The use of computers and new information technologies in the Italian Public Administration. Institutional and functional aspects

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1. General Frame of Reference

After a long gestation, some significant institutional prospects that could have a profound impact on the renewal and expansion of the computerization of the Italian Public Administration have finally been realized. First of all, working on the basis created by the outline law for the civil service (L. 93/1983), the Department of Public Organization was created within the context of the Office of the Prime Minister. The Department has specific responsibilities for the coordination of public initiatives regarding computerization. Subsequently, and mainly the reform law of the Prime Minister’s Office (L. 400/1988) and the legislative decree reorganizing the national statistical system (D.LG. 322/1989) brought about innovations in the frame of reference for public computerization from both the structural and functional aspects, and thus provided the impetus for the coordination of the computer initiatives of the Public Administration and the interconnection of public data bases. These regulatory actions also aim towards the creation of a reliable and organic public computer system and outline a new structure for managing socioeconomic data.

This new computer policy should find further support in the law on the New Structure of Local Governments (L. 142/1990) and the recent law «New Standards for Administrative Procedures and Rights of Access to Administrative Documents (L. 241/1990). These standards, which aim at developing more rational, coherent, simplified and democratic methods for administrative activities and tasks also entail an effective organization of work in public offices and the integration of the respective computer systems.

In addition to these institutional and organizational measures which, per se, tend to favor the development of new technologies in the public administration, a recent and copious set of regulations which foresees new computer applications in nearly all areas of administrative activities and new
levels of action in industrial policy, bears witness to and heralds the expansion of the computerization of the Public Administration that surpasses previous steps.

The prospects for the development of public computerization are being supported by the government and specifically, the Department of Public Organization and the National Institute for Statistics (Istituto nazionale di statistica ISTAT) with a series of valid initiatives aimed at coherently implementing the coordination and streamlining of the above measures. These are mainly organizational and administrative actions. However, much action of a decisive nature for the development of public computer systems has yet to be launched – mainly because they are more directly impacted by the political instability of recent governments. These are regulatory actions such as legislation for the discipline of personal data banks and software protection, as well as political actions such as those needed for the development of telecommunications as well as further and more coherent organizational measures.

Over the short term, therefore, we expect a serious additional commitment on the part of the Italian government, and more decisive plans in this area that will support this platform especially in view of the fact that Public Administration, and hence its rational and modern organization - plays and will continue to play a vital role in the process of European integration which is already at our collective doorstep.

2. INSTITUTIONAL COORDINATION

2.1. The establishment and implementation of the Department of Public Organization within the framework of the reform of the Office of the Prime Minister

Institutional coordination of public computerization initiatives has always been one of the major problems in the field. In fact, it has been recognized as the basic tool that the state requires to develop its political actions, and has already been the object of primary attention in various European countries.

The solution to this problem in Italy has emerged only gradually. Having overcome the limits of a long institutional controversy between the General Procurement Office and the Office of the Prime Minister, the issued was faced and gradually resolved more clearly within the context of the reorganization of the Prime Minister's Office.

The outline law on the civil service (L. 93/1983) which exploited a
similar structure already implemented at the Office of the Prime Minister with internal organizational acts, had created the Department of Public Organization (art. 27).

This Department was assigned the task of «coordinating the initiatives for rearranging the public administration and organizing the respective services, even with regard to related computerization (item 3); and «those activities deemed necessary, as per the the Ministry of the Treasury General Procurement Office, to guarantee the planning of the materials and equipment needed for the operation of the government offices and maximum utilization and coordination of technology and computers in the public administrations (item 9).

A preliminary specification for that role was issued in the Department’s organization regulations (D.P.R. 536/1984), giving oversight of the various duties to the Prime Minister or, if appointed, to the Minister for Public Organization, towards whom the Department has an auxiliary role (art. 1). It authorized the creation of a «comittee for the operational and regulatory coordination of computerization in the administration of the government and other public authorities» (art. 2). It divided the Department’s activities into eight divisions (art. 5) and assigned to two of these specific and more direct responsibilities in the realm of the utilization and coordination of computers in Public Administration.

The decisive institutional clarification, however, came with two complementary regulatory acts: the reform of the Office of the Prime Minister (L. 400/1988) and the rearrangement of the national statistical system and the reform of the ISTAT (D.LG. 322/1989).

