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ACCOUNTABILITY *in the* **EDUCATION, EMPLOYMENT AND SOCIAL POLICIES SECTOR**

PAR Principles Mainstreaming
in Sectoral Policies – Report for Serbia



Western Balkan Civil Society
Empowerment for a
Reformed Public Administration

2.0

ACCOUNTABILITY IN THE EDUCATION, EMPLOYMENT AND SOCIAL POLICIES SECTOR

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REPORT SUMMARY

The report aims to provide an overview of the analysis conducted with the objective of monitoring how public administration reform principles are applied in the policy sector of Education, Employment and Social Policies, by the Ministry of Labour, Employment, Veteran and Social Affairs (MLEVSA). Specifically, the monitoring of the Accountability area was performed against SIGMA Principle 2: “The right to access public information is enacted in legislation and consistently applied in practice”¹.

The analysis was based on the predefined methodology developed by the WeBER 2.0, which was detailed in the checklist consisting of 7 requirements that pertain to the practice of reactive (based on free access to information requests) and proactive information provision. For the purpose of this Report, researchers collected data and information on the official website of the MLEVSA and via sending FOI requests to the Ministry.

Monitoring results show that the assessed institution responds to freedom of information requests almost always within legally determined deadlines. Available information for the period of 12 months preceding the assessment indicates that in 79% cases, the Ministry responded to FOI requests within first legal deadline of 15 days, while the average number of days needed to respond to request was around 11 days. At the moment of writing this Report, it was still not possible to determine whether MLEVSA submits information that was requested, so this requirement could not be assessed. Legal framework for free access to information of public importance requires that institutions provide access to information of public importance free of charge. The institution has the right to charge fees for providing copies of documents, but the pricelist for obtaining copies is not transparent (pricelist is not published on the website).

When it comes to proactive and transparent informing, a publicly available FAQ section/page dedicated specifically to free access to public information on the MLEVSA website does not exist, just the list of FAQ on procedures, citizen rights and services that MLEVSA provides. FAQ section concerns questions often sent to Sector for Family Care and Social Protection, and the Employment Sector. The Information Booklet, containing some information on the procedure of free access to public information is easily accessible (one click from the homepage on the official MLEVSA website), but it is currently not updated nor does it contain the information on available procedures for citizens to ask processual questions on accessing public information. Information on the contact person responsible for dealing with freedom of information requests is available on the MLEVSA website. However, an analysis of all job positions in the MLEVSA revealed that a management of FOI requests has not been systematized as a job position.

Regarding proactive publishing of basic information on the work of MLEVSA, some documents are published and/or updated regularly, including list of policy documents, services provided and general contact information for the public. However, important documents such as an Annual Report on the Work of MLEVSA could not be found on the website. The data on planned revenues in 2021, and the data on expenditures in the same year is included only in an Information Booklet. However, on the MLEVSA website the documents regarding the budget plans are outdated. Even though legal framework obliges institutions to open public administration data for reuse, this is not the case in practice of MLEVSA: neither the official website of MLEVSA, nor the government-sponsored Open Data Portal contain data and documents published in open data format.

Overall, while the assessed institution regularly and timely responds to FOI requests, on the other side, it largely lacks proactive publishing of valuable information on its website. To address the gaps observed during the research, a set of recommendations entailing immediate, short-, and mid-term intervention is proposed.

¹ <https://www.sigmaxweb.org/publications/principles-public-administration-eu-candidate-countries-and-potential-candidates.htm>, accessed: 22. 6. 2022.

I. INTRODUCTION

I.1 What does WeBER monitor and how?

The monitoring in the Accountability (ACC) area is performed against SIGMA Principle 2.

Principle 2: The right to access public information is enacted in legislation and consistently applied in practice.

ACC checklist consists of 7 requirements that pertain to the practice of reactive (based on free access to information requests) and proactive information provision. In the area of reactive informing, requirements consider whether assessed institution meets legal deadlines when responding to free access to information requests, whether contents of such responses correspond to what was requested (based on a sample), and whether assessed institution as a rule provides responses free of charge. Finally, it is monitored whether all interested parties can easily access a FAQ section at the website of responsible institution, which provides useful and citizen-friendly guidance or tips for exercising this right.

