The Toolkit

for implementation of the Regional competence center in the regions
prepared by ICHNOS Plus project

1 Introduction

Under the framework of ICHNOS PLUS, a capitalization project funded under INTERREG IVC, a Toolkit was thought, as a useful tool in order to clearly explain to the partner regions, Public Authorities and stakeholders from other EU regions the essential features and requirements for the establishment of a model for the coordination of the points of single contacts (PSC) called One-Stop-Shops for businesses (OSSes). The model of coordination is the Regional Centre of Competence (RCC), conceived under the previous ICHNOS project (2005 2007) funded under INTERREG IVC.

This Toolkit identifies the initial 'must have' requirements and the operational requirements for the implementation of the RCC model in other regions.

The process of setting up an RCC is painted below and is also described in the following sections:
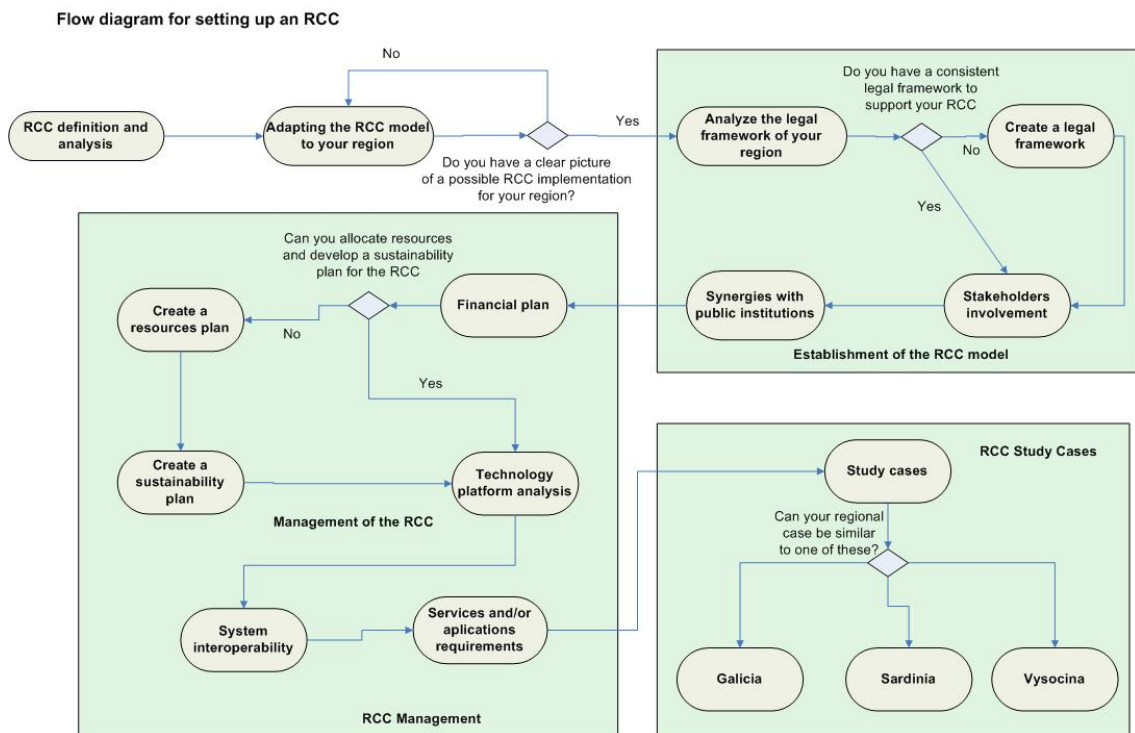
2 EU policies for business start-ups

Why an RCC is needed? And why the EU is promoting OSSes establishment? In this chapter we shall talk about the 2006 Spring council Conclusions and the small business act and the services directive. These are the most important frameworks that support OSSes.

2.1 The Services Directive

The Directive 2006/123/EC, known as "Services Directive", aims to reduce administrative burdens that affect service providers preventing them from establishing in other Member States and to remove all remaining regulatory and technical obstacles to the free circulation of services in the European Economic Area by making it easier to provide services temporarily or remotely.

Chapter II (articles 5 8) of the Services Directive sets out an ambitious programme of administrative simplification. A key element is the establishment of a 'Point of Single Contact' (PSC) in each Member State, giving the possibility to service providers and other interested parties to obtain information on national requirements and procedures by electronic means. The PSC must be completed by 27th December, 2009.

