mandated to develop and operate.[7] A source consulted for this report indicated that, following the development and implementation of the standards, customer satisfaction surveys showed dramatic improvements in public satisfaction with the services provided by public institutions—for instance, in a 2012 public service customer satisfaction survey, "83% of the public expressed satisfaction with service delivery by civil servants."[8]

---

[1] BOTSWANA PUBLIC SERVICE , CUSTOMER SERVICE STANDARDS 5 (undated), available on the United Nations Public Administration Network (UNPAN) website, *at* http://unpan1.un.org/intradoc/groups/public/documents/cpsi/unpan031203.pdf (last visited Oct. 19, 2017), *archived at* https://perma.cc/8GLS-E49K.

[2] *Id*. at 5–6.

[3] *Id*.

[4] *Id*.

[5] *Monitoring of Standards*, THE DIRECTORATE OF PUBLIC SERVICE MANAGEMENT (DSPM), http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/The-Directorate-of-Public-Service-Management-DPSM1/Public-Service-Standards/Monitoring-of-Standards/ (last visited Oct. 19, 2017), *archived at* https://perma.cc/7JZ2-B7EN.

[6] *Id*.

[7] *Id*.

[8] E.K. Botlhale, *Monitoring and Evaluating Government Performance in Botswana*, 3(1) AFR. PUB. SERVICE DELIVERY & PERFORMANCE REV. 5, 13 (2015), https://www.apsdpr.org/index.php/apsdpr/article/download/73/72, *archived at* https://perma.cc/Z8P8-MFTV.

Brazil

Eduardo Soares
Senior Foreign Law Specialist

SUMMARY The Brazilian Constitution determines that federal law must regulate customer relations with government agencies. A recently enacted law provides rules for the exercise, protection, and defense of the rights of users of public services provided directly or indirectly by the public administration. The rules apply to the Union, states, Federal District, and municipalities.

I. Constitutional Principle

The right to information is guaranteed by article 5(XXXIII) of the Constitution, which determines that all persons have the right to receive information that is in their private interest, or in the collective or general interest, from public agencies. Such information must be furnished within the period established by law, under penalty of liability, except for information whose secrecy is essential to the security of society and the state.[1]

The Constitution further determines that the law must regulate the forms of user participation in the direct and indirect public administration, specifically regulating complaints concerning the provision of public services in general, assuring maintenance of services for participating users, and providing for periodic external and internal evaluations of the quality of services,[2] as well as user access to administrative registries and information about governmental acts, in keeping with the provisions of article 5(X) and 5(XXXIII) of the Constitution.[3]

In addition, it is the responsibility of the public administration, as provided by law, to maintain governmental documents and take measures to make them available for consultation.[4]

II. Law No. 13,460 of June 26, 2017

A. General Overview

On June 26, 2017, Brazil enacted Law No. 13,460, which establishes basic rules for the exercise, protection, and defense of the rights of users of public services provided directly or indirectly by

[1] CONSTITUIÇÃO FEDERAL art. 5(XXXIII), http://www.planalto.gov.br/ccivil_03/Constituicao/Constituicao.htm, *archived at* https://perma.cc/FH8R-Z4Y6.

[2] *Id.* art. 37(§ 3)(I).

[3] *Id.* art. 37(§ 3)(II). Article 5(X) determines that personal intimacy, private life, honor, and reputation are inviolable, guaranteeing the right to compensation for pecuniary or moral damages resulting from the violation thereof.

[4] *Id.* art. 216(§ 2).

the public administration.[5] Law No. 13,460 applies to the direct and indirect public administration of the Union, states, Federal District, and municipalities, under the terms of article 37(§ 3)(I) of the Constitution.[6] Article 2 of the Law defines "user" (natural person or company (*pessoa jurídica*) that benefits or uses public services), "public service," "public administration," "public agent," and "user opinions." Users' access to information is governed by the terms of Law No. 12,527 of November 18, 2011.[7]

B. Interaction with the Public

1. Publication of Services Rendered

Each branch and agency of the government must publish annually a report on the public services rendered, which must specify the bodies or entities responsible for their accomplishment and the administrative authority to which they are subordinated or bound.[8]

Users of public services have the right to participate in monitoring the provision and evaluation of such services,[9] and access to the public agent or body responsible for receiving user opinions (*manifestações*).[10]

2. User Services Letters

The organs and entities encompassed by Law No. 13,460 must provide a User Services Letter (*Carta de Serviços ao Usuário*)[11] informing users about the services provided by the agency or entity, the forms of access to these services, and the agency/entity's commitments and standards

[5] Lei No. 13.460, de 26 de Junho de 2017, art. 1, http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/lei/L13460.htm, *archived at* https://perma.cc/7DAH-LPW4. Lei No. 13,460 will enter into force, as of its publication, in (I) 360 days for the Union, the states, the Federal District, and the municipalities with more than 500,000 inhabitants;(II) 540 days for municipalities with between 100,000 and 500,000 inhabitants; and (III) 720 days for municipalities with less than 100,000 inhabitants. *Id*. art. 25.

[6] *Id.* art. 1(§ 1).

[7] *Id*. art. 2. Law No. 12,527 of November 18, 2011, provides for the procedures to be followed by the Union, states, Federal District, and municipalities, in order to ensure access to information under articles 5(XXXIII), 37(§ 3)(II), and 216(§ 2) of the Constitution. Lei No. 12.527, de 18 de Novembro de 2011, art. 1, http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2011/lei/ l12527.htm, *archived at* https://perma.cc/3T4J-GZXF. Law No. 12,527 is regulated by Decree No. 7,724 of May 16, 2012, which, under the federal executive branch, regulates the procedures for ensuring access to information and for the classification of information under access restrictions, observing the degree and terms of confidentiality, according to the provisions of Law 12,527. Decreto No. 7.724, de 16 de Maio de 2012, art. 1, http://www.planalto.gov.br/ccivil_03/_ato2011-2014/ 2012/Decreto/D7724.htm#art76, *archived at* https://perma.cc/6J9L-SE55.

[8] Lei No. 13.460, de 26 de Junho de 2017, art. 3.

[9] *Id.* art. 6(I).

[10] *Id.* art. 6(VI)(c). Article 2(V) of Law No. 13,460 defines "user opinions" as complaints, suggestions, compliments, and other statements of users whose purpose is the provision of public services and the conduct of public agents in the provision and supervision of such services.

[11] *Id.* art. 7.

of quality for service to the public.[12] The letter must provide clear and precise information regarding each of the available services,[13] and detail the commitments and standards of service related to receiving and responding to users' opinions, among other things.[14] The letter must be updated regularly and permanently disclosed by way of publication on the website of the organ or entity.[15] The specific regulations of each branch and agency of the government must provide for implementation of the letter's commitments.[16]

3. Opinions of Users of Public Services

In order to guarantee their rights, users may present opinions before the public administration about the rendering of public services.[17] Such opinions must be addressed to the ombudsman's office (*Ouvidoria*) of the responsible organ or entity and must identify the person.[18] The identification of the person may not contain any requirement that prevents his or her opinion.[19] Any requirements relating to the reasons for the presentation of opinions before the ombudsman's office are forbidden.[20] In the absence of an ombudsman's office, the user may submit statements directly to the agency or entity responsible for executing the service and to the body or entity to which the agency/entity is subordinated.[21] The opinion may be submitted by electronic means, conventional correspondence, or verbally, in which case it should be put in writing.[22] Under no circumstance, may the receipt of opinions formulated under the terms of Law No. 13,460 be refused, under penalty of liability of the public agent.[23]

4. The Ombudsman's Offices

Ombudsman's offices have the following primary duties, without prejudice to others established in a specific regulation:

> I - to promote user participation in the public administration, in cooperation with other user protection entities;
>
> II - to monitor the rendering of services, in order to ensure their effectiveness;

[12] *Id.* art. 7(§ 1).

[13] *Id.* art. 7(§ 2). Article 7(§ 2) provides a list with the minimum information that must be presented to the user in the services letter.

[14] *Id.* art. 7(§ 3)(IV).

[15] *Id.* art. 7(§ 4).

[16] *Id.* art. 7(§ 5).

[17] *Id.* art. 9.

[18] *Id.* art. 10.

[19] *Id.* art. 10(§ 1).

[20] *Id.* art. 10(§ 2).

[21] *Id.* art. 10(§ 3).

[22] *Id.* art. 10(§ 4).

[23] *Id.* art. 11.

> III - propose improvements in the rendering of services;
>
> IV - to assist in the prevention and correction of acts and procedures incompatible with the principles established in Law No. 13,460;
>
> V - to propose the adoption of measures for the defense of user rights, in compliance with the provisions of Law No. 13,460;
>
> VI - to receive, analyze and forward to the competent authorities the opinions, along with the handling and effective conclusion of those opinions; and
>
> VII - to promote the adoption of mediation and conciliation between the user and the public body or entity, without prejudice to other competent bodies.[24]

According to article 14 of Law No. 13,460, to achieve its objectives, ombudsman's offices must:

> I - receive, analyze and respond, through proactive and reactive mechanisms, to the opinions sent by users of public services; and
>
> II - prepare annually a management report, which must consolidate the information mentioned in item I, and, based on [that information], indicate failures and suggest improvements in the rendering of public services.[25]

At a minimum, the management report required by article 14 must indicate the following:

> I - the number of opinions received in the previous year;
>
> II - the reasons for the opinions;
>
> III - the analysis of recurrent points; and
>
> IV - the measures adopted by the public administration in the solutions presented.[26]

The management report must be referred to the highest authority of the organ to which the reporting ombudsman's office belongs and be made available on the internet.[27]

The ombudsman's office must forward the final administrative decision to the user within thirty days of receiving the user's opinion, which may be extended once, if justified, for an equal period of time.[28] Once the time deadline has been met, the ombudsman's office may request information and clarification directly from public agents of the organ or entity to which it is linked, and such requests must be answered within twenty days, which may be extended only once for an equal period of time.[29]

---

[24] *Id.* art. 13 (all translations by author).

[25] *Id.* art. 14.

[26] *Id.* art. 15.

[27] *Id.* art. 15(Sole para.).

[28] *Id.* art. 16.

[29] *Id.* art. 16(Sole para.).

Specific normative acts of each branch and agency of the government must provide for the organization and operation of its ombudsman's office.[30]

5. User's Council

Without prejudice to other forms provided for by legislation, the participation of users in the monitoring of the provision and evaluation of public services must be done through user councils.[31] User councils are advisory bodies with the following responsibilities:

> I - to monitor the rendering of services;
>
> II - to participate in the evaluation of services;
>
> III - to propose improvements in the rendering of services;
>
> IV - to contribute in the definition of guidelines for the appropriate service to the user; and
>
> V - to monitor and evaluate the performance of the ombudsman.[32]

Specific regulations of each branch and agency of the government must provide for the organization and operation of user's councils.[33]

C. Evaluation of Public Services

The public bodies and entities covered by Law No. 13,460 must evaluate the following aspects of services rendered:

> I - user satisfaction with the service rendered;
>
> II - quality of care provided to the user;
>
> III - fulfillment of the commitments and deadlines defined for the rendering of services;
>
> IV - number of user opinions; and
>
> V - measures adopted by the public administration for the improvement and development of the rendering of services.[34]

The evaluation must be carried out by satisfaction surveys done at least every year, or by any other means that guarantees statistical significance to the results.[35]

---

[30] *Id.* art. 17.

[31] *Id.* art. 18.

[32] *Id.* art. 18(Sole para.).

[33] *Id.* art. 22.

[34] *Id.* art. 23.

[35] *Id.* art. 23(§ 1).

The results of the evaluation must be published in full on the website of the agency or entity, along with the agency/entity's ranking compared to entities with the highest incidence of user complaints in the previous year. The evaluation serves as a method of reorienting and adjusting the services provided, in particular regarding the fulfillment of the commitments and quality standards of service disclosed in the User Services Letter.[36]

Specific regulations of each branch and agency of the government must provide for the evaluation of the effectiveness and levels of satisfaction of users.[37]

[36] *Id.* art. 23(§ 2).

[37] *Id.* art. 24.

Canada

Tariq Ahmad
Foreign Law Specialist

SUMMARY Canada does not have legislation that requires the collection of client-satisfaction feedback concerning services provided by government agencies and departments. However, most departments appear to have service standards that include rules for feedback mechanisms, including submitting complaints, comments, or compliments, and time frame in which the department is required to respond. The Treasury Board of Canada Secretariat has developed Guidelines on Service Standards that outline common concepts and best practices for successfully developing and managing standards for providing services to citizens and business.

I. Background

In Canada there does not appear to be legislation that requires the collection of client-satisfaction feedback regarding services provided by government agencies or departments. Such information is typically collected under the authority of the legislation that regulates that department, or for many institutions,[1] under the authority of the Financial Administration Act (FAA),[2] and in accordance with the Policy on Communications and Federal Identity,[3] which gives "context and rules for how the Government of Canada (GC) enables communication with the public about policies, programs, services and initiative."[4] All personal information "created, held or collected by the Government of Canada" is protected under the federal Privacy Act.[5]

[1] *Standard Personal Information Banks*, TREASURY BOARD OF CANADA SECRETARIAT, https://www.canada.ca/en/treasury-board-secretariat/services/access-information-privacy/access-information/information-about-programs-information-holdings/standard-personal-information-banks.html#psu914 (last updated Dec. 16, 2016), *archived at* https://perma.cc/R4A3-AD97.