The reform of the office of the Prime Minister, which was approved after a lengthy iter is generally characterized by a marked reinforcement of the Prime Minister’s role and a parallel strengthening of the principle of collegiality.

In view of this goal, the reform law aimed at giving the Prime Minister’s office a functional computer-based package for its activities using information and documentation systems (including automated ones) of all the public bodies and authorities (cf. art. 19 of the mentioned law). Article 24 called for a new organizational structure of public powers for the management of economic-social data which was then confirmed by D.LG. 322/1989 that reformed the national statistical system.

On the whole, the law reforming the Office of the Prime Minister broadened and strengthened, albeit instrumentally, the institutional and organizational framework of public computerization. And, in several ways it also favored its actual development mainly by accelerating the passage of
the necessary operational measures and the approval of the above legislative decrees on the reorganization of the statistical system.

For example, the Office of the Prime Minister which, in expectation of these developments had already invested in technologies and launched some computerization, in implementing L. 400/1988, organically regulated the offices and departments of the General Secretariat, institutionally delegating it to guarantee - even with computers and telematic equipment - the Government's overview of information (with a series of organizational measures dated December 1988, February 1990 and April 1990). It created its own telematic network with a central computer system, multifunctional stations and departmental systems. It progressively developed a series of data bases and created a set of computer and telematic connections with other bodies and authorities (Senate, Chamber of Deputies, Government Printing Office, ANSA, Court of Cassation, ISTAT, Department of criminal Records, Government Procurement Office, Social Security) that are essential to the government's activities.

2.2. ISTAT's role in the promotion and development of computerization within the framework of the reform of the national statistical system

The passage of the regulations regarding the reform of the national statistical system and reorganization of ISTAT (D.LG. 322/1989) specifically integrated and consolidated the general reform program of the Office of the Prime Minister and with it, the reference frame for public computerization from the organizational and functional standpoints.

What characterizes this measure is the fact that it links the old issue of reorganizing the national statistical system - a significant part of the reform of the public administration - to the concept of a new and more effective use of computers.

Having ascertained the indispensable need for coordinating the activities - even autonomous ones - of the institutional bodies to homogenize the production of statistical data and plan surveys of national importance, the decree assumes as the object of discipline «activities of acquiring, processing, analyzing, disseminating and filing statistical data on the part of statistical information bodies and authorities in order to achieve a unity of goal, organizational uniformity and rationalization or streamlining of information flow at the central and local level» (art. 1).

The central administrations of the state and the autonomous administrations and authorities are called upon to act directly within the framework of the national statistical system. The autonomous regional and provincial
governments, all municipalities (without any population limits) together or in associations the local health-care units; the provinces; the chambers of commerce; other public bodies and administrations are considered particularly important for the completion of the national computer system as well as specialized and equipped for the development of their own computer system (Art. 2).

As to the organizations, each autonomous regional and provincial government is empowered to create its own statistical bureau with its own laws with ISTAT exercising a purely technical role of guidance and coordination in order to render all the procedures homogenous.

Then, it is up to the cabinet to adopt measures for guidance and coordination as per art. 2, clause 3, section d L. 400/1988 to assure uniformity of intent and action among the various bodies' statistical activities (art. 5).

On the other hand, the local authorities, including the local health-care units must create – and should have done so within six months of the date that the decree became effective – their statistics bureaus, even in the form of associations or consortia. Municipalities with populations exceeding 100,000 must establish – as they are doing – with immediate effect, a statistical bureau that is part of the national statistical system (art. 3). The statistics bureaus of the local authorities carry out their activities according to binding directives issued by the Committee for Statistical Information (art. 17).

From the functional standpoint, ISTAT – the apex and central hinge of the entire system – has the task of promoting and developing computerization for statistical purposes of managing archives and collecting administrative data (art. 15). To carry out this role, ISTAT makes use of the following bodies:

The committee for the guidance and coordination of statistical information (arts. 17 and 21), a largely representative body, that issues binding directives and guidelines. statistical bureaus comprising the national system which also have the role of implementing the interconnection and linkages of their respective computer systems with the national statistical system (art. 6); the committee for the guarantee of statistical information (art. 17) established within the office of the Prime Minister and called upon to oversee, among other things, the «quality of the statistical methods and computer techniques used in the collection, conservation and dissemination of the data».