Whilst the Directive sets out minimum legal requirements for the PSC, each member state must decide how to best implement these.

2.1.1 Simplification of procedures and formalities applicable to service providers

According to Article 5(1), Member States have to examine all procedures and formalities applicable to access to a service activity and to the exercise thereof and must, if these procedures are not sufficiently simple, simplify them. This requires Member States to undertake a real effort of administrative simplification. When undertaking this exercise, Member States should examine and assess the procedures and formalities from the provider's perspective while keeping in mind that simplification of procedures will in turn reduce the administrative burden for the administration itself. Member States could take into consideration simplified administrative procedures used in other Member States and exchange best practice. The Commission will use its best endeavours to facilitate this.

The concept of procedures and formalities is a broad one and includes any administrative step which businesses are required to take, such as submission of documents, filing a declaration or registration with a competent authority. It covers not only procedures and formalities which are a pre-condition for the exercise of the service activity, but also those imposed at a later stage, in the course of the exercise of the activity, or even upon its completion (for example an obligation to report on a yearly basis the details of transactions carried out).

During the analysis of ICNHOS project, which had as output the Green book "OSS State of the Art. Opportunities to develop a common model", the three original partners made the analysis of their respective normative and administrative requirements concerning the setting up and running of an enterprise.

It was really hard to find all the laws applicable and to compare these three very different legislations.

The work for the new partner regions is easier in fact the Member States have to examine all the formalities and procedures (so this analysis has already been carried out by the State), in addition the Member States have to simplify all the administrative burdens.

2.1.2   Points of Single Contact

First of all, the concept of "Single points of contact" (SPC) fixed by art. 6 of the Services Directive is very close to the concept of "One Stop Shop" (OSS) used in the ICHNOS project. However, OSSes and PSCs do not necessarily have the same field of competence. They can have different tasks. They can be directly responsible for the registration of business or for the granting of authorizations of a simple nature.

The "points of single contact" are meant to be the single institutional interlocutors for the service provider, who will not have to contact different authorities or bodies to get all the relevant information and complete all the necessary steps relating to his service activities. Member States need to make the "points of single contact" available for all service providers established in their territory or in the territory of another Member State.

On the basis of Article 6, Member States are obliged to ensure that service providers can complete all procedures and formalities needed for running their business through "points of single contact". This is one of the requirements stated by the Services Directive. Member States must decide how to implement these "points of single contact" and have to ensure that the "points of single contact" are set up and functioning at the latest by the end of the implementation period. The objective of setting up one-stop shops for businesses has been pursued by Member States for several years and the obligation established in the Services Directive is therefore in line with, and complementary to, the aims of other EU initiatives, in particular the commitment taken by the European Council to implement one-stop shops for start-ups by the end of 2007. However, the legal obligation contained in the Services Directive is broader and comprises all kinds of businesses (not only start-ups), service recipients (for information purposes) and all types of procedures (not only start-up procedures). On the other hand, it is clear that other functions which one-stop shops for start-ups are encouraged to fulfil, such as coaching, training, financial advice and business-plan guidance, go further than the obligations laid down by the Services Directive. Implementation of the one-stop shop target set by the European Council will contribute to the implementation of the "points of single contact". In any event, it is clear that Member States do not have to provide for two separate networks and that they can build on existing initiatives to fulfil the legal obligation contained in the Services Directive.

2.1.3   The setting-up of the "points of single contact"

Each Member State is free to decide how to organize the "points of single contact" in its territory but needs to ensure that they are available for all services providers that benefit from the Directive enabling them to complete all procedures and formalities relating to the services and matters falling within the scope of application of the Directive. The concept of "points of single contact" does not mean that Member States have to set up one single centralized body in their territory. Member States may

decide to have several "points of single contact" within their territory. The "point of single contact" must however be "single" from the individual provider's perspective (i.e. the service provider should be able to obtain all the information and complete all the procedures by accessing only one point of contact). Member States may decide that "points of single contact" fulfil only a coordinating role, so that the final decisions will be made by the competent authorities. In this case, Member States have to ensure the communication between the "points of single contact" and the competent authorities in order to guarantee their rapidity and reliability. Member States may nevertheless decide to allocate certain decisional powers to the "points of single contact". For instance, Member States could consider that the "points of single contact" are directly responsible for the registration of business or for giving authorizations of a simple nature. In any case, the Directive makes clear that the "points of single contact" do not prejudice the allocation of competences among competent authorities.