[2] Financial Administration Act, R.S.C., 1985, c. F-11, http://laws-lois.justice.gc.ca/eng/acts/f-11/FullText.html, *archived at* https://perma.cc/D5UY-EV6B.

[3] Treasury Board of Canada Secretariat, Policy on Communications and Federal Identity (May 11, 2016), https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=30683&section=html, *archived at* https://perma.cc/VU5Z-Z9PX. According to the Policy it is issued under the authority of section 7 of the Financial Administration Act (FAA) and "applies to all institutions of the Government of Canada identified in Schedules I, I.1 and II of the Act, unless excluded by specific acts, regulations, or Orders in Council. All other public institutions subject to the FAA, particularly Crown corporations identified in Schedule III (Parts 1 and 2), are encouraged to become familiar with this policy and to apply its principles to their own communications management." *Id*.

[4] *Id.*

[5] Privacy Act, R.S.C., 1985, c. P-21, http://laws-lois.justice.gc.ca/eng/acts/P-21/FullText.html, *archived at* https://perma.cc/WB25-UED5.

II. Customer Service Standards

Most departments appear to have service standards that include rules for feedback mechanisms, including submitting complaints, comments, or compliments, and the time frame in which the department is required to respond. This typically appears to be done through an online feedback forms. The Canada Border Services Agency, for example, includes the following in its Service Standards:

> **Feedback Mechanism (complaints, comments or compliments)**
>
> **Service Standard 1: Feedback Mechanism - Initial Contact**
>
> **Service Description:** Clients are able to submit complaints, comments or compliments. Initial contact with the client is made, by phone, in response to a complaint. The main purpose is to resolve the complaint at this stage. For more information, please see our Compliments, Comments and Complaints page[6].
>
> **Service Standard:** The CBSA will aim to contact the client within 14 calendar days after a written complaint is received.
>
> **Performance Target:** 85%
>
> **Performance Result:** The CBSA will report performance results in May 2018 for fiscal year 2017–2018.
>
> **Service Standard 2: Feedback Mechanism - Final Response**
>
> **Service Description:** Clients are able to submit complaints, comments or compliments. In the case of a complaint, the CBSA provides a final written response.
>
> **Service Standard:** The CBSA will aim to respond to the client within 40 calendar days after a written complaint is received.
>
> **Performance Target:** 85%
>
> **Performance Result:** The CBSA will report performance results in May 2018 for fiscal year 2017–2018.[7]

The Treasury Board of Canada Secretariat has developed Guidelines on Service Standards,[8] which "outlines common concepts and best practices for successfully developing and managing service standards for both internal and external services to citizens and business."[9] When developing service standards the Guidelines stipulate it is important to consult the client in order

---

[6] *Contact Us: Compliments, Comments and Complaints*, CANADA BORDER SERVICES AGENCY, http://www.cbsa-asfc.gc.ca/contact/com-eng.html (last modified Aug. 1, 2016), *archived at* https://perma.cc/8G38-6RWN.

[7] Canada Border Services Agency, CBSA Service Standards Fiscal Year 2017–2018, http://www.cbsa-asfc.gc.ca/services/serving-servir/standards-normes-2017-2018-eng.html (last modified Apr. 1, 2017), *archived at* https://perma.cc/83UR-EVLN.

[8] Treasury Board of Canada Secretariat, Guideline on Service Standards, https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=25750&section=html (last modified Apr. 7, 2017), *archived at* https://perma.cc/GB5G-S9KT.

[9] *Id.*

to get input that "can shed light on aspects of the service that are viewed as most important, such as current client satisfaction levels, changes in client needs and expectations, and the roles and responsibilities of each party."[10] Consultation can be in the form of "focus groups, telephone or online surveys, feedback forms, and one-on-one meetings."[11] The Guidelines also provide the following advice as to what to include in an effective feedback mechanism:

> **Establish Feedback and Redress Mechanisms**
>
> Establishing a process to collect constructive information and resolve issues raised by various stakeholders is fundamental. Elements to consider include:
>
> - Establishing internal processes to handle comments, concerns or complaints, including possibly a point-of-service resolution mechanism.
> - Developing a tracking system that monitors client feedback and complaints. This could be an essential component of your service standard monitoring strategy. The information contained within the system can be a valuable resource to determine client satisfaction. One example is a record that includes the nature, source and description of each complaint.
> - Ensuring the redress mechanism is publicly available and easy to locate.
> - After reviewing comments, concerns and complaints, inform clients of any changes made.[12]

Many departments and agencies also conduct customer satisfaction surveys using a Common Measurement Tool (CMT) that has been "adopted by more than 30 municipal, provincial, territorial, and federal governments across Canada and around the world."[13] The CMT is "a comprehensive survey instrument used by the Government of Canada to measure client satisfaction" using a "range of core measures."[14] Public opinion research done online, through telephone surveys, and qualitative research is subject to specific standards[15] and mandatory procedures.[16]

---

[10] *Id.*

[11] *Id.*

[12] *Id.* § 6, "Phase II: Plan and Develop Service Standards," Step 3.

[13] *About the CMT*, INSTITUTE FOR CITIZEN-CENTERED SERVICE (ICCS), https://iccs-isac.org/resources-tools/common-measurements-tool/about-the-cmt (last visited Oct. 18, 2017), *archived at* https://perma.cc/BC8B-FBER.

[14] 2014–2015 CLIENT SATISFACTION SURVEY REPORT, CANADIAN TRANSPORTATION AGENCY, https://otc-cta.gc.ca/eng/publication/2014-2015-client-satisfaction-survey-report (last modified Oct. 8, 2015), *archived at* https://perma.cc/P98V-VC3P.

[15] *Standards for Conducting Public Opinion Research*, PUBLIC SERVICES AND PROCUREMENT CANADA, http://www.tpsgc-pwgsc.gc.ca/rop-por/pratiques-practices-eng.html (last modified Sept. 1, 2017), *archived at* https://perma.cc/7CK9-4H2L.

[16] Public Services and Procurement Canada, Directive on the Management of Communications, App. C: Mandatory Procedures for Public Opinion Research (effective May 11, 2016), http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=30682&section=procedure&p=C, *archived at* https://perma.cc/T57L-LZ2S.

European Union

Jenny Gesley
Foreign Law Specialist

Article 41 of the Charter of Fundamental Rights of the European Union (EU Charter) codifies the right to good administration.[1] It encompasses, *inter alia*, the right of every person to have his or her affairs handled impartially, fairly, and within a reasonable time by the institutions, bodies, offices, and agencies of the Union. In cases of maladministration, citizens of the EU may file a complaint with the European Ombudsman.[2] The Ombudsman may also initiate inquiries on his or her own.

To implement the right to good administration guaranteed by article 41 of the EU Charter, the Ombudsman has published the European Code of Good Administrative Behavior.[3] The Code is not a legally binding document, but it has been approved in a resolution by the European Parliament.[4] In the resolution, the EU Parliament also called on the European Commission to submit a proposal for a binding regulation, but nothing has been proposed as of yet. The Code guides the behavior of EU institutions when they deal with the public and informs EU citizens of their rights. Among other things, it sets out five public-service principles, namely commitment to the EU and its citizens, integrity, objectivity, respect for others, and transparency.[5] The Ombudsman refers to these principles when he or she investigates cases of possible maladministration.[6]

Beyond that, EU institutions are not required to systematically and actively measure customer satisfaction with their services. Most of the agencies that actively measure it have the business community as their main client.[7] An example is the European Union Intellectual Property Office

---

[1] Charter of Fundamental Rights of the European Union (EU Charter), art. 41, 2012 O.J. (C 326) 391, http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012P/TXT&from=EN, *archived at* http://perma.cc/LGF6-QDQF.

[2] EU Charter art. 43; Consolidated Version of the Treaty on the Functioning of the European Union (TFEU), art. 228, 2012 O.J. (C 326) 47, http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT&from=EN, *archived at* http://perma.cc/QL7H-RHS5.

[3] EUROPEAN OMBUDSMAN, THE EUROPEAN CODE OF GOOD ADMINISTRATIVE BEHAVIOR, 2015, https://www.ombudsman.europa.eu/showResource?resourceId=1456414129796_code_2015_EN.pdf&type=pdf&download=true&lang=en, *archived at* http://perma.cc/3FTW-86DW.

[4] European Parliament Resolution on the European Ombudsman's Special Report to the European Parliament Following the Own-Initiative Inquiry into the Existence and the Public Accessibility, in the Different Community Institutions and Bodies, of a Code of Good Administrative Behaviour, 2002 O.J. (C 72E) 331, http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52001IP0245&qid=1507217723648&from=EN, *archived at* http://perma.cc/QL8D-DRWZ.

[5] EUROPEAN OMBUDSMAN, *supra* note 3, at 8–10.

[6] *Id.* at 11.

[7] EUROPEAN COMMISSION, EVALUATION OF THE EU DECENTRALISED AGENCIES IN 2009. FINAL REPORT VOLUME II: CONCLUSIONS AT SYSTEM LEVEL 84 (Dec. 2009), http://www.europarl.europa.eu/meetdocs/2009_2014/documents/

(EUIPO), which has been measuring levels of satisfaction with its services since 2005. The surveys are conducted yearly by independent firms and the results are published on the EUIPO website.[8] The surveys ask customers about their overall satisfaction, image perception, whether users would recommend the services, whether they have noticed a change in EUIPO's services, how EUIPO communicates with users, user awareness and consultation of EUIPO's guidelines and decisions, user satisfaction with each of the procedures and related aspects, interaction with users, satisfaction with staff, user services, the Key User Management Programme and complaints, satisfaction with website tools and different aspects of the website, reasons why users use electronic filing instead of traditional paper-based filing, and their awareness and perception of various tools provided by EUIPO.[9]

libe/dv/evaluation_eu_agencies_vol_ii_/evaluation_eu_agencies_vol_ii_en.pdf, *archived at* http://perma.cc/5SQN-B6JM.

[8] *Quality: Listening to Our Users*, EUIPO, https://euipo.europa.eu/ohimportal/en/quality (last updated June 27, 2016), *archived at* http://perma.cc/V4B7-YNMV.

[9] EUIPO/DELOITTE, 2015 USER SATISFACTION SURVEY: FINAL REPORT ON OHIM'S USER SATISFACTION SURVEY (USS) CONDUCTED IN AUTUMN 2015, at 6 (Dec. 2015), https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/contentPdfs/about_euipo/quality/2015_uss_report_en.pdf, *archived at* http://perma.cc/VBM4-E476.

France

Nicolas Boring
Foreign Law Specialist

SUMMARY The collection of consumer satisfaction feedback by government agencies is encouraged as part of broader efforts to improve the quality of government services in France. The General Secretariat for the Modernization of Public Action, which works under the authority of the Prime Minister, encourages agencies to conduct consumer satisfaction surveys and provides survey kits and step-by-step instructions on how to conduct them. Additionally, the government often works with a private research institute to gauge the satisfaction of French citizens with their government services. While the General Secretariat for the Modernization of Public Action was created by a decree, there is no legislation or regulation mandating agencies to conduct satisfaction surveys, and individual agencies appear to have broad discretion over whether and in what manner to do so.

I. Policy that Encourages Government Agencies to Conduct Satisfaction Surveys

For several decades, France has sought to improve the quality of government services and interactions between citizens and government agencies.[1] As part of this effort, French government agencies collect customer satisfaction feedback through surveys.

The General Secretariat for the Modernization of Public Action, which works under the authority of the Prime Minister, issued an Interministerial Action Plan for Service Relations in May 2016.[2] Among several other measures on how to improve government services, this Plan encourages government ministries to conduct customer satisfaction surveys.[3] The previous year, in 2015, the General Secretariat for the Modernization of Public Action developed a customer satisfaction survey kit, which it put at the disposal of government agencies.[4] This survey kit includes a step-

[1] *L'administration au service de ses usagers* [*Administration in the Service of its Customers*], VIE-PUBLIQUE.FR (French government website) (July 23, 2013), http://www.vie-publique.fr/chronologie/chronos-thematiques/administration-au-service-ses-usagers.html, *archived at* https://perma.cc/MS2V-JWYB.

[2] SECRÉTARIAT GÉNÉRAL POUR LA MODERNISATION DE L'ACTION PUBLIQUE [GENERAL SECRETARIAT FOR THE MODERNIZATION OF PUBLIC ACTION], POUR DES SERVICES PUBLICS ATTENTIONNÉS À L'ÈRE DU NUMÉRIQUE: PLAN D'ACTION INTERMINISTÉRIEL DE LA RELATION DE SERVICES 2016-2017 [FOR ATTENTIVE PUBLIC SERVICES IN THE INFORMATION AGE: 2016–2017 INTERMINISTERIAL ACTION PLAN FOR SERVICE RELATIONS] (May 2016), http://www.modernisation.gouv.fr/ sites/default/files/fichiers-attaches/plan-action-interministeriel_relation-de-service_2016-2017.pdf, *archived at* https://perma.cc/4RH2-E9HY.