In the domain of proactive informing, it is monitored whether responsible institution makes information on contact person(s) for FOI easily accessible online, and whether all the basic information from the institution's work is available for public scrutiny, which includes policy and legal acts, offered public services, annual reports, budget, general contacts, and organisational charts. Lastly, it is monitored whether practices of proactive disclosure of datasets in open formats exist, and how regularly open data is published.

For monitoring and assessing how free access to information is achieved, freedom of information requests will be filed for all documents that are not available online, but also to assess practices of the responsible institution in providing responses to request. Also, approach to this checklist relies on review of websites of assessed institution and government-sponsored Open Data Portals. Depending on individual requirement, timeframe of analysis covers either current practices, which exist at the time of assessment, or 12 month-period preceding the assessment.

I.2 In this Report

This Report provides findings from the monitoring process of the Ministry of Environmental Protection, through 6 requirements that deal with transparency of budgetary spending, reporting on capital projects and programme budget implementation and reporting. Section II of this Report presents findings on each of the defined requirements by assessing the website of the Ministry of Environmental Protection and the availability of information described in each of the requirements. This assessment provides information on good practices or it identifies gaps that are elaborated in detail. Section III of this Report presents a set of recommendations directed at the Ministry, derived from, and formulated according to gaps identified in each of the requirements in Section II.

Following the “Analysis” section, the Report is concluded with evidence-based recommendations for improvements, directly responding to the weaknesses identified through the analysis of the requirements. A total of nine recommendations is provided. Final part of the Report includes Appendices with data on submitted requests and institutions’ responses to the requests, and sources used for the analysis.

II. ANALYSIS

Requirement 1: Responsible institution submits information within the respected deadlines

The Law on Free Access to Information of Public Importance² enables two legal deadlines for institutions to respond to FOI request. First legal deadline is 15 days from the day of request reception. If the institution is not able to provide a response to FOI request during the first legal deadline, the institution is required to inform the information seeker and determine a second legal deadline which cannot be longer than 40 days from the day of request reception (Article 16).

In the period of one year preceding the assessment (from the 15th of March, 2021 until the 15th of March, 2022),³ the Labour Inspectorate reported of receiving 50 FOI requests, whereas the MLEVSA stated that the Ministry received additional 90 – in total, MLEVSA received 140 FOI requests in the monitoring period.

A response to FOI request from Labour Inspectorate stated that, except in two cases when the information requested were “too extensive”, every FOI request received in the analysed period was responded to “within legal deadlines” according to Law on Free Access to Information of Public Importance. Additional FOI request was sent out to MLEVSA to require exact data on the dates when these requests were received and answered to. There was no response from the institution at the date of submitting the Report (the 8th of July, 2022).

Review of the response to FOI request by the MLEVSA, indicates that the Ministry responded within legal deadlines in almost all cases. In 71 out of 90 cases for which this information is available (79%), the Ministry responded to FOI request within the first legal deadline (15 days), and in 17 of 90 cases (19%) within the second legal deadline (40 days). One case was without the date of response, and in a single case, the MLEVSA responded to FOI request on the 48th day after the request reception. This particular case concerns delivery of data and documentation related to the handover of official seals, copy of the handover note, printout of all seals, minutes of the hearing of the parties and other data/documentation. An average number of days it took to respond to FOI request in the observed period was 11 (median value 9).

Overall, since legal deadline for responding to FOI requests was not met for every request received in the observed period, this requirement was assessed as **partially met**.

² The Law on Free Access to Information of Public Importance (Official Gazette of Serbia no.105/2021)

³ Necessary data to assess this requirement is not publicly available. At the beginning of the assessment, one freedom of information (FOI) request was sent to MLEVSA. MLEVSA responded with two answers to FOI request: one response was from Labour Inspectorate, a subordinate body to the Ministry, and another from the Ministry itself (all sectors combined, without data from Labour Inspectorate). A response from Labour Inspectorate was received after 11 days, within the first legal deadline. The second response from MLEVSA was received after 38 days, at the end of the second legal deadline.