Member States are also free to decide to which institution/authority they want to attribute the task of "points of single contact": to competent authorities at national, regional or local level, to professional chambers, to other business organizations, or even to private operators. In any event, the rules for public procurement have to be respected if applicable, in particular the provisions on public service contracts. If Member States decide to have "points of single contact" run by private operators, Member States should put in place the appropriate mechanisms to ensure that they fulfil their task in accordance with the requirements laid down by the Directive.

Moreover, Member States may also choose to set up "points of single contact" on an electronic basis only, without any specific physical infrastructure where services providers can actually access to. In this case, particular emphasis needs to be placed on the clear structure of information and procedures provided on the webpages or in similar electronic tools.

Finally, Member States are free to choose how to finance the "points of single contact". As stated in Recital, "points of single contact" may charge users for the services they deliver. However, the fees charged must be proportionate to the effective cost of the procedures dealt with. In any case, charges should not be so high as to discourage services providers from accessing to the "points of single contact". "Points of single contact" have to be available for the completion of the procedures and formalities which service providers have to comply with in a Member State to have access to or run a service activity. This includes permits as well as declarations, notifications, obtaining a company registration number and other procedures and formalities. It should be clear that subsequent appeal procedures, whether of a judicial or administrative nature, such as lodging of complaints or actions for annulment of a decision, do not have to be dealt with by "points of single contact". To complete all procedures through "points of single contact", service providers need to be able to obtain all pertinent information, forms and documents relevant to the procedures, to submit documents and applications and to receive the decisions and other replies relating to their application through them. Some of the procedures to be completed via the "points of single contact" may be complex, such as certain procedures for the establishment of large commercial retailers, and/or involve a number of different authorizations. However the "points of single contact" may have a coordinating role only, with the decisional power remaining with the specific competent authorities. In any case, it remains very important that "points of single contact" give providers a clear overview of all steps they need to take and supply them with procedural

assistance and feedback on on-going procedures. Of course, it is not an obligation for service providers to resort to the "points of single contact". They remain free to use or not to use this possibility and they are also free to contact any competent authority directly and submit/receive documents, authorizations and the like, directly. In cases where the procedures and formalities undertaken via the "point of single contact" have a given time limit (for instance because there is a deadline for the submission of a document, or because a competent authority has to take a decision as regards a request for an authorization within a given time limit), the moment of reception by the "point of single contact" of all the required documents should be the point in time relevant for calculating such time period.

Article 7(1) contains a list of essential information which Member States must make easily accessible through the "points of single contact" to service providers and service recipients. This information needs to be accessible at a distance and by electronic means. "Points of single contact" need to reply as quickly as possible to request for information and shall, in case the request is unclear or incomplete, inform the applicant without delay. Information to be provided includes the requirements service providers have to comply with when they want to provide services in a Member State. It also covers the means of, and conditions for, accessing public registers and databases on providers and services, such as business registers, databases on regulated professions or public databases on services statistics. Information to be provided also comprises the contact details of the competent authorities, including those responsible for supervising the services activities, as well as the contact details of the associations or organizations from which providers or recipients may obtain practical assistance and additional information. Information on the means of redress which are generally available in the event of dispute should also be available. Considering all the information that OSS must give, in the previous ICHNOS Ancitel Sardegna studied the content of a database concerning procedures, formalities, relevant documents, instead Cesga created the information technology structure. This is foreseen by the Directive. In fact Member States will have to organize a certain amount of information and will have to make an strong effort in order to organize the information clearly and to make sure that it is provided in simple, straightforward language and presented in a coherent, understandable and structured way.

A simple reference to or reproduction of the relevant legal texts will clearly not be sufficient. Member States will also have to regularly review and update the information. In addition to the information on the requirements which services providers have to comply with, competent authorities should provide, when requested by services providers or recipients, assistance on the way these requirements are usually applied or interpreted. Such assistance may, for instance, be given by way of understandable guides which could explain the general application of certain terms and conditions and different procedural steps to be taken. As clarified in Article 7(6), this obligation of assistance is an obligation to provide general information and does not require the competent authority to provide legal advice in individual cases. In order to improve the functioning of the Internal Market and to facilitate cross-border establishment and provision of services, it is important and in the interest of Member States, that information through the "points of single contact" is not only made available in the Member State's own language(s) but also in other Community languages. As established in Article 7(5), this needs to be encouraged. For instance, Member States could consider making information available in the languages of neighbouring Member States or in languages most commonly used by businesses in the EU.