[3] *Id.* at 8, 22, 27.

[4] *La qualité des services publics s'améliore: Satisfaction des usagers: un kit d'étude clés en main pour les administrations* [*The Quality of Government Services is Improving: A Turnkey Survey Kit for Government Agencies*], SECRETARIAT GENERAL POUR LA MODERNISATION DE L'ACTION PUBLIQUE (Sept. 21, 2016), http://www.modernisation.gouv.fr/la-qualite-des-services-publics-sameliore/par-la-consultation-et-lecoute/kit-satisfaction-des-usagers, *archived at* https://perma.cc/F8HS-PN65.

by-step instruction guide on how to conduct a customer satisfaction survey,[5] as well as two customizable questionnaires: a short questionnaire meant for immediately after the customer's interaction with the government service, and a long questionnaire meant to be filled out later.[6] This kit is principally aimed at conducting external surveys, but can also be adapted to conducting internal surveys of government employees or partners.[7]

Additionally, the government has often worked with a private research institute, the Institut Paul Delouvrier, which has conducted yearly national surveys of public services customers since 2004.[8] These surveys were conducted in collaboration with large French market research firms, either BVA or TNS-Sofres, depending on the year. The General Secretariat for Modernization of Public Action and its predecessor agency, the General Directorate for the Modernization of the State, signed partnership agreements with the Institut Paul Delouvrier in 2009, 2014, and 2016 to conduct and analyze specific opinion surveys.[9] The results and analysis of these surveys are publicly accessible through the website of the Institut Paul Delouvrier.[10]

It is unclear when the practice of conducting consumer satisfaction surveys by or on behalf of government agencies started. It is possible that, aside from the surveys conducted by the Institut Paul Delouvrier on behalf of the government in 2009 and 2014, individual ministries or agencies conducted consumer satisfaction surveys before 2015. This, however, does not appear to have been a common practice, if it took place at all. A 2010 government report about improving the relations between government agencies and their customers discussed the idea of having user surveys after interactions with administrative services.[11] The authors of the report drew inspiration from practices of the private sector as well as from an evaluation system developed by the Italian government, but does not mention any example from French government agencies.[12]

---

[5] SECRETARIAT GENERAL POUR LA MODERNISATION DE L'ACTION PUBLIQUE, UNE APPROCHE RENOUVELEE DES ETUDES DE SATISFACTION: GUIDE PRATIQUE POUR REALISER SON ETUDE DE SATISFACTION PAS A PAS [A RENEWED APPROACH TO SATISFACTION SURVEYS: A PRACTICAL GUIDE TO CONDUCT A SATISFACTION SURVEY STEP-BY-STEP], http://www.modernisation.gouv.fr/sites/default/files/guide_partie_pratique.pdf (last visited Oct. 20, 2017), *archived at* https://perma.cc/79JT-DHWN.

[6] *La qualité des services publics s'améliore*, *supra* note 4.

[7] *Id.*

[8] *Le Baromètre* [*The Surveys*], INSTITUT PAUL DELOUVRIER [PAUL DELOUVRIER INSTITUTE], http://www.delouvrier.org/?q=travaux/barometre (last visited Oct. 20, 2017), *archived at* https://perma.cc/H3PB-EEGA.

[9] *Id.*

[10] *Id.*

[11] AMÉLIORATION DE LA RELATION NUMÉRIQUE À L'USAGER [IMPROVING THE COMPUTER-BASED RELATIONSHIP WITH CUSTOMERS]: RAPPORT ISSU DES TRAVAUX DU GROUPE "EXPERTS NUMÉRIQUES" REMIS À MINISTRE DU BUDGET ÉRIC WOERTH ET SECRÉTAIRE D'ÉTAT CHARGÉE DE LA PROSPECTIVE ET DU DÉVELOPPEMENT DE L'ÉCONOMIE NUMÉRIQUE NATHALIE KOSCIUSKO-MORIZET [REPORT FROM THE "DIGITIAL EXPERTS" GROUP TO BUDGET MINISTER ERIC WOERTH AND STATE SECRETARY IN CHARGE OF THE DEVELOPMENT OF INFORMATION ECONOMY NATHALIE KOSCIUSKO-MORIZET] (Feb. 12, 2010), http://www.ladocumentationfrancaise.fr/var/storage/rapports-publics/104000078.pdf, *archived at* https://perma.cc/RU5U-LQHP.

[12] *Id.* at 36.

II. Regulatory Framework

There is no legislative mandate or framework for customer surveys by government agencies in France, but there is some regulatory support for it. The above-mentioned General Secretariat for the Modernization of Public Action and the Interministerial Committee for the Modernization of Public Action that leads it were both created by decrees of the French Prime Minister in October 2012.[13] These decrees define these bodies' mission in broad terms, such as "to improve the organization and functioning of the State's public services and establishments."[14] But these decrees also specify that "the General Secretariat for Modernization of Public Action shall coordinate, encourage and support, at the interministerial level, the work done by government agencies towards evaluating and modernizing government action," and "shall promote actions in favor of innovation and that allow agencies to better take into account the expectations of customers, agents, and partners of the state, and to improve and evaluate the quality of service."[15] The General Secretariat for the Modernization of Public Action was reorganized by a 2015 decree, but its mission remains substantively the same and the provisions cited above are still applicable.[16]

While customer satisfaction surveys are not explicitly mentioned, the surveys would seem like an obvious tool to fulfill the missions of "evaluating" government action and "better tak[ing] into account the expectations of customers." Ultimately, however, there is no legal mandate for government agencies to use customer satisfaction surveys, and their use has more to do with management policy than any specific legislative or regulatory obligation. Furthermore, it appears clear that government agencies that choose to conduct customer surveys have very broad discretion on how and when to do so, giving them the flexibility to use them in the manner that is best suited to the agency's specific mission and needs.

[13] Décret n° 2012-1199 du 30 octobre 2012 portant création du comité interministériel pour la modernisation de l'action publique [Decree No. 2012-1199 of 30 October 2012 Creating the Interministerial Committee for the Modernization of Public Action], https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000026557721&fastPos=1&fastReqId=599483720&categorieLien=id&oldAction=rechTexte, *archived at* https://perma.cc/H4T6-65DU; Décret n° 2012-1198 du 30 octobre 2012 portant création du secrétariat général pour la modernisation de l'action publique [Decree No. 2012-1198 of 30 October 2012 Creating a General Secretariat for the Modernization of Public Action], https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000026557680&fastPos=6&fastReqId=1989000718&categorieLien=id&oldAction=rechTexte, *archived at* https://perma.cc/PW4A-BAFZ.

[14] Décret n° 2012-1199 du 30 octobre 2012, art. 1 (all translations by author).

[15] Décret n° 2012-1198 du 30 octobre 2012, arts. 2 & 3.

[16] Décret n° 2015-1165 du 21 septembre 2015 relatif au secrétariat général pour la modernisation de l'action publique [Decree No. 2015-1165 of 21 September 2015 Regarding the General Secretariat for the Modernization of Public Action], https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000031194412&categorieLien=id, *archived at* https://perma.cc/PA99-V5YN.

Germany

Jenny Gesley
Foreign Law Specialist

SUMMARY The German Federal Government has tasked the Federal Statistical Office with conducting satisfaction surveys every two years concerning services provided by government agencies for certain life and business situations. The first evaluation was performed in 2015. Results are made available online with the possibility for the public to comment.

I. General Overview

In 2015, the German Federal Government tasked the Federal Statistical Office (Statistisches Bundesamt (Destatis)) with conducting regular evaluations of citizens' and businesses' satisfaction with the services provided by government agencies.[1] Destatis is tasked with supporting the Federal Government in its goal of reducing bureaucracy, achieving better regulation, and reviewing existing administrative procedures in order to make them simpler and faster.[2] The customer satisfaction survey is a general survey and not customized for each agency. The first evaluation was conducted in 2015 with results presented at the end of 2015/beginning of 2016; the second evaluation took place at the beginning of 2017. The evaluation will be conducted every two years. The website Amtlich-einfach.de was set up to inform the public about the initiative and to publish the questionnaires and results.

Destatis developed the concept and the questionnaire, and evaluated the results. The actual survey was performed by a private company that was selected through a public procurement process.[3]

II. Feedback Collection and Evaluation

A. Type of Information Collected

In 2015, as a preliminary step, Destatis surveyed 1,000 citizens in order to determine how the actual satisfaction survey would be set up. Based on the results, the twenty-two most important

[1] *Bürokratieabbau und bessere Rechtsetzung. Initiative Amtlich-Einfach* [*Bureaucracy Reduction and Better Regulation. Initiative Administration Made Easy*], DIE BUNDESREGIERUNG [THE FEDERAL GOVERNMENT], https://www.bundesregierung.de/Webs/Breg/DE/Themen/Buerokratieabbau/01_Initiative-Amtlich-Einfach/_node.html (last visited Oct. 3, 2017), *archived at* http://perma.cc/LXR2-2VWJ.

[2] Gesetz zur Einsetzung eines Nationalen Normenkontrollrates [NKRG] [Act to Establish a National Regulatory Control Council], Aug. 14, 2006, BUNDESGESETZBLATT [BGBL.] [FEDERAL LAW GAZETTE] I at 1866, § 8, http://www.gesetze-im-internet.de/nkrg/NKRG.pdf, *archived at* http://perma.cc/SF3Y-6928.

[3] *Wissenswertes zur Zufriedenheitsbefragung* [*Facts Regarding the Satisfaction Survey*], STATISTISCHES BUNDESAMT [DESTATIS] [FEDERAL STATISTICAL OFFICE], https://www.amtlich-einfach.de/DE/Hintergrund/Zufriedenheitsbefragung/Zufriedenheitsbefragung_node.html (last visited Oct. 3, 2017), *archived at* http://perma.cc/84WY-TF3D.

and relevant life situations in which people interact with government agencies were selected from a total number of thirty-three life situations—for example, the birth of a child, unemployment, and university education. For the satisfaction of businesses, ten events were selected—for example, starting a business, taxation and finance, and recruitment. The main government agencies that citizens and companies interact with for these events were then compiled in collaboration with the people and businesses that had recently experienced the event in question.[4]

The private company that performed the satisfaction survey in 2015 interviewed a total of approximately 5,600 citizens and 1,500 businesses regarding their experiences and satisfaction with the government agencies. The participants were asked to evaluate sixteen different criteria, namely information regarding procedural steps, understandability of application forms, access to application forms, possibilities of digital interaction, access to the competent agency, physical accessibility, opening and waiting times, information on the follow-up procedure, helpfulness, professional expertise, total processing time, confidence in the government agencies, nondiscriminatory access, integrity of public officials, and how easy it was to understand any legal requirements.[5] Participation was voluntary and participants were randomly selected. The results were stored in an anonymized form and names, addresses, and phone numbers were deleted.[6]

B. Results

The questionnaires were evaluated by Destatis and the results were presented to the Federal Government and published on the website.[7] The public may submit comments or questions regarding the survey on the website.[8]

---

[4] *Id.*

[5] DESTATIS, ZUFRIEDENHEIT DER BÜRGERINNEN UND BÜRGER IN DEUTSCHLAND MIT BEHÖRDLICHEN LEISTUNGEN. AUSGEWÄHLTE ERGEBNISSE DER ZUFRIEDENHEITSBEFRAGUNG 2015 [SATISFACTION OF CITIZENS IN GERMANY WITH GOVERNMENT SERVICES: SELECTED RESULTS FROM THE SATISFACTION SURVEY 2015], at 7 (Aug. 2015), https://www.amtlich-einfach.de/SharedDocs/Downloads/Ergebnisse_Buerger.pdf?__blob=publicationFile&v=6, *archived at* http://perma.cc/Z3QV-8LAH; DESTATIS, WAHRNEHMUNG VON BÜROKRATISCHEN BELASTUNGEN DURCH UNTERNEHMEN IN AUSGEWÄHLTEN SITUATIONEN IN DEUTSCHLAND. AUSGEWÄHLTE ERGEBNISSE DER ZUFRIEDENHEITSBEFRAGUNG 2015 [PERCEPTION OF BUREAUCRATIC BURDENS FOR BUSINESSES IN GERMANY IN SELECTED SITUATIONS: SELECTED RESULTS FROM THE SATISFACTION SURVEY 2015], at 7 (Jan. 2016), https://www.amtlich-einfach.de/SharedDocs/Downloads/Ergebnisse_Wirtschaft.pdf?__blob=publicationFile&v=6, *archived at* http://perma.cc/TM3Y-TGDK.

[6] *Datenschutzhinweise* [*Privacy Notice*], DESTATIS, https://www.amtlich-einfach.de/DE/Hintergrund/Datenschutzhinweise/Datenschutzhinweise_node.html (last visited Oct. 3, 2017), *archived at* http://perma.cc/QPZ3-QQKR.