Requirement 2: Responsible institution submits information that was requested

It could not be assessed whether MLEVSA submits information that was requested due to the lack of data. After 15 days upon sending the FOI request for electronic copies of formal responses in the period of one year preceding the assessment, MLEVSA responded with a rejection to the request. The justification was that the request contained multiple personal data and according to the Law on Personal Data Protection⁴ the institution could not provide the information of public importance.⁵ After consulting with lawyers and the Office of Commissioner for Information of Public Importance and Personal Data Protection⁶, another FOI request was sent to the MLEVSA, requiring copies and information of public importance for a sample of the FOI requests reported by the Labour Inspectorate with an additional request to anonymize the sensitive and private data from the documents. At the time of submitting the Report (8th of July 2022), there was no response from MLEVSA.

Due to a lack of necessary data, this requirement **cannot be assessed**.

Requirement 3: Responsible institution as a rule does not charge for providing responses to FOI requests

A detailed review of national legislation on free access to information (the Law on Free Access to Information of Public Importance⁷ and the Decree on the Amount of Reimbursement of Necessary Costs for Issuing a Copy of Documents Containing Information of Public Importance⁸) enabled insights whether charging for FOI requests is possible in Serbia. In general, the Law states that responses from public institutions should be free of charge, and that everyone has the right to a response from public institutions (according to Article 5). Accordingly, the Law specifies (Article 17) that insight into a document containing requested information shall be granted free of charge.

However, some charges for obtaining public documents may be imposed in some cases. The Law clearly specifies conditions for charging for access to documents under the FOI request. For example, reviewing documents at the premises of the institution is free of charge whereas a public institution may charge for obtaining copies of documents. The fees for obtaining public documents depend on the format of the document.⁹ The Law enables some exemptions to these rules. Journalists, civil society organisations working in the field of human rights, as well as every person requesting information regarding a threat to, or a protection of, public health and environment are exempt of charges for obtaining copies of documents.

The Government determines a pricelist for obtaining copies of the documents and it is regulated by a Decree on the Amount of Reimbursement of Necessary Costs for Issuing a Copy of Documents Containing Information of Public Importance. The pricelist for obtaining copies of documents in regard to FOI requests is not available on the institution's website. Nevertheless, during the observed period, MLEVSA in one case requested compensation for FOI request. The reason for requesting compensation were printing costs of documents and the amount was decided in accordance with the Decree. The United Branch Syndicates "Nezavisnost" requested copies of documentation concerning its admission to the Syndicate Registry managed by the MLEVSA. Costs of issuing copies were 123,00 RSD (or EUR 1.05).

4 Law on Personal Data Protection (Official Gazette of Republic of Serbia No. 87/2018)

5 A FOI request was sent to the MLEVSA on the 28th of March 2022 issuing electronic copies of formal responses with the entire documentation. Researchers had asked for all documents and not just the sample in case that, due to the limited time for the analysis, MLEVSA responded they will provide information on the content of requests until a second legal deadline.

6 The Office of Commissioner for Information of Public Importance and Personal Data Collection confirmed to us via telephone call that MLEVSA is required to provide to us the requested information while anonymizing private and sensitive data.

7 The Law on Free Access to Information of Public Importance (Official Gazette of Serbia no.105/2021)

8 Decree on the Amount of Reimbursement of Necessary Costs for Issuing a Copy of Documents Containing Information of Public Importance (Official Gazette of Serbia no.8/2006)

9 Mainly, the size of the paper determines the price of 1 copy of the document.

Overall, according to the national law, since the assessed institution in general does not charge for FOI requests other than for making copies and printouts, this requirement is assessed as **fully met**.