The decree also includes – according to the powers conferred various regulations concerning access to data (art. 4, clause 4; arts. 6, 6, 1) and protection of statistical confidentiality (arts. 8 and 9) which, although they refer to more general and exhaustive regulations regarding the confidentiality of personal data, are certainly a compulsory point of reference.
It should be added that in view of these new institutional and technical solutions that have been in the preparatory stages for a long time, ISTAT had, in 1982 created a third General Management dedicated to computers and automation. Its fundamental duties include the more effective coordination of public computer systems for statistical purposes. ISTAT had begun pursuing this even prior to the 1989 reform bill through a policy of approaching and drawing closer to both the users and suppliers of data.

3. COORDINATING PUBLIC INITIATIVES FOR AUTOMATION

In implementing these farreaching regulations the Government and specifically through the Department of Public Organization and ISTAT, launched a program of coordinating public automation initiatives.

3.1. Methods and forms of coordination and preliminary organizational tools of the Department of Public Organization

The Department's first strategic act consists of the Prime Minister's decree dated 15 February 1989 entitled «Coordination of the initiatives and planning of investments for automation in the public administrations» and the respective memorandum of implementation n. 36928 dated 4 August 1989. The first measure gave the Department broad and general powers of guidance, preventive oversight and direct action regarding all automation initiatives, both directly managed and concessions, and with respect to all the public administrations; powers to provide guidance for the standardization of methods for exchanging information and documentation on computerized and telematic supports; planning powers for recruiting skilled personnel and training administrative personnel in computer utilization initiative and legislative consulting powers related to general or specific issues connected to the process of automating the Public Administration. These are definitely important functions which do not comprise centralized bureaucratic control but merely systematic monitoring activities. Furthermore, the same decrees indicated the basic methods and forms for coordinating the initiatives (three-year programs for automating the individual administrations; intersectorial projects); it specified the duties of the committee for the regulatory and functional coordination of computerization in the P.A. (already foreseen in D.P.R. 536/1984, art. 2 and implemented by the D.M. dated 20 November 1984); it partly separated and partly innovated the concurrent responsibilities concerning the General Government Procuc-
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remement Office; and finally, it touched on some general administrative directives (concerning the drafting of administrative documents, the usability of the electronic programs and systems of the various administrations and the application of security measures at the electronic centers of the computerized files and the software used by the administrations) which will be further developed in specific measures with adequate technical strength.

The memorandum of 4 August 1989 specified the planning lines of the public automation process. It indicated the general goals («creation of a cultural autonomy»; «reconstruction of an unitary institutional logic; «fulfillment of emerging needs», mainly in order to «reinforce the offer of services» and to «create the centralization of enforcement autonomy»; «qualification of the public demande»; «correction of territorial and sectorial imbalances»); and identified the priorities of certain functional areas (personnel and organization; information and services for the citizen; territory and environment; single European market; taxes and finance) in which intersectorial projects and prototypes are to be developed.

The regulatory and functional coordinating tasks of the Department of Public Organization launched with the above measures were continuously confirmed - albeit with delays and inconsistencies - with the study and enactment of various intersectorial projects, with the arrangement of some organizational measures and bills and mainly through the issue of some regulatory documents by the ministry of public organization.

Some of the noteworthy organizational measures are: provisions in the 1990 budget (which were unfortunately deleted from subsequent budgets) for a specific «fund for the computerization of the public administration»; the promotion of annual P.A. «Forums» (exhibitions-conference on the development of technologies in the institutions, which reached their respective third editions in 1992; the drafting of «Programming guidelines for 1991-92 two-year period (memorandum dated 6 May 1991); the creation of a «First National Conference on Standards» (November 1991); the creation of study groups, committees and observatories for studying and solving specific problems (P.A. telematic network, registry and cartography standards, automation of the health care organizations, guidelines for standards); the drafting of a Government-Region protocol of understanding on the coordination and planning-of computer systems for the central, regional and local public administrations (June 1991) aimed at developing forms and methods of organic cooperation, between the parties as well as integration of roles and exchange of data and information. the creation of a periodical publication Informatic Publica (Public Computerization) in cooperation with a publisher and specialized journal.
3.2. The connection and interconnection of public computer systems. Guidelines for standardizing documents, technologies and directives for the organization and operation of the bureaus of Statistics