[7] *Ergebnisse der Zufriedenheitsbefragungen* [*Results of the Satisfaction Survey*], DESTATIS, https://www.amtlich-einfach.de/DE/Ergebnisse/Ergebnisse_gesamt_node.html (last visited Oct. 3, 2017), *archived at* http://perma.cc/NCA7-V7Y2.

[8] *Haben Sie Anmerkungen, Anregungen oder Fragen zu den Ergebnissen?* [*Do You Have Comments, Feedback, or Questions Regarding the Results?*], DESTATIS, https://www.amtlich-einfach.de/DE/Service/Feedback_Form_Ergebnisse/FeedbackErgebnisseBuerger_node.html (last visited Oct. 6, 2017), *archived at* http://perma.cc/ZHX8-9UKQ.

Based on the results, the Federal Government implemented the "Better Regulation Work Program 2016," which aims to determine and initiate noticeable simplifications in administrative procedures in specific areas as identified by the satisfaction survey.[9]

[9] *Arbeitsprogramm Bessere Rechtsetzung 2016* [*Better Regulation Work Program 2016*], BUNDESREGIERUNG [FEDERAL GOVERNMENT], https://www.amtlich-einfach.de/SharedDocs/Downloads/Arbeitsprogramm16.pdf?__blob=p6ublicationFile&v=2, *archived at* http://perma.cc/H7KC-RU9N.

Italy

Dante Figueroa
Senior Legal Information Analyst

SUMMARY At least since 1994 Italy has had a legislative and regulatory framework supporting the collection of customer satisfaction feedback by government agencies. First, pursuant to an administrative directive by Italy's executive branch in 1994, and later through a law enacted in 2000, the Italian legal system recognizes the importance and value of customer feedback for constant improvement in the provision of government transparency and efficiency. In general, the legal framework includes procedures for obtaining customer feedback, and individualizes specific methods for obtaining such feedback. Finally, in accordance with existing legislation, multiple government agencies have approved their own internal guidelines and manuals allowing for the collection of feedback from citizens, and the evaluation of citizen surveys to improve the delivery of services.

I. Legislative and Regulatory Framework for Customer Satisfaction Surveys

Several legislative and regulatory enactments have dealt with the matter of customer satisfaction feedback from government agencies in Italy at least since 1994. Those measures are presented below in chronological order.

A. Directive of the President of the Council of Ministers of January 27, 1994

The 1994 Directive of the President and Council of Ministers establishes the fundamental guiding principles for the provision of services by government agencies, including the principle of equal treatment of all users.[1] This principle prohibits discrimination on any grounds whatsoever.[2] Other relevant principles include

- the principle of impartiality, which guides the interpretation of all conditions—both general and particular—for the provision of the respective services;[3]
- the principle of continuity, which aims at avoiding interruption of services and inconvenience to users;[4]
- the principle of free selection of services by users;[5] and

[1] Direttiva Presidente Consiglio dei Ministri 27 gennaio 1994, "*Princìpi sull'Erogazione dei Servizi Pubblici*" [Directive of the President of the Council of Ministers of January 27, 1994, *"Principles on the Provision of Public Services"*], G.U. No. 43, Feb. 22, 1994, http://www.gazzettaufficiale.it/do/gazzetta/serie_generale/3/pdfPaginato?dataPubblicazioneGazzetta=19940222&numeroGazzetta=43&tipoSerie=SG&tipoSupplemento=GU&numeroSupplemento=0&numPagina=12&edizione=0&elenco30giorni%20, *archived at* https://perma.cc/L9A4-W3DW.

[2] *Id.* art. I(1).

[3] *Id.* art. I(2).

[4] *Id.* art. I(3).

- the principle of participation, which allows for citizen access to government information relevant to decisions in matters of their interest.[6]

Within the context of the principle of participation, the Directive allows citizens to submit documentation, observations, and suggestions for the improvement of government services and actions,[7] and to be informed of the decisions involving them along with the procedural means for challenging such decisions.[8] The Directive also requires government agencies to issue criteria on the quality and quantity standards to which they must abide during the provision of their services.[9] Such standards must be preapproved through a public hearing.[10] Government agencies must also afford citizens a meaningful opportunity to evaluate whether agencies have achieved their goals.[11] Agencies must summon public meetings in a determined geographical zone or area of service.[12] The respective government agencies must publish input from the public, and also identify specific measures it will take to increase efficiency in the pursuance of public goals, taking into consideration citizen opinions and reviews.[13]

Finally, the Directive creates a Permanent Committee for the Implementation of the Charter of Public Services, in order to guarantee compliance with the principles and procedures established therein.[14] This Committee must promote the adoption of measures aimed at the simplification of the relationship between government agencies and users, and ensure the possibility of free selection of services by citizens.[15]

B. Law No. 150 of June 7, 2000

Law No. 150 of 2000 regulates the information and communications provided by government agencies to users.[16] In particular, it created an office for public relations within each government agency.[17] According to the Law, each office must include mechanisms in its regulations that

---

[5] *Id.* art. I(4).

[6] *Id.* art. I(5)2.

[7] *Id.* art. I(5)3.

[8] *Id.* art. II(3)(4).

[9] *Id.* art. II(1)(3).

[10] *Id.* art. II(1)(4).

[11] *Id.* art. II(5)(1).

[12] *Id.* art. II(5)(4).

[13] *Id.* art. II(5)(5).

[14] *Id.* art. III(2)(1).

[15] *Id.* art. III.3(e) & (f).

[16] Legge 7 giugno 2000, n. 150 Disciplina delle attivita' di informazione e di comunicazione delle pubbliche amministrazioni [Law No. 150 of June 7, 2000, on the Activity of Information and Communication by Government Agencies], G.U. No. 136, June 13, 2000, http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2000-06-07;150, *archived at* https://perma.cc/6B72-J3XH.

[17] *Id.* art. 8(1).

guarantee citizens access to information, and "implement, after listening to the citizens . . . verification processes for the quality of services and user satisfaction."[18]

C. Directive of the Ministry of Public Function of March 24, 2004, on the Detection of the Quality Perceived by Citizens

The 2004 Directive of the Ministry of Public Function on the Detection of the Quality Perceived by Citizens[19] seeks to improve citizens' satisfaction with government services and the quality of such services.[20] The Directive highlights the central role that citizens play in providing government agencies with feedback to assess the responsiveness of the services delivered.[21] The Directive also recognizes that customer satisfaction surveys are one of the most broadly used instruments to measure user satisfaction with the services received.[22] Consequently, the Directive highlights that customer satisfaction instruments allow government agencies to "exit from their own self-referentiality, helping them to relate with the citizens, to always better know and understand the needs of final recipients of their own activities, and to thus project their public policies and systems for the provision of services."[23] In addition, the Directive notes that obtaining information on customer satisfaction helps to build a relational model between government agencies and citizens that is based on trust and enables government agencies to determine how best to fulfill citizens' expectations for the services provided.[24]

As a result, the Directive mandates that government agencies take the following steps to survey customer satisfaction:

- Conduct periodic quality surveys of citizens' perceptions of public services, providing appropriate methodologies and tools.[25]
- Disseminate and publish, through appropriate means, the results of the citizen surveys that support improvement plans.[26]
- Consider four different phases for conducting customer satisfaction surveys:

[18] *Id.* art. 8(2)(d) (all translations by author).

[19] Direttiva del Ministro della Funzione Pubblica 24 marzo 2004 Sulla Rilevazione della Qualita Percepita dai Cittadini [Directive of the Ministry of Public Function of March 24, 2004, on the Detection of the Quality Perceived by Citizens], Ministro per la Semplificazione e la Pubblica Amministrazione [Ministry for the Simplification and the Public Administration], http://www.funzionepubblica.gov.it/sites/funzionepubblica.gov.it/files/16818.pdf, *archived at* https://perma.cc/KLU8-JGNV.

[20] *Id.* art. 1.¶ 1.

[21] *Id.* art. 1.¶ 2.

[22] *Id.* art. 1.¶ 3.

[23] *Id.* art. 1.¶ 4.

[24] *Id.* art. 4(I).¶ 2.

[25] *Id.* art. 3.¶ 2.

[26] *Id.* art. 3.¶ 3.

- First: Preparation of the research, which should include a preinvestigation activity in order to assess aspects crucial for implementing a successful customer satisfaction survey.
- Second: Data collection, which should include interviews, focus groups, questionnaires, etc., in order to obtain information from citizen users.
- Third: Preparation and interpretation of data, to evaluate the information obtained according to several criteria established in the Directive.
- Fourth: Distribution and use of the results among government agencies and the general public.[27]

D. Legislative Decree No. 150 of October 27, 2009

Legislative Decree No. 150, issued in 2009, seeks to optimize the provision of services by government agencies and the transparency of their activities.[28] To that end, this legislation creates a system for the assessment of agencies' performance that refers to several criteria, including obtaining information on the degree of satisfaction from users of public services and activities.[29]

In addition, this legislation allows for the participation of citizens in the evaluation of government agencies' performance of their activities and services. Customer satisfaction information may be provided by individual citizens and also by citizen organizations to the organisms created within each respective government agency to collect and evaluate such information.[30]

E. Directive No. 2 of 2017 of the Council of Ministers

Council of Ministers Directive No. 2 of 2017 instructs government agencies to promote stronger citizen participation in agency decisions and to consider public consultation mechanisms, including internet-based means, for obtaining customer feedback.[31]

---

[27] *Id.* art. 4.¶ 2.

[28] Decreto Legislativo 27 ottobre 2009, n. 150 Attuazione della Legge 4 Marzo 2009, n. 15, in materia di Ottimizzazione della Produttivita' del Lavoro Pubblico e di Efficienza e Trasparenza delle Pubbliche Amministrazioni [Legislative Decree No. 150 of October 27, 2009, Implementation of Law No. 15 of March 4, 2009, on the Optimization of the Productivity of Public Works and on the Efficiency and Transparency of Government Agencies], G.U. No. 254, Oct. 31, 2009, http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2009-10-27;150!vig=2017-10-03, *archived at* https://perma.cc/WCH3-EBRW.

[29] *Id.* art. 8(1)(c).

[30] *Id.* art. 19-bis(1).

[31] Direttiva 31 maggio 2017 Linee guida sulla consultazione pubblica in Italia (Direttiva n. 2/2017) [Directive No. 2 of May 31, 2017, Guidelines on Public Consultation in Italy], G.U. No. 163, July 14, 2017, http://www.gazzettaufficiale.it/eli/id/2017/07/14/17A04797/sg, *archived at* https://perma.cc/A57K-JCPW.

II. Administrative Guidelines

Pursuant to existing legislation, individual public agencies have approved their own guidelines and manuals allowing for feedback from citizens. Among them, the Guide on Customer Satisfaction on the Quality of Services approved by the Ministry of Labor and Social Policies,[32] and the Guidelines for the Survey of Customer Satisfaction[33] approved by the Department of Internal and Territorial Affairs at the Ministry of the Interior implement the 2004 Directive of the Ministry of Public Function on the Detection of the Quality Perceived by Citizens.

Several aspects of interest of the Guidelines include

- the definition of "customer satisfaction" as an instrument used internally within a given government agency or externally for the general citizenry that allows for citizen perception surveys concerning the delivery of services by government agencies;[34]
- the recognition that the results obtained from surveys facilitate the identification of strengths and weaknesses in the services offered, and consequently allow for the redesign of a "quality system" for the provision of public services;[35]
- the determination of the stages involved in obtaining customer feedback, which include aspects such as the specific matters on which the respective survey seeks to obtain feedback, the objectives sought through the research, the duration of the survey, and the instruments used for the investigation;[36]
- a listing of the specific mechanisms to be utilized for conducting surveys, including individual in-depth interviews, observations from participants, group meetings, focus groups, family groups, simulations, role playing, brainstorming, and panels, among others;[37]

[32] Ministero del Lavoro e delle Politiche Sociali [Ministry of Labor and Social Policies], Customer Satisfaction sulla Qualità dei Servizi Erogati dagli Uffici Centrali e Territoriali [Customer Satisfaction on the Quality of Services Provided by the Central and Territorial Offices] (Jan. 2015), http://www.lavoro.gov.it/strumenti-e-servizi/customer-satisfaction/Documents/customer_satisfaction.pdf, *archived at* https://perma.cc/27PX-SZ9E.

[33] Ministero dell'Interno, Dipartimento per gli Affari Interni e Territoriali, Direzione Centrale per l'Amministrazione Generale e per gli U.T.G. Ufficio per la Riforma della P.A. [Ministry of the Interior, Department for Internal and Territorial Affairs, Central Directorate for the General Administration and for the U.T.G. Office for the Reform of the P.A.], Linee Guida per lo Svolgimento di Indagini di Customer Satisfaction [Guidelines for the Survey of Customer Satisfaction], http://www1.interno.gov.it/mininterno/export/sites/default/it/assets/files/6/2005 62310458.pdf (last visited Oct. 24, 2017), *archived at* https://perma.cc/UT2J-MT3T.

[34] *Id.* § 1.2.

[35] *Id.* § 1.3.

[36] *Id.* § 2.1.