Requirement 4: Responsible institution publishes online an accessible, useful and citizen-friendly FAQ section on free access to public information

The Information Booklet of MLEVSA encompasses some relevant sections on free access to public information, in line with what is prescribed by the Law on Free Access to Information of Public Importance for this document to contain. The Information Booklet includes a description of rules regarding access to public information, details on responsibilities that MLEVSA has in this regard in line with the legal framework and outlines the procedure for obtaining access to public information. This part contains text taken from the Law, i.e., it does not contain citizen-friendly guidance or tips for exercising the right on free access to public information. It also contains the list of most frequently searched public information, which is the list of twenty-three questions with detailed and clear answers. The list contains questions which seem to have arisen from practise, such as “Who has the responsibility to employ people with invalidity?”, “Who supervises employment agencies?” and “Who has rights to child support and how can this be obtained?”. The document does not entail an FAQ referring to accessing and obtaining data recorded and documented by MLEVSA.

There is not a publicly available FAQ section/page dedicated specifically to free access to public information on the MLEVSA website. There is a page titled “Questions and answers”, however, it does not refer to free access to public information rather it contains the same questions as the ones listed in Information Booklet.

The Information Booklet is easily accessible (one click from the homepage on the official MLEVSA website). It should be noted that the only available Information Booklet on the website at the time of writing this Report (8th of July 2022) is dated May 2022. There is no information on available mechanisms for citizens to ask processual questions on accessing public information. Also, there is no information available on requests from institution to share information/links related to certain legal acts, policy plans, and public services, apart from information on procedure related to FOI request which is available within the Information Booklet and on the website.

The assessed institution does not share publicly the FAQ section dedicated specifically to free access to public information on their website, therefore the requirement is assessed as **not met**.

Requirement 5: Responsible institution makes available information on the contact person for FOI easily accessible online

Information on the contact person responsible for dealing with FOI requests is available on the MLEVSA website. The information on contact person is available within 3 clicks. It can be found on the homepage, in the navigation menu under the section “Ministry” followed by sub-section “Information of Public Importance”, followed by a webpage “Access to Information of Public Importance”.

Alternatively, the same page can be reached within single click on the homepage of the website. In the footer of the homepage, in the second column called “About Ministry”, third link from the top called “Information of Public Importance” leads to the same page.

The webpage provides information on free access to information, deadlines for providing answers to requests, information about contact person responsible for dealing with FOI requests and his/her duties. Contact information found on the webpage “Access to Information of Public Importance” contains full name of the contact person and their e-mail address. No phone number is listed under contact information.

It was additionally discovered that there are at least two persons responsible for managing FOI requests within the MLEVSA. Researchers received two responses to FOI requests sent from the Ministry. One response was from the contact person responsible for dealing with FOI requests within the Ministry, and another was from the contact person responsible for dealing with FOI requests from a subordinate body to the Ministry, specifically the Labour Inspectorate. However, the “Contacts” page on the MLEVSA website does not provide contact details on the contact person responsible for dealing with FOI requests from the Labour Inspectorate, it is only available within the Information Booklet which can be found at the website.

In addition to the review of the website, a review of Rulebook on Internal Organisation and Job Systematisation in the Ministry of Labour, Employment, Veteran and Social Affairs document provided more insights on contact persons responsible for FOI.¹⁰ This Rulebook provides description of every job position within the Ministry, as well as the role, responsibilities, authorisation, qualifications and competences for each job title. The Rulebook identifies an exact number of employees within the departments and sectors, and work requirements for every job title.

An analysis of all job positions in the MLEVSA revealed that a specific job position for person responsible for management of FOI requests does not exist. A person responsible for FOI requests, according to the MLEVSA website, is officially titled as “Senior Advisor in the Sector for Development and Planning Affairs”. However, in the Rulebook, a description of duties of senior advisor in the Sector for Development and Planning Affairs does not include tasks regarding FOI requests. Only under the job title called “Administrative Officer” within the Sector for Informational Technologies, Department for Analysis, Development and Improvement of Information System and Technical Support, duties related to management of FOI requests are mentioned. These duties include communicating with person assigned for FOI requests. However, the Rulebook does not provide any additional information on persons responsible for dealing with FOI requests.