The trend towards the interconnection and interoperability of computer systems as the sine qua non for the effectiveness of the new extended uses of computers and telematics in the public administration had already been grasped in the measures reforming the Office of the Prime Minister and the national statistical system as the direct criterion for the organization of the public bodies and authorities dealing with statistical information. It is also supported by a consistent set of regulations and standards in addition to the experiences in progress. The recognition of this need forms the basis for the Department of Public Organization’s most interesting regulatory actions aimed at promoting and developing widely homogenous public computer systems. First of all, the memorandum dated 2 March 1990, amended and broadened by the memorandum of 5 March 1992, tends to promote – with loans, the development of automation projects of the municipalities and their consortia with highly uniform technological, methodological and documentary features which are, therefore, readily interconnectable. The necessary condition for accepting demands is that the municipal computer systems have certain architectural features and contain precise technical, documentary and organization indications; and finally it requires that they be drafted according to a reference scheme and be submitted with a three-year automation plan as per the guidelines of the 4 August 1989 memorandum.

Likewise with the 21 May 1990 memorandum «Guidelines for standardization in the area of the computer technologies for the Public Administrations, the Department of Public Organization, on the basis of the standards issued by the responsible technical authorities within the EEC – aimed at providing certain guidelines for all the administrations to favor the development of computer technologies according to a standardized logic, maintaining that homogeneity of criteria, organizational choices and techniques facilitates interconnectibility and interoperability of public computer systems. The standardization guidelines proposed by the Department cover not only technological aspects in the strict sense, but also documentation and administrative procedures (in this area the proposed principles, which comply with EEC Recommendation n. 259 dated 12 May 1989, are particularly original and penetrating). They also contain general criteria for controlling and testing computer systems developed by outside firms as well as for the physical security of the installations and the logical security of the applications.
Two of the Department's most recent initiatives also fit into this framework, they concern «Standarization and Connection of the central and local P.H.a. registries and archives (mem. 16 December 1991) and the establishment of «Citizens’ Service Centers» (mem. 19 December 1991). The purpose of these directives is, in one case to attain a unitary logic of citizen identification even if a user of services of various public administrations, and in the other to facilitate the use of public services by the citizens, giving them «electronic cards» to interact with the public administrations. All of this is prepared with the aim of simplifying administrative procedures and making them more transparent, as well as broadening the citizens’ right of access to administrative documents, of which law 241/1991 is the standard bearer.

On the other hand, regarding the statistical management of social information implemented by D.LG. 322/1989 and the approach of the 1991 general census, the P.M.D dated 10 January 1991 was issued along with a first «Document of guidelines and coordination for the regions concerning the organization of bureaus of statistics».

While this measure confirms that regional statistical bureaus are «an integral part of the national statistical system» and therefore work «in close functional cooperation with ISTAT», it also dictates some basic organizational criteria which the regions are obliged to transform into appropriate regulations. Each region must create a single bureau of statistics that reports directly to the office of the president of the regional governing council with the possibility of creating separate branches within the individual regional organizations for specific administrative needs;

- the bureaus of statistics shall have organizational, technical and financial autonomy;
- the management of the bureaus of statistics shall be assigned to officials with acknowledged competence in the field of statistics-computers; for this purpose the regions can make use of ISTAT’s structures through specific agreements;
- according to the provisions of D.L.G. 322/1989 ISTAT shall establish the minimum level of equipment – telephones, computers, telematic systems – for each bureau of statistics. They will be connected to ISTAT in data transmission networks and for accessing the Institute’s data banks;
- the bureaus of statistics, with sufficient personnel, will be divided into divisions with various responsibilities according to the guidelines provided by the committee for the coordination of statistical information.

The remaining articles of the decree dictate the organizational criteria for the cooperation between ISTAT and the regional bureaus of statistics
regarding the collection of statistics of national and regional interest as well as the circulation of the data. With specific reference to the issue of circulating regional statistical data, the decree confirms the general criterion of the applicability of the limits imposed by the discipline of statistical confidentiality as governed by art. 9 D.L. 311/1989. It establishes the obligation for the regions to transmit individual data gathered within the content of surveys ordered by ISTAT to the Institute for the national statistical program; it also provides the option of requesting data if needed for respective institutional activities.

This first and preliminary governmental set of guidelines was followed, in October 1991, by a series of directives issued by the Committee for the guidance and coordination of statistical information entitled «regulations for the organization and operation of bureaus of statistics in the national statistical system, aimed at achieving, through organizational unity of these offices, a cohesiveness of action and streamlining of information flow at the central and local levels."