[37] *Id.* § 3.1.

- the regulation of the questionnaire as one of the core means to evaluate customer satisfaction;[38] and
- the establishment of instruments for monitoring the perceived quality of the services rendered.[39]

[38] *Id.* § 4.

[39] *Id.* § 3.9.1.

Japan

Sayuri Umeda
Foreign Law Specialist

It appears that the Japanese government does not collect customer satisfaction feedback proactively. However, the Ministry of Internal Affairs and Communications (MIAC) accepts complaints, opinions, and requests from the general public concerning the business of administrative agencies, including the provision of services, and mediates disputes.[1] One of the missions of the MIAC is to maintain comprehensive and efficient administration through management and operation of the country's basic system of administration.[2] Complaints, opinions, and requests from the general public are used for better management of the administration of government.

Complaints, opinions, and requests are accepted in person at regional administrative consultation offices of the MIAC; through administrative consultants in the submitter's geographic area; by phone, mail, or facsimile; or online.[3] These submissions may touch on various subjects, including the quality of services received.[4] Approximately 170,000 complaints, opinions, and requests are submitted per year.[5] Several examples of these are included on the MIAC website.[6]

Individual agencies also accept opinions and proposals online. It appears that each agency has a different form for this process.[7] Some agencies report examples of opinions and answers and publish them.[8]

---

[1] MIAC Establishment Act, Act No. 91 of 1999, art. 4, item 15.

[2] *Id*. art. 3.

[3] 行政相談制度・行政相談委員制度の概要 [SUMMARY OF ADMINISTRATION CONSULTATION AND ADMINISTRATION CONSULTANT SYSTEM] (Submitted to the Study Group of the Administration Consultant System) (Dec. 19, 2008), http://www.soumu.go.jp/main_sosiki/hyouka/soudan_n/pdf/081219_2_3.pdf, *archived at* https://perma.cc/TK7H-UEC4.

[4] 国の行政に関する苦情、意見・要望は「行政相談」をご利用ください [*Please Use "Administration Consultation" for Complaints, Opinions, and Requests Concerning National Administration*], CABINET OFFICE (Oct. 11, 2016), http://www.gov-online.go.jp/useful/article/201310/1.html, *archived at* https://perma.cc/UHT3-4X8P.

[5] 行政評価局 [DEPT. OF EVALUATION OF ADMINISTRATION], MIAC, http://www.soumu.go.jp/main_sosiki/hyouka/ (last visited Oct. 19, 2017), *archived at* https://perma.cc/L6C5-VB8C.

[6] CABINET OFFICE, *supra* note 4.

[7] For example, the Ministry of Justice's online form is available at https://www.moj.go.jp/mojmail/kouhouinput.php (last visited Oct. 19, 2017), *archived at* https://perma.cc/9T2B-XUWF. The Ministry of Health, Labour and Welfare's form is available at https://www-secure.mhlw.go.jp/getmail/getmail.html (last visited Oct. 19, 2017), *archived at* https://perma.cc/4WFB-6A42.

[8] For example, Press Release, 厚生労働省に寄せられた「国民の皆様の声」の集計報告について [Report of Aggregated "People's Voices" Submitted to the MHLW] (Sept. 26, 2017), http://www.mhlw.go.jp/houdou_kouhou/sanka/koe_boshu/dl/170926a.pdf, *archived at* https://perma.cc/U65H-7HSQ.

Macao Special Administrative Region of China

Yichao Zhang
Foreign Law Consultant

SUMMARY Since 2000, the government of the Macao Special Administrative Region of China has been promoting the Quality Charter Program, the purpose of which is to optimize the functioning of the public administration. All government agencies that have implemented the Quality Charter Program must give priority to optimizing administrative procedures, improving the mechanism for handling suggestions and complaints, and periodically evaluating the degree of citizen satisfaction. The government of Macao has established a comprehensive system for conducting citizen satisfaction surveys and a widely-adopted mechanism for handling public complaints, claims, and suggestions.

I. Policy and Regulatory Basis for Citizen Satisfaction Survey Project

A. Policy Basis

In November 2000, the Chief Executive of the Macao Special Administrative Region (MSAR) delivered the Policy Address for Fiscal Year 2001 at the Legislative Assembly Meeting, and stated that "the government will promote the Quality Charter Program to enhance administrative accountability and service efficiency."[1] In November 2002, the Chief Executive stated at the Legislative Assembly Meeting that the government would make a greater effort to put the Quality Charter Program at the top of its agenda.[2] Since then, government agencies of the MSAR have gradually implemented the Program, which requires the agencies to establish mechanisms for handling suggestions and complaints, and to periodically assess the degree of citizens' satisfaction.

In the Policy Address for Fiscal Year 2005, the Chief Executive of the MSAR asserted that the government must further promote the Citizen Satisfaction Survey Project (the Project), and must provide technical support for agencies that have not adopted the Project. The Policy Address also estimated that the Project would be widely implemented by all public administration services and bodies in 2006.[3]

---

[1] AOMEN TEBIE XINGZHENG QU ZHENGFU 2001 NIAN CAIZHENG NIANDU SHIZHENG BAOGAO [POLICY ADDRESS FOR THE FISCAL YEAR 2001 OF THE GOVERNMENT OF MACAO SPECIAL ADMINISTRATIVE REGION] (Nov. 9, 2000), http://bo.io.gov.mo/edicoes/cn/raem/lag2001/ (in Chinese), *archived at* https://perma.cc/VKR3-UACK.

[2] AOMEN TEBIE XINGZHENG QU ZHENGFU 2003 NIAN CAIZHENG NIANDU SHIZHENG BAOGAO [POLICY ADDRESS FOR THE FISCAL YEAR 2003 OF THE GOVERNMENT OF MACAO SPECIAL ADMINISTRATIVE REGION] (Nov. 20, 2002), http://bo.io.gov.mo/edicoes/cn/raem/lag2003/ (in Chinese), *archived at* https://perma.cc/B3HF-HW6G.

[3] AOMEN TEBIE XINGZHENG QU ZHENGFU 2005 NIAN CAIZHENG NIANDU SHIZHENG BAOGAO [POLICY ADDRESS FOR THE FISCAL YEAR 2005 OF THE GOVERNMENT OF MACAO SPECIAL ADMINISTRATIVE REGION] (Nov. 16, 2004), http://bo.io.gov.mo/edicoes/cn/raem/lag2005/ (in Chinese), *archived at* https://perma.cc/EP75-MP5R.

B. Regulatory Basis

1. Executive Order No. 69/2007 (Amended by the Executive's Order No. 69/2010)

In February 2007, the Chief Executive of the MSAR issued Executive Order No. 69/2007, which stated that the Quality Charter Program is one of the MSAR's strategic measures aimed at optimizing the services provided by government agencies. The Executive Order also declared that in order to evaluate the quality and efficiency of all public services and entities, the Commission for Evaluation of Public Services would be established under the Secretariat for Administration and Justice.[4] The Annex to the Executive Order provided organizational details of the Quality Charter Program.[5]

2. Order of the Secretariat for Administration and Justice No. 22/2007

In September 2007, the Order of the Secretariat for Administration and Justice No. 22/2007 was issued pursuant to Chief Executive Order No. 69/2007. The Order approved the criteria for evaluating the quality and efficiency of services and public entities. The Citizen Satisfaction Survey Project, which includes the solicitation and collection of feedback from service recipients, was established as one of the major evaluation mechanisms under the Quality Charter Program.[6]

II. Overview of the Citizen Satisfaction Survey Project

The Directorate of Administration and Public Services of the MSAR, which is the government agency in charge of conducting research, promoting modernization, and providing assistance for the administration and public services, established the Thematic Website for Optimization of Public Service (Public Service Website). This centralized website collects regulations, information, statistics, and reports related to the Quality Charter Program. Also, public services and bodies can submit opinions or obtain information through the website, as well as request technical support from the Directorate of Administration and Public Services.[7]

A. Scope

According to the Public Service Website, regardless of the type of services provided, any government agency and public entity may assess the degree of citizen satisfaction, provided that

[4] Di 69/2007 Hao Xingzheng Zhangguan Pishi [Executive Order No. 69/2007] (promulgated by the Chief Executive of MSAR, Feb. 22, 2007; amended by Executive Order No. 69/2010, Mar. 22, 2010), http://bo.io.gov.mo/bo/i/2007/08/despce_cn.asp#69 (in Chinese), *archived at* https://perma.cc/6VGT-47VA.

[5] *Id.*, Annex.

[6] Di 22/2007 Hao Xingzhen Fawu Si Sizhang Pishi [Order of the Secretariat for Administration and Justice No. 22/2007] (promulgated by the Secretariat for Administration and Justice, Sept. 17, 2007), http://bo.io.gov.mo/bo/i/2007/38/despsaj_cn.asp#22 (in Chinese), *archived at* https://perma.cc/8E4F-4B4J.

[7] THEMATIC WEBSITE FOR OPTIMIZATION OF PUBLIC SERVICE, http://app.safp.gov.mo/qs (in Chinese; last visited Oct. 24, 2017), *archived at* https://perma.cc/N4SE-5J74.

the recipients of its services are citizens or other listed entities (including industrial and commercial companies, associations, public bodies, foreign investors, and tourists).[8]

B. Form of the Survey

Government agencies that have adopted the Quality Charter Program are required to conduct a citizen satisfaction survey at least once a year. However, the specific times and form of the survey are determined by the agency itself. According to the Public Service Website, most government agencies conduct the survey annually; some others conduct the survey biannually.[9] The duration of the survey can last from several months to a year, which is determined at each agency's own discretion.

The form in which the feedback is collected is also determined by each agency. According to the Public Service Website, most government agencies use face-to-face or telephone interviews, or send out written questionnaires through electronic means, by fax, or by mail.[10] For example, the 2016 Directorate of Legal Affairs Services Citizens Satisfaction Survey Report indicates that the agency adopted two ways of conducting surveys: distributing a written questionnaire to each citizen when he or she receives service at the counter during the feedback collection period, and mailing or faxing questionnaires to the service recipients.[11]

C. Content of Questions

According to the Public Service Website, at least the five metrics below are assessed during the feedback collection process. The website also provides a set of standardized questions for use by government agencies in collecting voluntary feedback on these metrics:

- Degree of convenience: Whether an individual or entity can easily and quickly receive a service provided by the agency.
- Employee conduct: Whether an individual or entity is treated with respect in an active, professional, and timely manner.
- Environment and facilities: Whether the equipment installed by the agency gives citizens a sense of comfort and convenience.

[8] *The Scope of the Citizen Satisfaction Survey Project*, THEMATIC WEBSITE FOR OPTIMIZATION OF PUBLIC SERVICE, http://app.safp.gov.mo/cms/view?aid=99&mid=748 (in Chinese; last visited Oct. 24, 2017), *archived at* https://perma.cc/ARJ9-T94L.

[9] *Quality Charter Program*, THEMATIC WEBSITE FOR OPTIMIZATION OF PUBLIC SERVICE, http://app.safp.gov.mo/qs/reconhecimento (in Chinese; last visited Oct. 24, 2017), *archived at* https://perma.cc/6T6B-LEMW.

[10] *Id.*

[11] *Id.*

- Internal process: Whether the services provided to citizens undergo an internal process based on the principles of justice, impartiality, and reasonableness.
- Overall satisfaction: Whether the services provided by the agency satisfy citizens' requirements and intention.[12]

In addition to the questions developed under the above-mentioned five metrics, each agency has the discretion to develop questions relevant to its specific operations or programs. For example, the 2016 Directorate of Legal Affairs Services Citizens Satisfaction Survey Report indicates that the agency also included service information, electronic service, and overall quality in its evaluation metrics. Some agencies also include a question asking for general suggestions.[13]

D. Analysis and Publication of Results

Government agencies that have adopted the Quality Charter Program are required by the Program to collect feedback from service recipients, analyze the results of the citizen satisfaction survey, compose a report on the survey, and publish the report on the centralized Public Service Website and each agency's official website annually.[14]

The aggregated annual report on the solicitation of citizens' voluntary feedback generally includes a brief introduction of the survey, a presentation of the results, an analysis of the results, a trend analysis, suggestions on improvement, and steps to be taken.[15]

III. Mechanism for Handling Public Complaints, Claims, and Suggestions

According to article 21 of Decree-Law No. 5/98/M, which was published on February 2, 1998, all public departments and agencies must collect and respond to public complaints, claims, and suggestions monthly.[16] The response to the claims and complaints from individuals and entities whose identification and address have been indicated must be given within forty-five days from the date on which the complaints were received. Anonymous claims and complaints, however, may be destroyed at the direction of the chief officer in charge of the agency.[17]

On October 25, 2000, the Secretariat for Administration and Justice issued Order No. 13/2000. Paragraph 1 of the Order provided that officials of public service agencies and bodies must

[12] *The Content of the Citizen Satisfaction Survey Project*, THEMATIC WEBSITE FOR OPTIMIZATION OF PUBLIC SERVICE, http://app.safp.gov.mo/cms/view?aid=99&mid=749 (in Chinese; last visited Oct. 24, 2017), *archived at* https://perma.cc/3GZ6-FCHZ.