The setting-up of fully functioning and interoperable electronic procedures by the end of the implementation period is a key element for attaining the goal of administrative simplification of the Services Directive. Electronic procedures are an essential tool to make administrative procedures considerably less burdensome for service providers and for public authorities alike. The possibility to complete administrative procedures at a distance will be particularly important for service providers from other Member States. Moreover, electronic procedures will contribute to the modernization of public administrations by making them more efficient. Following an initial investment, the use of electronic procedures should prove to be money- and time-saving for administrations. The setting up of electronic procedures to be used across borders has been part of Member States' and Community's e-Government policy for some time now. In the Services Directive, Member States have now entered into a legal commitment to have "e-Government" services in place by a certain date. By the end of 2009, service providers should be able to complete electronically and at a distance all the necessary procedures to provide a given service.

2.1.4   Electronic procedures

Article 8 establishes an obligation for Member States to "ensure that all procedures and formalities relating to access to a service activity and to the exercise thereof may be easily completed, at a distance and by electronic means, through the relevant points of single contact and with the relevant competent authorities". In order to ensure that electronic procedures are easily accessible for providers, they should in principle be available via easily accessible through communication networks such as the Internet. Such an understanding is also in line with the use of the term "electronic means" in other Internal Market instruments. Article 8 covers procedures and formalities required for the establishment as well as any procedures and formalities which might be necessary in the case of cross-border provision of services. Electronic procedures have to be available not only for service providers resident or established in the Member State of the administration but also for service providers resident or established in other Member States. This means that service providers should be able to complete procedures and formalities by electronic means across borders.

Procedures and formalities which service providers need to be able to complete by electronic means, in principle, encompass all procedures and formalities relating to access to a service activity and to the exercise thereof. Electronic means have to be available for the whole administrative process, from the service provider's initial application/submission of documents to the final reply, if required, from the relevant competent authority. Nevertheless, Article 8(2) provides for three logical exceptions from the obligation to provide for electronic means: (i) the inspection of premises on which the service is provided; (ii) the inspection of the equipment used by the provider; and (iii) the physical examination of the capability or the personal integrity of the provider or his responsible staff. On the basis of Article 8, electronic procedures should be available for transactions both through the "points of single contact", and also for direct transactions with competent authorities. In practical terms this means first that electronic procedures have to be available for all administrative procedures which service providers will have to be able to carry out through the points of single contact. Second, service providers should have the possibility to communicate directly with a relevant authority if they whish, for example in cases where only one competent authority is involved and it may be easier to deal directly with the authority. The setting-up of fully functioning and interoperable electronic procedures by the end of

the implementation period is a key element for attaining the goal of administrative simplification of the Services Directive. Electronic procedures are an essential tool to make administrative procedures considerably less burdensome for service providers and for public authorities alike. The possibility to complete administrative procedures at a distance will be particularly important for service providers from other Member States. Moreover, electronic procedures will also contribute to the modernization of public administrations by rendering them more efficient. The implementation of the obligation undertaken in Article 8 by the end of 2009 will be a considerable challenge for Member States, which should increase their already on-going efforts to work towards interoperable e-Government services for businesses. Member States are encouraged to build upon the existing initiatives. Indeed, the obligation in the Services Directive should be seen as a chance to boost current efforts and to help Member States to focus and deliver the objectives they have set themselves as part of their e-Government work. One of the core issues to be tackled in order to put in place functioning electronic procedures across the EU is interoperability. Given the fact that at a national level different requirements and legal, organizational, semantic and technical arrangements are in place with regard to existing or planned electronic procedures, several issues may arise, be they political, legal or technical (linked to identification, authentication, electronic document exchange/recognition, etc.), which would require a certain level of coordination and cooperation between Member States. This, however, does not mean that Member States are expected to harmonize their e-Government solutions or to use one model only. Member States are free to choose their models, while bearing in mind that electronic procedures have to be available both to their own nationals/residents and to service providers from other Member States, who should in principle be able to use their national means to deal with public authorities in other Member States. This would be in line with the objective of cross-border interoperable e-Government services, the idea of administrative simplification and the facilitation of cross-border service provision. If access to e-Government services in another Member State requires service providers to use the (identification/authentication) means of that other Member State new complications and burdens for services providers may arise. Indeed, if service providers need to obtain national means of all Member States where they wish to provide their services, this may result in delays and costs which in principle should be avoided (moreover, in some Member States they may even be required to obtain several means, a separate one for each application, which further complicates the situation). When considering how to tackle this issue, Member States need to avoid creating additional burdens or adopting solutions that may slow down the introduction of interoperable e-Government services across borders in the long term.