Availability	Person responsible for FOI requests in the MLEVSA	Person responsible for FOI request in the Labour Inspectorate
MLEVSA website (Specific page dedicated to FOI requests)	✓	✗
MLEVSA website (Contact section)	✓	✗
Act on Internal Organisation and Job Systematisation	✗	✗
Information Booklet	✓	✓

Overall, the assessed institution does publish easily accessible online information on the contact person responsible for FOI requests, this requirement is assessed as **fully met**.

Requirement 6: Responsible institution proactively publishes online basic public information on their work

No programme budget reports have been publicly presented on the Ministry’s website. Some elements of programme budget reporting can be found in the Government Annual Work Report (the 2021 report is still under preparation), where implementation results of programmes/programme activities/projects, that are part of the institution’s budget, are presented but it lacks any details besides information on whether programme budget elements were implemented or not. Having in mind the set requirement and that the Ministry omit to make its programme budget report for 2021 publicly available online, this requirement has been assessed as not met.

¹⁰ Research team verified via response to the FOI request that the document available on the MLEVSA website is the latest version.

1. **List of primary and secondary legal acts under the purview of MLEVSA.** On the homepage, there is a link to documents, under which relevant laws and bylaws are listed. This information is provided separately for each sector/policy department. A comparison of all laws published on the website with versions published in the Official Gazette of Republic of Serbia reveals that the majority of the laws available on the webpage are up-to-date. However, there are some laws that are not updated: Law on Professional Rehabilitation and Employment of Persons with Disabilities¹¹, Law on Mandatory Social Security Contributions¹² and Law on Pension and Disability Insurance¹³. The review of random sample of secondary legal acts published on the website showed that they are up-to-date. The list of primary and secondary legal acts under the purview of MLEVSA is also included in the Information Booklet published in March 2022¹⁴ which is available one click away from the homepage.
2. **List of policy documents, valid during the assessment period.** The review of the official website has confirmed that the links to policy documents are available from the homepage (under section “Documents” and subsection “Other documents”, separately for each policy department of MLEVSA). The policy documents published in this section are up-to-date. In some cases, policy documents that are not currently valid are listed alongside documents which are in force. This is the case with Strategy for Employment for the period 2011-2020¹⁵ and National Employment Action Plans for the period 2011-2020, however, in the same section policy documents that are up-to-date are provided (Employment Strategy of the Republic of Serbia 2021-2026¹⁶ and the Action Plan for its implementation 2021-2023)¹⁷. The presentation of the policy documents is not easy to navigate as it contains a long list of documents in different sections corresponding to different policy departments, without separating policy documents from other documents and without any kind of description. The list of relevant policy documents is included in the Information Booklet as well.
3. **List of public services offered.** This list is available one click away from the homepage of the official MLEVSA website in a separate section. This list is also published within the Information Booklet, however, the review of these two lists shows that they are not identical: the list provided at the website does not contain all public services listed in the Information Booklet, which can be confusing for citizens.
4. **Annual report on the work of the MLEVSA.** Annual reports for the previous two years¹⁸ are not available on the website of the institution. Information Booklet of MLEVSA is published on a monthly basis, on the institution’s website. The subordinate bodies to the Ministry such as Occupational Safety and Health Administration¹⁹ and Labour Inspectorate²⁰ publish their Annual Reports on Work regularly. The Sector for the Protection of Persons with Disabilities²¹ published two annual reports for years 2019 and 2020. Even though the reports are published on the website of MLEVSA, they are not easily accessible, and one should search through many different sections to find them.
5. **Budget – Plan for the ongoing year, and execution for the previous year.** The “Budget section” exists on the website but it is outdated. Neither the plan for an ongoing year nor the budget execution data for the previous year are available on the website of the institution. However, the Information Booklet documents contains information on the “Budget”, both for planned expenses for an ongoing year and the execution of the previous year. Therefore, the analysed information is gathered in a single publication, and is easily accessible.