[13] *Id.*

[14] *Id.*

[15] *Id.*

[16] A "complaint" is a statement that the service recipient is unsatisfied with the service provided by the agency, while a "claim" is a demand, allegation, or accusation made by the service recipient requesting further treatment.

[17] Di 5/98/M Hao Faling [the Decree-Law No. 5/98/M] (promulgated by the Chargé d'État of Macao, Feb. 2, 1998), http://bo.io.gov.mo/bo/i/98/05/declei05_cn.asp (in Chinese), *archived at* https://perma.cc/D96F-JLQ7.

designate the person responsible for analyzing and reporting the treatment of public complaints, claims, and suggestions pursuant to article 21 of Decree-Law No. 5/98/M.[18]

According to the Public Service Website, agencies that have adopted the Quality Charter Program are required to disclose to the public their annual reports on public complaints, claims, and suggestions. Such reports generally include statistics, a summary, and a discussion of the treatment and results of public complaints, claims, and suggestions. The reports do not include private information or materials that are not appropriate for disclosure. The reports of each government agency can be accessed on the centralized Public Service Website and on each agency's official website.[19]

The Public Service Website also provides an introduction to the mechanism for handling public complaints, claims, and suggestions. The introduction summarizes the function of, principle of, procedure for, and special issues related to the mechanism.[20]

[18] Di 13/2000 Hao Xingzhen Fawu Si Sizhang Pishi [Order of the Secretariat for Administration and Justice No. 13/2000] (promulgated by the Secretariat for Administration and Justice, Oct. 25, 2000), http://bo.io.gov.mo/bo/ii/2000/43/despsaj_cn.asp (in Chinese), *archived at* https://perma.cc/VAC6-RUPL.

[19] *Mechanism for Handling Public Complaints, Claims, and Suggestions*, THEMATIC WEBSITE FOR OPTIMIZATION OF PUBLIC SERVICE, http://app.safp.gov.mo/qs/estat_intro (in Chinese; last visited Oct. 24, 2017), *archived at* https://perma.cc/UP94-5K34.

[20] *Id.*

Netherlands

Wendy Zeldin
Senior Legal Research Analyst

SUMMARY The Dutch government has conducted consumer satisfaction surveys for many years. Its eCitizen Charter, a body of quality requirements for government digital services, has been used as a model by other countries. It has also used "customer journey mapping" and "trend documents" to gauge customer satisfaction with government services.

I. Overview

In 1996, the Dutch government instituted its first citizen-centered initiative for a "one-stop-shop service delivery program," known as OL2000 (Overheidsloket 2000/Public Counter 2000), promoting along with it the concept of "thinking and working from the citizen's perspective."[1] In 2001, some twenty separate government reform programs were merged into a joint information and communications technology (ICT) organization in the public sector to deal with eGovernment.[2]

In 2003, the eCitizen Program, conceived as "an independent forum which would look critically into [government reforms] from the citizen's point of view," was inaugurated "with the task of being a critical evaluator of eGovernment solutions."[3] It was succeeded in 2008 by Citizenlink, a Dutch government initiative to improve public performance through citizen involvement, with the tasks of promoting service quality through the adoption of an eCitizen Charter and quality codes; measuring customer satisfaction through an "Annual National Survey about Life Events"; and stimulating citizen involvement by such means as holding an annual eParticipation Award and developing eParticipation instruments.[4]

The eCitizen Charter or "BurgerServiceCode" is characterized as

> a quality standard for eGovernment written from the citizen's perspective. It consists of 10 quality requirements for digital contacts, both in the field of information exchange, service delivery and policy participation. The charter has been adopted as a quality

[1] Matt Poelmans, *From Electronic Government to Collaborative Governance* § 2.2, https://skl.se/download/18.2644e66d1572c650b953a693/1474545341702/Whitepaper%20and%20slideshow,%20Matt%20Poelmans.pdf (last visited Oct. 24, 2017), *archived at* https://perma.cc/MP64-ZUFG. For a comparative look at Dutch citizens' satisfaction with certain government services compared to that of citizens of other countries, see, for example, *Citizen Satisfaction with Public Services*, *in* GOVERNMENT AT A GLANCE 2015, ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD), http://www.oecd-ilibrary.org/docserver/download/4215081ec056.pdf?expires=1508785689&id=id&accname=guest&checksum=33326F52CDDA297D2E9977A10088B3FC, *archived at* https://perma.cc/UK4V-HXQ3.

[2] Poelmans, *supra* note 1.

[3] *Id.*

[4] *Id.*

> standard on all levels of Dutch government and is also used as the basis for ongoing measurement of citizen satisfaction on the basis of life events. Moreover it is the criterion for the annual eParticipation Awards.[5]

Furthermore, from 2008–2010, the government conducted a national survey to assess citizen satisfaction with government performance as a whole, with satisfaction "measured by asking citizens about real experiences with solving life events" and evaluation "based on the ten criteria of the eCitizen Charter."[6]

II. Form of Feedback Collection

A. Major National Survey 2008–2010

The stated aim of the 2008–2010 survey that the Dutch government conducted to gauge citizens' satisfaction with government services was to score at least a "seven" for the quality of services during that government's term in office.[7] The State Secretary for the Interior and Kingdom Relations focused "on the perceptions (questions or problems) of private citizens" to measure a baseline of satisfaction in spring 2008, "when people were asked about the services provided in connection with life events."[8]

The design of the survey was to obtain feedback on "the services provided in connection with 55 life events, ranging from 'having a child,' 'beginning a course,' 'starting a business,' 'long-term illness,' 'going abroad,' 'changing housing situation' and 'being fined' to 'death of a nearest and dearest,' " events that "had a high recognition factor for respondents, who were selected on the basis of actual experience of the various events."[9] Of more than 10,000 persons screened, there remained a final net sample of 1,400 survey participants; the results were "representative of Dutch residents who had contacts with government in connection with one of the life events during the past twelve months."[10] The questions were based on the contents of the eCitizen Charter, whose ten quality standards formed the basis for the statements.[11]

According to a 2011 study published by the Organisation for Economic Co-operation and Development, some of the low-scoring life events measured through the Dutch government services questionnaire "are mapped with the Dutch equivalent of the customer journey mapping, the KEK," which "is a tool for visualizing how customers interact with people and organisations

---

[5] *Citizens Charters in the Netherlands*, BURGERLINK.NL, *available at* http://unpan1.un.org/intradoc/groups/public/documents/un-dpadm/unpan045396.pdf (last visited Oct. 23, 2017), *archived at* https://perma.cc/MV95-5BPK.

[6] *Id.*

[7] Poelmans, *supra* note 1, § 4.2.

[8] *Id.*

[9] *Id.*

[10] *Id.*

[11] *Citizens Charters in the Netherlands*, *supra* note 5, at 2–3. At the time it was stated that "Citizenlink is working on developing the methodology further. Also a variation of the instrument for local use will be developed." *Id.* at 3.

in order to make a purchase or experience a service."[12] The KEK can help improve a given type of service "by finding out how people use the service and how they interact with the service provider. It provides a map of the interactions and emotions that take place, and can help an organisation provide its customers with the experience it wants them to have."[13] As of the time the OECD study was written, three life events had been mapped and certain improvements had been made in the services related to those events.[14]

While acknowledging that systematic measurement of public-sector performance was still being developed at that time by such means as assessments and benchmarks, the 2011 study stated in connection with the Netherlands that "performance information is more and more integrated into systematic knowledge and trend development," with one example being "the 'trend document' on developments in public sector organization and employment, which is submitted to parliament with the government budget each year."[15] The study also reported that "many larger public sector organisations" had begun to set up "knowledge units" for collecting "performance data about their organisations (including data on clients' and employees' satisfaction)," analyzing that data, and reporting on them, for use "by political officials, such as ministers, for strategic policy planning."[16]

B. Specific Examples in Recent Years

Since 1970, the Dutch Electoral Research Foundation has conducted a series of national surveys referred to as the Dutch Parliamentary Election Studies, which might be considered in some respects a citizen satisfaction survey. While a number of questions are replicated, each survey also has questions not posed in the other surveys.[17] According to the Survey Data Netherlands website, "the major substantive areas consistently covered" in these election surveys "include the respondents' attitudes toward and expectations of the government and its effectiveness in both domestic and foreign policy" and "the most important problems facing the people of the Netherlands," among other topics.[18]

[12] *Netherlands*, *in* OECD, THE CALL FOR INNOVATIVE AND OPEN GOVERNMENT: AN OVERVIEW OF COUNTRY INITIATIVES 185 (2011), http://www.oecd-ilibrary.org/docserver/download/4211071ec024.pdf?expires=1508861595&id=id&accname=ocid195520&checksum=6FC6D32C78AE840E88EFA5422F839B62, *archived at* https://perma.cc/9CPS-5DF9.

[13] *Id.*

[14] *Id.*

[15] *Id.*

[16] *Id.* at 185. A form used in 2011 for participation in a customer survey can be viewed on the Dutch government website. Meldingsformulier Persoonsgegevens 'Klantenenquête Participatie 2011' [Personal Data Registration Form 'Customer Survey Participation 2011'], https://www.rijksoverheid.nl/documenten/formulieren/2011/09/16/meldingsformulier-persoonsgegevens-szw, *archived at* https://perma.cc/LE32-4KEG.

[17] *Dutch Parliamentary Election Studies*, SURVEY DATA NETHERLANDS, https://www.surveydata.nl/dutch-parliamentary-election-studies (last visited Oct. 23, 2017), *archived at* https://perma.cc/L8EM-77WK.

[18] *Id.*

More concrete examples of customer satisfaction surveys are the 2012 survey of services in City Hall[19] and the 2015 survey of travel and vocational vaccinations.[20] Business consumer satisfaction is also measured in the Netherlands. Under the Business Sentiment Monitor initiative, the perception of businesses vis-à-vis regulatory burden reduction is measured annually, focusing "not only on the reduction of administrative burdens" but also addressing the "costs to comply with regulations, requirements of supervisory bodies, and the constantly changing rules."[21] The government's aim is to increase by 25% the number of businesses claiming to "have very little irritation from unnecessary information obligations."[22]

[19] ENQUÊTE DIENSTVERLENING IN HET STADHUIS [SURVEY OF SERVICES IN CITY HALL] (Feb. 2012), http://docplayer.nl/storage/25/4751629/1508860642/rCUPjVSo9XiNRlJcONcLjA/4751629.pdf, *archived at* https://perma.cc/WJ58-8TRX.

[20] REIS- EN BEROEPSVACCINATIE. KLANTTEVREDENHEIDSONDERZOEK 2015 [TRAVEL AND VOCATIONAL VACCINATION. CUSTOMER SATISFACTION SURVEY 2015], http://docplayer.nl/storage/36/17458056/1508860953/9UAbnWLY46K8KeEnJHvDaw/17458056.pdf, *archived at* https://perma.cc/54DG-43CR.

[21] OECD, BETTER SERVICE DELIVERY FOR INCLUSIVE GROWTH IN THE DOMINICAN REPUBLIC 138 (Box 3.6) (OECD Public Governance Reviews, June 1, 2017), http://www.oecd-ilibrary.org/docserver/download/4216291e.pdf?expires=1508861918&id=id&accname=ocid195520&checksum=FE27B007CF42F33BBD9ABBE26D382208, *archived at* https://perma.cc/64F5-DHGS.

[22] *Id.*

Nicaragua

Norma C. Gutiérrez
Senior Foreign Law Specialist

There appears to be no legislation in Nicaragua mandating that government agencies collect customer satisfaction feedback.

The institution of the Public Prosecutor (Ministerio Público), which is an entity that operates at the national level and has functional and administrative autonomy,[1] conducted and published a national customer satisfaction survey in 2014, 2015, and 2016.[2] Citizens visiting on-site offices of the Ministerio Público throughout the country may fill out surveys and submit them using the feedback boxes provided.[3] Many government agencies collect customer satisfaction feedback on their services in the same way, but they do not publish the result of their surveys; rather, they use the results as a mechanism to improve services.[4]

The Law of Citizen Participation was promulgated in 2003. The objective of this Law is to promote citizen participation in the political, social, economic, and cultural spheres through the creation of mechanisms that allow such participation.[5] In compliance with the objective of this Law, the website of the National Assembly provides a webpage where citizens may write their opinion on the legislative work of the Assembly and on bills that have been introduced.[6]

[1] CONSTITUCIÓN POLÍTICA DE LA REPÚBLICA DE NICARAGUA art. 138(9)(b), LA GACETA, Jan. 9, 1987, republished with all amendments incorporated *in* LA GACETA, Feb. 18, 2014, https://ministeriopublico.gob.ni/wp-content/uploads/2016/05/constitucion.pdf, *archived at* https://perma.cc/L3CR-EFHD.

[2] E.g., MINISTERIO PÚBLICO DE NICARAGUA, ENCUESTA NACIONAL DE SATISFACCIÓN DE USUARIOS Y USUARIAS (July 2016), https://ministeriopublico.gob.ni/LibreriaVirtual/Encuestas/Encuesta Nacional Satisfaccion Usuarios MP 2016.pdf, *archived at* https://perma.cc/3FZB-LNFS.