2.2 The Small Business Act for Europe

The Small Businesses Act is a set of ten principles to guide Member States in their policy towards SMEs.

The Small Business Act aims to improve the overall policy approach to entrepreneurship, to irreversibly anchor the "Think Small First" principle in policy-making from regulation to public service, and to promote SMEs' growth by helping them to tackle the remaining problems which hamper their development.

The symbolic name of "Act" given to this initiative underlines the political will to recognize the central role of SMEs in the EU economy and to put in place for the first time a comprehensive policy framework for the EU and its Member States:

I. Create an environment in which entrepreneurs and family businesses can thrive and entrepreneurship is rewarded.

II. Ensure that honest entrepreneurs who have faced bankruptcy quickly get a second chance.

III. Design rules according to the "Think Small First" principle.

IV. Make public administrations responsive to SMEs' needs.

V. Adapt public policy tools to SME needs: facilitate SMEs' participation in public procurement and better use of State Aid possibilities for SMEs.

VI. Facilitate SMEs' access to finance and develop a legal and business environment supportive to timely payments in commercial transactions.

VII. Help SMEs to benefit more from the opportunities offered by the Single Market.

VIII. Promote the upgrading of skills in SMEs and all forms of innovation.

IX. Enable SMEs to turn environmental challenges into opportunities.

X. Encourage and support SMEs to benefit from the growth of markets.

In ICHNOS plus project we must pay our attention especially on principle four:
IV   The EU and Member States should make public administrations responsive to SME needs, making life as simple as possible for SMEs, notably by promoting e-government and one-stop-shop solutions.

Modern and responsive public administrations can make a major contribution to the success and growth of SMEs by saving them time and money and hence freeing resources for innovation and job creation. E-government and one-stop shops, in particular, have the potential to improve service and reduce costs.

The ongoing implementation process of the Services Directive will contribute to make life easier for SMEs and requires Member States to set up points of single contact, to reduce in number and lighten authorization schemes, and to eliminate regulatory barriers to the development of services activities. It also offers opportunities to go beyond its requirements in accelerating the start up of business operations.

To translate this principle into practice, the Member States are invited to reduce the level of fees requested by the Member States' administrations for registering a business, taking inspiration from EU best performers.

Member States have to reduce the time required to set up a business to less than one week, where this has not yet been achieved, in order to accelerate the start-up of SMEs' commercial operations by reducing and simplifying business licences and permits.

More specifically, Member States could fix a deadline of maximum 1 month for obtaining the necessary licences and permits, except in certain cases where a longer period is justified by serious risks to people or the environment refrain.

Member States are invited to avoid asking SMEs for information which is already available within the administration, unless it needs to be updated. In particular, a micro-business shouldn't be asked to participate in a statistical survey under the responsibility of the State, regional or local statistical office more than once every three years, provided that the needs for statistical and other types of information do not require otherwise. Where it is necessary, Member States have to establish a contact point to which stakeholders can communicate rules or procedures which are considered to be disproportionate and/or unnecessarily hinder SMEs activities, moreover they should ensure full and timely implementation of the Services Directive, including the setting up of points of single contact through which businesses can obtain all relevant information and complete all necessary procedures and formalities by electronic means.

3   OSS and RCC implementation step by step

3.1   What is an OSS?

OSS – an one stop shop – can be identified as a single point of contact for the entrepreneurs. OSS is manly created by the public institution (on the national, regional or municipal level) and provides all possible public services at the one place. The aim of OSS is to provide services without necessity of travelling or going from one place to another and the target groups saves costs, resources and time while dealing with the public services issues. As an example the starting-up process of the company can be used. The future entrepreneur comes to the OSS where all steps are made at the one place and entrepreneur is able to leave the OSS with all necessary permissions to run business immediately.

3.2   How can the OSS be identified in your region?

There could be institutions similar to the OSS definition established by your region (or by municipalities in your region, or by state within your region), which are able to provide the public services at the one place. The thought of establishing the OSS is not limited for the entrepreneurs only, the public services can be provided for any target group. If your region still does not use the concept of OSS, you can identify the field of activity where OSS model could serve at the best.