11 Version available on website was published in the Official Gazette of Republic of Serbia, Nos. 36/09 and 32/13, whereas this law was changed in 2022.

12 Version available on website was lastly amended in 2019, whereas the latest version published in the Official Gazette of Republic of Serbia was amended in 2022

13 Version available on website was lastly amended in 2019, whereas the latest version published in the Official Gazette of Republic of Serbia was amended in 2021.

14 <https://www.minrzs.gov.rs/sites/default/files/2022-04/%D0%98%D0%BD%D1%84%D0%BE%D1%80%D0%BC%D0%B0%D1%82%D0%BE%D1%80%20%D0%BE%20%D1%80%D0%B0%D0%B4%D1%83-%D0%BC%D0%B0%D1%80%D1%82.pdf> accessed: 24. 6. 2022

15 Strategy for Employment for the period 2011-2020 (Official Gazette of Republic of Serbia, No. 37/11);

16 Employment Strategy of the Republic of Serbia 2021-2026 (Official Gazette of Republic of Serbia, Nos. 18/21 and 36/21);

17 Action Plan for the Period from 2021. to 2023. for the Implementation of the Employment Strategy of the Republic of Serbia for the Period from 2021. to 2026. (Official Gazette of Republic of Serbia, No. 30/21);

18 There are no reports available at the website for previous years either.

19 <https://www.minrzs.gov.rs/sr/dokumenti/izvestaji/uprava-za-bezbednost-i-zdravlje-na-radu-0>, accessed 13. 5. 2022.

20 <https://www.minrzs.gov.rs/sr/dokumenti/ostalo/izvestaji-o-radu/plan-inspekcijskog-nadzora> accessed 13. 5. 2022.

21 <https://www.minrzs.gov.rs/sr/dokumenti/ostalo/sekto-za-zastitu-osoba-sa-invaliditetom/profesionalna-rehabilitacija-i-zaposljavanje-osoba-sa-invaliditetom> accessed 13. 5. 2022.

6. **General contact information for the public.** General contact information for the public is available on the MLEVSA website and can be accessed easily, within one click from the homepage. Contact information including addresses, email addresses and phone numbers from every sector in the Ministry is available on the website, as well as phone numbers of Info Centre, SOS numbers for victims of domestic violence, etc.
7. **Organisational chart, with names of key responsible officials (ministers, their deputies, and assistants, and general/state secretaries).** Organisational structure, in a form of a hierarchical chart in a picture format, with names of key responsible officials (minister, the cabinet, state secretary and deputies) is available on the website. Chart structure defines the division of sectors and departments within the Ministry. There are 9 internal sectors responsible for tasks within MLEVSA duties. The Cabinet is a special internal department, and there are two specific departments (Internal Inspection Control Group and Internal Audit Group). There are two administrative bodies within the Ministry, as well (the Labour Inspectorate and Occupational Safety and Health Administration). Organisational chart, available on the website, was compared with the organisational structure from the Act on Internal Organization and Job Systematization document in the MLEVSA (confirmed via FOI request), to verify if the information on the website is up to date. A separate file of Chart structure (in PDF, Word or Excel) is not available for download. However, an image file (PNG) of the Organisational structure is available for download, but the option for downloading image is not clearly indicated on the webpage.

The Law of Free Access to Information of Public Importance stipulates the proactive publishing of information held by public sector bodies within the Information Booklet and specifies its structure. When comparing the information available within the Information Booklet, and legal requirements about mandatory items that should be proactively disclosed, it can be concluded that in addition to the list provided in this section, MLEVSA also includes information on its competences, authorities and obligations, procedures for provision of services and overview of data on provided services, public procurement data, state aid data, data on paid salaries, wages and other incomes, information about means of work, place and manner of storage of information carriers and types of information held by the MLEVSA, the information to which access is enabled, on exercising the right to access information and the list of frequently requested information. However, some of the mandatory data, such as list of legal acts and policy documents which are being prepared is not listed in this document (although some of this information is available in the "Proposals and drafts" section on the website).