[3] Telephone Interview with Officer of the Ministerio Público (Oct. 18, 2017) (record on file with author).

[4] Telephone Interview with Employee of M&R Consultores (private firm that surveys citizens regarding issues of national concern) (Nov. 18, 2017) (record on file with author).

[5] Ley de Participación Ciudadana, No. 475, art. 1, LA GACETA, Dec. 19, 2003, http://sajurin.enriquebolanos.org/vega/docs/Gaceta No. 241 Viernes 19 de Diciembre de 2003.pdf, *archived at* https://perma.cc/M49V-ZKHL.

[6] *Participación Ciudadana*, ASAMBLEA NACIONAL DE NICARAGUA, http://www.asamblea.gob.ni/participacion-ciudadana/ (last visited Oct. 20, 2017), *archived at* https://perma.cc/ZAG2-GVT5.

Russian Federation

Nerses Isajanyan
Foreign Law Consultant

SUMMARY Russia enacted regulations for the collection of feedback on the quality of government services in 2012. Those regulations provide uniform rules for collecting, processing, and using data on customer satisfaction. Recipients of government services assess services on a five-point scale, using text messages, automatic machines on the premises of government agencies, or online questionnaires. The data collected is used in evaluating the performance of the heads of government agencies, and formal review actions may be initiated if agencies fail to achieve the target scores.

I. Scope of Regulations

In Russia the main legal act regulating the collection of feedback on the quality of services provided by government agencies is Resolution No. 1284, which was adopted by the Russian government in December 2012.[1] The Ministry of Economic Development has issued instructions for government agencies on implementation of the Resolution.[2]

The regulations apply only to the more popular and socially important services provided by national offices and local branches of the following agencies:

- Federal Service for State Registration, Cadastre, and Cartography: Conducting registration of real property rights and providing related services.
- Ministry of Internal Affairs: Providing information on traffic violations, issuance of drivers' licenses, registration of vehicles, issuance of passports and other identification documents, residency registrations, approval of invitation letters for foreigners, etc.
- Federal Tax Service: Registration of legal entities and private entrepreneurs, providing information on tax regulations, acceptance of tax returns.
- Pension Fund: Certifying rights to labor pensions, welfare, and other benefits.
- National Guard: Issuance of permits to carry, store, and transport firearms; issuance of private security guard certificates; etc.

[1] Resolution of the Government of the Russian Federation No. 1284 of Dec. 12, 2012, SOBRANIE ZAKONODATELSTVA ROSSIISKOI FEDERATSII I [OFFICIAL GAZETTE OF THE RUSSIAN FEDERATION] 2012, No. 51, Item 7219, http://pravo.gov.ru/proxy/ips/?docbody=&nd=102161532&intelsearch=ПОСТАНОВЛЕНИЕ+от+12+декабря+2012+г.+N+1284 (in Russian), *archived at* https://perma.cc/D4HW-7FEU.

[2] Decree of the Ministry of Economic Development of the Russian Federation No. 435 of July 3, 2015, *available at* https://vashkontrol.ru/files/documents/435-method.pdf (in Russian), *archived at* https://perma.cc/6CAP-57J3.

These agencies are required to set up a unit dedicated to collecting feedback from recipients of government services. Other agencies may establish feedback collection programs at the discretion of their head.[3]

II. Assessment Criteria

Customers are asked to assess government services according to the following criteria:

- Time spent to receive the service
- Waiting time in the queue
- Courtesy and competence of the employee interacting with the recipient
- Condition of the premises where services are provided
- Accessibility of information on the procedure for provision of services[4]

The assessment is made on a five-point scale, where 4 to 5 points are considered positive while 1 to 3 points are considered negative.[5]

Government services provided electronically must also be evaluated according to the following additional criteria:

- Accessibility of electronic forms and electronic payment tools
- Wait time for a response to an application, and the amount of time for the provision of the government service
- Convenience of the procedures for the provision of government services, including registering for an appointment, filing applications, making payments, tracking progress, and obtaining a result[6]

III. Collecting Feedback

Recipients of services are given the opportunity to assess the quality of government services by one of the following methods:

- Sending a short text message using a cell phone
- Using an automatic machine on the premises of the agency
- Filling out a form on the agency's website

[3] Resolution of the Government of the Russian Federation No. 1284, attachment.

[4] Decree of the Ministry of Economic Development of the Russian Federation No. 435, § I.2.

[5] *Id*. § I.3.

[6] *Id.*

After the service is provided, which means after the service recipient's request is granted or denied, the employee of the agency must inform the service recipient about feedback collection and ask him or her to provide a cell phone number to participate in the assessment. If the service recipient refuses to give a phone number the officer must provide the option of assessing the agency's services using an automatic machine on the premises of the agency. The recipient must be informed that participation in the evaluation is voluntary and free of charge, and that the phone number provided will be used exclusively for evaluation purposes. Informational materials about the assessment of government services must also be made available on the premises of the agency.[7]

The Ministry of Economic Development is responsible for collecting data and preserving it.[8] All statistical data is published on the "Your Control" website.[9]

A. Text Message

If the recipient agrees to provide his or her cell phone number, this information is then forwarded to a call center operated by the Ministry of Telecom and Mass Communications. Within one business day, a short message must be sent to the recipient's phone number asking him or her to evaluate the services on a five-point scale. Short messages must be sent only on business days from 10:00 a.m. to 7:00 p.m. local time. The recipient completes the assessment by replying to the text message with a number from 1 to 5.

Random samples for a telephone survey are then generated based on the negative assessments received. Feedback responses that assess services at the level of 1 to 3 points are considered negative. The volume of random samplings must not be less than 5% of all negative assessments received for one government agency in one business day. It is recommended that the employee of the call center contact the recipient within two business days to conduct the survey in accordance with an established questionnaire. If the recipient does not answer the call, a repeated call must be made the next business day. If the recipient indicates a willingness to participate in the survey at another time the call center employee must make another call at the time agreed upon with the recipient.

Government agencies are advised to publish on their official websites information about the assessment of government services and warnings about the danger of scams that use telephone surveys.

B. Automatic Machines

It is recommended that recipients of government services be given the option of providing feedback using automatic machines (terminals) or other devices on the premises of the government agency only after the services are provided by the agency, and only if the recipient

[7] *Id.*

[8] Resolution of the Government of the Russian Federation No. 1284, §15.

[9] VASH KONTROL, https://vashkontrol.ru/ (last visited Oct. 23, 2017), *archived at* https://perma.cc/HSX4-2T9F.

refuses to participate in a telephone survey. The assessment with automatic machines is done in a similar manner by using the five-point scale.

C. Internet

The survey module must be placed on government agencies' official websites, on the "Your Control" website, and in the user's individual profile created at the Unified Portal of State and Municipal Services.[10]

Government agencies are advised to place the "Your Control" survey module on the home pages of their official websites, on all sections of the website that contain information about the provision of government services, and on the page with the agency's contact information and feedback channels. For the sake of consistency, the survey module must have a rectangular shape with the sign "Your Control" or the phrase "Leave Feedback." The module must be available to the user within the first screen of the web browser without needing to scroll down.

After assessing the service on a five-point scale the recipient may leave commentary to give more details about the experience of dealing with a government agency. It is possible to attach a photograph or a video recording to the text commentary. All reviews are subject to moderation, which may take up to two business days. The recipient must be notified if the review is removed by the moderator. The government agency usually posts a reply to the commentary within ten business days. To prevent manipulation, a recipient is allowed to give an assessment only once a day.[11]

IV. Use of Collected Data

The Ministry of Economic Development recommends that data collected from recipients be used in official reviews conducted in accordance with laws on civil service. Information is automatically processed and each territorial division of a government agency is given a consolidated score on a quarterly basis.[12] At the end of the first reporting year, the share of positive reviews must not be less than 75%. For each subsequent year this share must increase by at least 5% until the target of 90% is reached in 2018. Official reviews must be initiated if the government agency fails to reach the target score, unless the share of positive reviews already exceeds 90% or the decrease in the satisfaction rate is less than 3%.[13]

[10] GOSUSLUGI, http://gosuslugi.ru (last visited Oct. 23, 2017), *archived at* https://perma.cc/PVW5-HR6T (click "See the Screenshot View").

[11] Decree of the Ministry of Economic Development of the Russian Federation No. 435, § I.4.

[12] *Id.* § I.5.

[13] *Id.* § I.6.1.

Sweden

Elin Hofverberg
Foreign Law Research Consultant

Sweden does not have a consolidated piece of legislation that requires every agency to provide customer surveys (*brukarundersökning*). There are, however, many individual laws and regulations that require state agencies to conduct customer surveys.[1] For example, schools and health care providers must complete national surveys on a regular basis (semiannually and annually, respectively) that are coordinated and evaluated by the corresponding authority.[2] The Swedish Association of Local Authorities and Regions conducts nonmandatory national customer surveys for some of their activities, such as family services.[3] Also, the County Administrative Boards of Sweden must complete national customer surveys that can then be compared on a national level.[4] The Swedish Agency for Public Management is responsible for surveying the effectiveness of all government agencies.[5]

It is typically the responsible agency that creates the surveys. For instance, the National Board of Health and Welfare (Socialstyrelsen) and the Swedish Association of Local Authorities have together been tasked with creating the national user survey to be used by health care providers.[6]

The government further requires that results of annual surveys be made available on the government agency webpage.[7] For example, the agency responsible for monitoring schools,

[1] *E.g.*, Förordning om ett nationellt informationssystem för skolväsendet [Regulation on a National Information System for the Education System] (Svensk författningssamling [SFS] 2015:195), https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/forordning-2015195-om-ett-nationellt_sfs-2015-195, *archived at* https://perma.cc/R2SW-W6SE.

[2] *Id.*; Så tycker de äldre om äldreomsorgen 2016 – En rikstäckande undersökning av äldres uppfattning om kvaliteten i hemtjänst och särskilt boende [The Seniors' Opinion of Senior Care 2016 – A National Customer Survey of Seniors' Opinions of the Quality of the Home Care and Special Housing], SOCIALSTYRELSEN, 2016, http://www.socialstyrelsen.se/Lists/Artikelkatalog/Attachments/20356/2016-10-2.pdf, *archived at* https://perma.cc/V3E8-QUR6.

[3] Survey instructions for 2017 are available at *Brukarundersökning IFO 2017* [*Customer Survey IFO 2017*], SVERIGES KOMMUNER OCH LANDSTING, https://skl.se/tjanster/merfranskl/oppnajamforelser/brukarundersokningifo.11969.html, *archived at* https://perma.cc/ZTP9-WWBF.

[4] Regleringsbrev för budgetåret 2017 avseende länsstyrelserna [Appropriation Instruction for 2017 Regarding the County Administrative Boards], Regerinsbeslut [Government Decision] III 4 of Dec. 22, 2016, http://www.esv.se/statsliggaren/regleringsbrev/?RBID=18121, *archived at* https://perma.cc/SP4K-9YV3.

[5] Regleringsbrev för budgetåret 2017 avseende Statskontoret [Appropriation Instruction for the Budget Year 2017 Regarding the Swedish Agency for Public Management], Regerinsbeslut [Government Decision] III 9 of Dec. 20, 2016, http://www.statskontoret.se/globalassets/dokument/regleringsbrev_2017.pdf, *archived at* https://perma.cc/7JU4-VTEG; Statskontorets instruktion [Instruction for the Swedish Agency for Public Management] (SFS 2007:827), http://www.statskontoret.se/om-oss/var-instruktion/, *archived at* https://perma.cc/53ZQ-Y8MU.

[6] Statens Offentliga Utredningar [SOU] [Government Report Series] 2007:088 Att lära nära at 204, http://www.regeringen.se/rattsdokument/statens-offentliga-utredningar/2007/12/sou-200788/, *archived at* https://perma.cc/HJ8J-EZHZ.

[7] 4 § 3 p. Förordning (2015:195) om ett nationellt informationssystem för skolväsendet, *supra* note 1.

Swedish School Inspection (Skolinspektionen), must and does make this information available online.[8] Thus, information from all Swedish schools and the national customer satisfaction surveys for schools (*skolenkäten*) can be accessed and compared on the agency website.[9]

[8] *Id.*; *Statistik från Skolenkäten* [*Statistics from the National School Survey*], SKOLINSPEKTIONEN (May 5, 2017), https://www.skolinspektionen.se/sv/Statistik/Statistik-om-Skolenkaten/, *archived at* https://perma.cc/Q6RE-SWEW.

[9] Search form available at *SiRiS kvalitet och resultat i skolan*, SKOLVERKET, http://siris.skolverket.se/siris/ris.skolenkat.searchForm (last visited Oct. 24, 2017), *archived at* https://perma.cc/5NFR-A2QY. A 2015 Skolinspektionen report provides an example of survey results for student guardian responses (school years 7–9, junior high school). SKOLINSPEKTIONEN, SKOLENKÄTEN HÖSTEN 2015 [NATIONAL SCHOOL SURVEY 2015], http://siris.skolverket.se/siris/ris.openfile?docID=542846, *archived at* https://perma.cc/V2N7-CQGD.

United Arab Emirates

George Sadek
Senior Legal Analyst

SUMMARY The Information and eGovernment Sector of the Telecommunications Regulatory Authority is the government body responsible for coordinating surveys measuring citizens' satisfaction with government services in the United Arab Emirates (UAE). The "Your Voice" web page, accessible through the official web portal of the UAE government, Government.ae, is the central point for collecting citizens' feedback at the national level. From this page, feedback may be provided through the UAE Federal Feedback Gateway or through other available channels, including a consultations page that allows agencies to elicit feedback specific to programs and policies under consideration. In addition to these resources, the federal government provides social media outlets and an online forum and blog, among other channels of communication. The UAE federal government has also established what is known as "SmartPass," an online service that allows citizens to use a single username and password to access various government services and post their feedback about those services.

The federal government analyzes citizens' suggestions about government services and takes action to implement those suggestions. It also provides UAE citizens with online access to collected feedback.

Collected feedback is protected by the intellectual property protection laws of the UAE. The Ministry of Cabinet Affairs has also stated that it is committed to respecting the privacy of citizens who provide feedback. Stored feedback may only be used for noncommercial purposes. Based on the Terms and Conditions of Usage for the UAE Feedback Gateway, citizens are subject to a number of prohibitions when posting their feedback, including a prohibition on any feedback that contravenes social norms or Islamic law. The Information and eGovernment Sector has the right to reject, delete, or hide any feedback posted by citizens that does not adhere to its policies.

I. The Feedback Process

A. Channels for Feedback and Communication

The Information and eGovernment Sector of the United Arab Emirates (UAE) Telecommunications Regulatory Authority is the government body responsible for coordinating surveys to measure citizen satisfaction with the services offered by government agencies.[1] The "Your Voice" web page, which is accessible through the official web portal of the UAE government, Government.ae, is the central point for collecting citizens' feedback at the national level. From this page, feedback may be provided through the UAE Federal Feedback Gateway

[1] "Who Maintains This Portal," *Citizen Charter*, GOVERNMENT.AE, https://www.government.ae/en/footer/citizen-charter (last visited Oct. 2, 2017), *archived at* https://perma.cc/GC2E-QLAK.

or through other available channels, including a "Consultations" page that allows agencies to elicit feedback specific to programs and policies under consideration.[2]

B. Types of Feedback and Related Timeframes

The government posts feedback requests in two formats: (1) requests for consultation, and (2) requests for suggestions.

1. Requests for Consultation

The web portal Government.ae gives citizens the opportunity to respond to questions in surveys issued by different federal government agencies concerning specific services provided by those agencies on a "Consultations" web page.[3] UAE government agencies use requests for consultation to keep the public informed and consult them on issues that may affect them, using the feedback obtained as input in decision-making processes related to agency policies and services.[4]

Consultation requests have an opening and closing date.[5] Those dates are determined by the government agency requesting citizens' feedback.[6]

2. Requests for Suggestions

Requests for suggestions are more general and consist of three possible formats: (1) suggestions, (2) compliments, and (3) customers' executive or administrative remarks (complaints):

- Suggestions are used by citizens to submit innovative ideas on how to improve the level of services delivered by government agencies, separate from the consultations process. Those suggestions could address the nature of a service, the process for the service, or the government employee providing the service.[7]

- Compliments may be submitted by citizens who are satisfied with the level of services received from a government agency or employee.[8]

---

[2] *Your Voice in the UAE*, GOVERNMENT.AE, https://www.government.ae/en/participate (last visited Oct. 2, 2017), *archived at* https://perma.cc/9ZP4-DWAT; UAE FEDERAL FEEDBACK GATEWAY, https://www.mygov.ae/mygov/index.aspx (in Arabic; last visited Oct. 2, 2017), *archived at* https://perma.cc/7DF8-9EK4. Note that many of the websites cited in this report are available in both English and Arabic. Some can only be archived in Arabic, however.

[3] *Consultations*, SHARIK.AE, https://www.government.ae/en/participate/consultations (last visited Oct. 2, 2017), *archived at* https://perma.cc/8PM5-APC4.

[4] *Id*.

[5] *Audience Thoughts about MOHAP Website*, SHARIK.AE, https://www.government.ae/en/participate/consultations/consultation?id=1094 (last visited Oct. 2, 2017), *archived at* https://perma.cc/DT7F-ABU7.

[6] *Id*.

[7] UAE FEDERAL FEEDBACK GATEWAY, *supra* note 2, "Suggestions."

[8] *Id*., "Compliments."

- Executive and administrative remarks are used to post complaints about the quality of government services received.[9]

Citizens may provide suggestions, compliments, or complaints at any time. However, article 9.3 of the UAE Feedback Gateway's Terms and Conditions of Usage provides that government agencies must respond to suggestions within fifteen working days from the date of receipt. If the nature of the suggestion requires consideration by a high-level committee, this time frame may be extended to thirty working days.[10] Under article 9.4, a government agency may request additional information, documents, or studies from the person who submitted the suggestion; the person will then be notified of the agency's final decision.[11]

C. Citizen Access to Collected Feedback

The UAE government provides citizens with online access to collected feedback. Such information is posted on Government.ae under "Outcome: Decisions Taken." Feedback is also visually depicted on the website through diagrams.[12]

D. Other Communication Channels

In addition to the two primary feedback mechanisms mentioned above, the government connects with citizens through government-sponsored social media channels, including Facebook, Twitter, and Instagram.[13] In addition, the government offers a live-chat feature, the eGovernment forum, and the eGovernment blog to facilitate communication with its customers.[14]

The UAE government has also established what is known as a "SmartPass" under a single sign-on. This online service allows citizens to use one username and password to access various government online services and to post their feedback about those services.[15]

---

[9] *Id*., "Customers Remarks."

[10] UAE Federal Feedback Gateway Terms and Conditions art. 9.3, https://www.mygov.ae/mygov/WebContentPage.aspx?pageId=009 (last updated Jan. 25, 2010), *archived at* https://perma.cc/U8RN-BD5N.

[11] *Id*. art. 9.4.

[12] Charts, "About UAE Satisfaction" & "Services Satisfaction," *First Phase of Content Development of the Official Portal of the UAE Government (July 2017)*, SHARIK.AE, https://www.government.ae/en/participate/consultations/consultation?id=1088, *archived at* https://perma.cc/QCW6-5GAN.

[13] Telecommunications Regulatory Authority, Ministry of Communication, Policy to Monitor, Use, and Respond to Social Media Outlets, http://www.tra.gov.ae (in Arabic; last visited Oct. 2, 2017), *archived at* https://perma.cc/8RZW-3P3A.

[14] "Communicating with People," *Citizen Charter*, GOVERNMENT.AE, https://www.government.ae/en/footer/citizen-charter (last visited Oct. 2, 2017), *archived at* https://perma.cc/GC2E-QLAK.

[15] *The First Phase of SmartPass Service under the Single-Sign-On Initiative*, SHARIK.AE, https://www.government.ae/en/participate/consultations/consultation?id=1099 (last visited Oct. 2, 2017), *archived at* https://perma.cc/XK3G-53C5.

The SmartPass service assists citizens in obtaining online access to the government services of ten government agencies and entities, including, among others, the Ministry of Interior, Ministry of Community Development, Ministry of Foreign Affairs, Ministry of Culture and Knowledge Development, Federal Electricity and Water Authority, and Insurance Authority. It is expected that thirty more government agencies will join the service by the end of 2017.[16]

II. Requirements for Collected and Stored Feedback

A. Intellectual Property Protection

Based on article 13 of the Terms and Conditions of Usage for the UAE Federal Feedback Gateway, the information collected by the website and all content on the site is protected by the intellectual property protection laws of the UAE. Individuals have the right to print or upload information on the website for noncommercial use or publishing purposes. All information obtained through the operation or use of the website is considered the property of the Ministry of Cabinet Affairs.[17]

B. Privacy Policy

Article 17 of the Terms and Conditions for the Feedback Gateway stipulates that the Ministry of Cabinet Affairs is committed to respecting the privacy of all user information provided through the website. This information includes the user's name, email address, date of birth, gender, telephone and fax numbers, and any other registration information submitted by the user.[18]

C. Free Online Access

According to article 4.4 of the Gateway's Terms and Conditions, citizens have free access to online services provided by government agencies. The only purpose of the Gateway is to develop the services provided by participating federal agencies and to communicate with citizens free of charge.[19]

D. Data Usage

Article 5.1 of the Gateway's Terms and Conditions provides that data stored for any personal or commercial purpose may not be amended or used. If an individual violates this rule, he/she must be prosecuted before the criminal court.[20]

---

[16] *Id*.

[17] UAE Federal Feedback Gateway Terms and Conditions, *supra* note 10, art. 13.

[18] *Id*. art. 17.

[19] *Id*. art. 4.

[20] *Id*. art. 5.1.

E. Acts Prohibited by Users

Article 5.3 of the Gateway's Terms and Conditions identifies a number of prohibited acts by users of the website while providing their feedback. Those acts include (1) impersonating others while providing feedback concerning government services; (2) using the website to commit a criminal offense or to encourage others to engage in any conduct that would constitute a criminal offense according to the Federal Penal Code; (3) posting feedback that is considered discriminatory, libelous, harassing, defamatory, insulting, obscene, immoral, or a violation of Islamic law; (4) attempting to upload any content that contains a software virus, files, programs, or device that may alter, damage, or interrupt the functionality of the website; and (5) publishing or transmitting any unsolicited advertising, promotional materials, or other forms of solicitation.[21]

F. Authority of the Information and eGovernment Sector

The Information and eGovernment Sector has complete authority over data and content on the feedback-related websites. It has the right to reject, delete, or hide any feedback posted by citizens that it deems a security risk; abusive; vulgar; a violation of the privacy of others; a violation of Penal Code provisions barring indecency, obscenity, or slander; or that contains spam and could be interpreted as prejudiced, phobic, or hurtful to any segment of society on the basis of race, color, gender, nationality, ethnicity, or religion. The Information and eGovernment Sector also has the right to block users who are carrying out such violations.[22] Finally, the Information and eGovernment Sector encourages citizens who notice comments and posts that do not adhere to its policies to notify the sector immediately.[23]

[21] *Id*. art. 5.3.

[22] *Id*. art. 7.

[23] Telecommunications Regulatory Authority, Ministry of Communication, *supra* note 13, at 2.

United Kingdom

Clare Feikert-Ahalt
Senior Foreign Law Specialist

There does not appear to be any legislation in the United Kingdom that requires government agencies to collect and share customer satisfaction feedback. However, there is a set of standards that all public transactions involving government services must follow, known as the Digital Service Standards.[1] All public beta and live services are required to be hosted on the Gov.uk platform. Point 16 of the Digital Service Standards mandates that these services must have a feedback page to collect comments and measure user satisfaction.[2]

The style that the feedback form must take is provided by Gov.uk and can be added to platforms for government services websites hosted on Gov.uk. The form enables users to rate their experience on a five-point scale, with the highest point being "very satisfied" and the lowest point being "very dissatisfied."[3] In addition to the five-point scale, the rating tool has an open-ended question that allows users to input any other information about the service that they wish to provide, although space is limited to 1,200 characters.[4]

Government services providers are encouraged to provide an additional in-service feedback page for any page it provides that is accessible via links in the footer or banner on each page. The Gov.uk Service Manual notes that "[t]here is no formal guidance on what questions you must ask. You should at least have an open-ended question about how to improve the service, similar to the one on the Gov.uk feedback page."[5]

Hosting government services on the Gov.uk platform enables customer service scores to be compared across all sectors.[6] Any data collected on user satisfaction must be both measured and shared through the performance platform at least once each month.[7]

---

[1] *Service Manual: Digital Service Standard*, GOV.UK, https://www.gov.uk/service-manual/service-standard (last visited Oct. 2, 2017), *archived at* https://perma.cc/V749-D5B7.

[2] *Service Manual: Digital Service Standard: 16. Identify Performance Indicators*, GOV.UK, https://www.gov.uk/service-manual/service-standard/identify-performance-indicators (last visited Oct. 2, 2017), *archived at* http://perma.cc/MS6J-YPU7.

[3] *Service Manual: Feedback Pages*, GOV.UK, https://www.gov.uk/service-manual/design/feedback-pages (last visited Oct. 2, 2017), *archived at* https://perma.cc/NV4S-9KZW.

[4] *Service Manual: Measuring User Satisfaction*, GOV.UK, https://www.gov.uk/service-manual/measuring-success/measuring-user-satisfaction (last visited Oct. 2, 2017), *archived at* https://perma.cc/3M27-P3BL.

[5] *Id.*

[6] *Id.*

[7] *Id.*; *Service Manual: Sharing Your Data With the Performance Platform*, GOV.UK, https://www.gov.uk/service-manual/measuring-success/sharing-your-data-with-the-performance-platform (last visited Oct. 2, 2017), *archived at* https://perma.cc/ZZ6Q-Q8BF.