Overall, the institution publishes some information online basic public information on their work, but since it does not publish all required information, this requirement is assessed as **not met**.

Requirement 7: Responsible institution publishes data in open formats

The national Open Data Portal (data.gov.rs) does not include any open datasets by MLEVSA. The official website of MLEVSA also does not contain data and documents that pertain to its work published in open data formats. It does include some datasets in spreadsheet format (.xls), such as Data on Budget 2017 and 2018, but they are not adapted so that they can be re-used and easily searched.

Law on eGovernment²² and by-law on the operation of the Open Data Portal²³ set the legal framework and obligation of opening public administration data for reuse. Law on eGovernment obliges public bodies to publish open data from the scope of their competence on the Open Data Portal (Article 27, paragraph 1). The eGovernment Development Program for the period 2020-2022²⁴ specifies that the implementation of this legislation in practice has been a significant challenge and that open data are being published selectively, with various levels of quality and scopes of data sets. The draft report²⁵ on the implementation of this Program in

22 Law on eGovernment (Official Gazette of Republic of Serbia, No. 27/2018)

23 Regulation on the Open Data Portal Functioning (Official Gazette of Republic of Serbia, No. 104/2018)

24 The eGovernment Development Program for the period 2020-2022 (Official Gazette of Republic of Serbia, No. 85/2020-40)

25 **Tabular representation** of contributions from institutions on the implementation of the 2020-2022 e-Government Development Program in 2021. (The document is published as a draft and is not final until adopted by the Inter-Ministerial Project Group and the Council for PAR)

2021 states that there has been progress in terms of number of published open data sets and number of public institutions who share open data on the Open Data Portal.

To summarize, the assessed institution does not have any open datasets, this requirement is assessed as **not met**.

Final assessment of the requirements

Requirement	Final assessment
Requirement 1: Responsible institution submits information within the respected deadlines	Partially met
Requirement 2: Responsible institution submits information that was requested	Cannot be assessed
Requirement 3: Responsible institution as a rule does not charge for providing responses to FOI request	Fully met
Requirement 4: Responsible institution publishes online an accessible, useful and citizen-friendly FAQ section on free access to public information	Not met
Requirement 5: Responsible institution makes available information on the contact person for FOI easily accessible online	Fully met
Requirement 6: Responsible institution proactively publishes online basic public information on their work	Not met
Requirement 7: Responsible institution publishes data in open formats	Not met

III.

RECOMMENDATIONS FOR IMPROVEMENTS

The monitoring of the practice of MLEVSA in the Accountability area, concerning reactive and proactive information provision, has shown that there are well conducted aspects. However, some gaps in this area have also been identified. Recommendations are prepared based on the collected data for each Requirement and divided into three subsections, depending on whether they refer to proposed immediate, short-, or mid-term interventions.

The following immediate interventions, which can be done quickly as they refer to publishing some documents that should already exist, are proposed:

1. Ministry as a rule does not charge for providing responses to FOI request, but the information on this aspect is missing from the website. Since the pricelist for obtaining copies of documents in regard to FOI requests according to the analysis is not available on the website (Requirement 3), it is recommended to publish it, in a way that is easily accessible from the homepage, and by including it within the relevant subsection which contains information on the contact person for FOI.²⁶
2. MLEVSA should improve publishing basic information on their work online (Requirement 6), through:
 - 2.1. Conducting a review of legal acts published on the official website, and in Information Booklet, and replacing documents which are outdated;
 - 2.2. Reorganizing the list of policy documents published on the website, so that they are published separately from other documents, under a specific subsection;
 - 2.3. Updating a list of public services available on website so that it corresponds to ones listed in the Information Booklet (or vice-versa depending on which list is accurate);
 - 2.4. Proactively publishing online: a) Annual report on the work of the MLEVSA; b) budget plan for the ongoing year, and budget execution report for the previous year (replacing the outdated documents on the website); c) A separate file of organisational chart, with names of key responsible officials available for download in a user-friendly format (PDF, Word or Excel).
3. Information on the contact person responsible for dealing with FOI requests from the Labour Inspectorate should be included in the section on website that provides contact details of person in charge of responding to FOI requests for the entire Ministry (Concerning Requirement 5).

The following short-term interventions, which require more investment of efforts are proposed:

4. The Ministry should revise the Rulebook on Internal Organisation and Job Systematisation to define FOI related responsibilities and tasks within systematised positions (Concerning Requirement 5).
5. The Ministry should revise the information on the procedure for obtaining access to public information available on the website and Information Booklet (Requirement 4). It is recommended to style it in a more citizen-friendly way by removing the legal jargon.

²⁶ One good example can be Ministry of Justice's webpage: <https://www.mpravde.gov.rs/sr/sekcija/11671/zahtevi-za-ostvarivanje-prava-na-pristup-informacijama-od-javnog-znacaja.php> accessed: 7. 7. 2022.

6. A FAQ list regarding the free access to public information should be made from the most frequent questions arisen from the practice (Requirement 4) and added on a separate webpage.
7. Since there are no open datasets available (Requirement 7), it is advised to start publishing at least some of the data in the open format. Some information of interest is presumably already collected within spreadsheets (such as data on provided services or information on work-related injuries) and could be a starting point in this process.

In the mid-term the Ministry should carry out the following steps:

8. Enable mechanisms for citizens to ask processual questions on accessing public information or request from institution to share information/links related to certain legal acts, policy plans, and public services (Requirement 4).
9. Start publishing all information and datasets that arise from its work and make them available both on the national Open Data Portal and the website (Requirement 7).

Given the importance of Accountability area, additional efforts should be invested by MLEVSA to ensure that both the process of reactive and proactive information provision is conducted in an adequate way. The proposed set of recommendations containing different levels of intervention is designed to provide starting point for planning future steps in this regard. Free access to information requests

APPENDICES

Free access to information requests

Institution	Date of sending	Date of receipt
Request no. 1	The 28th of March 2022	The 8 th of April 2022 – the first part of the information The 4 th of May 2022 – the second part of the information
Request no. 2	The 28th of March 2022	The 11 th of April 2022
Request no. 3	The 28th of March 2022	The 5 th of April 2022
Request no. 4	The 15th of April 2022	Not received at the time of writing this Report (The 8 th of July 2022)
Request no. 5	The 15th of April 2022	Not received at the time of writing this Report (The 8 th of July 2022)

Other sources

Rulebook on Internal Organisation and Job Systematisation in the Ministry of Labour, Employment, Veteran and Social Affairs (no. 110-00-490/2020-05)

Decree on the Amount of Reimbursement of Necessary Costs for Issuing a Copy of Documents Containing Information of Public Importance (The Official Gazette of Serbia no.8/2006)

eGovernment Development Program for the period 2020-2022
(Official Gazette of Republic of Serbia, No. 85/2020-40)

Annual Report on the Implementation of 2021-2030 PAR Strategy for the Year 2021
(The document is published as a draft and it is not final until it is adopted by the Inter-Ministerial Project Group and the Council for PAR)

Law on eGovernment (Official Gazette of Republic of Serbia, No. 27/2018)

Regulation on the Open Data Portal Functioning (Official Gazette of Republic of Serbia, No. 104/2018)

Law on Free Access to Information of Public Importance (The Official Gazette of Serbia no.105/2021)

Law on Personal Data Protection (Official Gazette of Republic of Serbia (no. 87/2018)

The Information Booklet of MLEVSA for the month of March 2022,
<https://www.minrzs.gov.rs/sr/ministarstvo/informator-o-radu>, last assessed 13.5.2022.

ĐUROVIĆ, Aleksandra, 1990-

Accountability in the education, employment and social policies sector
[Elektronski izvor]: PAR Principles mainstreaming in sectoral policies : report for
Serbia / [author Aleksandra

Đurović and Goran Radlovački] ; [proofreading Marijana Bajin]. - Belgrade :
European Policy Centre - CEP, 2022 (Belgrade : European Policy Centre - CEP). - 1
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