3.3   What is an RCC?

A Regional Centre of Competence (RCC) for One-Stop Shops (OSSes) is defined as a non-profit or profit organization whose main objective is to develop specific actions to support the operation of OSS in a region, contributing to the economic growth of the region by facilitating business start-ups and providing a better support to entrepreneurs.

In this sense, and in accordance with the requirements that the Commission's proposal for a Services Directive, RCCs should assure specific required conditions. It must guarantee the smooth and efficient functioning of OSS and main aim of RCC is to manage the network of OSSes efficiently and effectively.

RCC has different roles in the system of managing and servicing to the OSS network. The roles/modules are described in the following sections:

3.4 The RCC model conceived under the ICHNOS project

3.4.1 Observatory

An observatory module that assesses the current regional socioeconomic situation in order to support the set-up of new OSSes. It will also monitor the performance of each individual OSS and evaluate the obstacles that may prevent them from running smoothly. Additionally it will also monitor the latest information about administration solutions for OSS and processes and recommendations of simplification of the bureaucratic procedures of the public services provided by OSS.

3.4.2 Advisory, consultancy and assistance

An advisory and support module that carries out the core activities of the OSS, giving support to the OSS managers, to the OSS employees and to the regional and local authorities on the four main areas: legal, technological, marketing of the territory and organizational. These four areas were identified as the core ones for efficient provision of OSS services.

3.4.3 Training

Training module offers knowledge to OSS staff and to third bodies connected with OSS's activities. Online (e-learning) and face-to-face courses, as well as paper-based documentation on guidelines are the main means, which will be focused on the procedures regarding business creation, the procedures for contacting third bodies, and the novelties on legal and technical aspects of OSS activities. Training module supports the other third modules by creation of the knowledge base for all who deal with the OSS operation.

3.4.4 Information and communication

This module is about to that promote OSSes and disseminates the achievements of the OSS network and benefits among its stakeholders in the region among their end-users and around on the national or interregional (possibly as well as international) level.

3.5   Establishment of an RCC model?

3.5.1   National and regional legislation

Before the process of establishing the regional RCC model, it is necessary to monitor the currect legislation. Some services could be possibly provided by particular public body on the basis on some legal act and it is not possible to "move" them to the RCC. Running the non-profit organization (RCC) by the public body is based on some law as well. Fully running RCC has to deal with specific legal issues dealing with the internal and external procedures, so the knowledge of the legal acts is the basis. ICHOS project regions can support your region by answering the specific questions regarding this issue.

About governance issues, just to remark that managing the network of OSSes (RCC) is a huge task since many things are about to infuence the end "product" – a public service provided by OSS. So the governance issues, control mechanisms and process management tools are the basis for the efficient support made by RCC. All procedures should be assesed to identify all system errors on time. Management strategy should be created before running the RCC model in practice.

3.5.2   Awareness and commitment of stakeholders and key actors

1.   Identifying possible relevant stakeholders

Without regional cooperation among all key stakeholders and actors each new system is badly influenced at the real begining. All people involved to the preparation phase should identify and cooperate with the regional and local political representatives, public authorities management, main regional representatives of the private sector and universities, the public opinion of the citizens is welcommed as well. Special advisory team created from the key stakeholders should support the project team, which is set-up to implement the model in the practice. Opinions prepared by the advisory group are the most relevant just because the key stakeholders know the regional environment, the relations within this and can influence the general view of the whole concept.

2.   Creating public organizations synergies

OSS and RCC are the new public entities, which are dealing with providing of the public services. Whole future concept of public services aims to the friendly environment for the end customer, where all possible procedures and services are made directly inside the public system without special requirements for the citizens. Synergies, cooperation and support based on the special agreements of the legal acts is the future of the public administration. Therefore the RCC should follow this idea right now to show the users that existence of the concepts like RCC-OSS has real

benefits for citizens, entrepreneurs or public clients, and implementations of such models is not wasting the public financial resources.

4 How to manage the RCC

This chapter will talk about management and organizational tasks related to the model and also a resources briefing and which IT paradigms and servicesy are commoly used in this type of organizations, based on the services they provide.

4.1 Resources for a RCC

4.1.1 Cost analysis

As mentioned above, the model has been designed assuming the enough availability of resources. This chapter is focused on a less oriented economic approach, because the economic conditions and prices are different for each region. A more resource-oriented approach is more suitable for this analysis. This resources are linked to the organization structure proposed in the model.

The estimated resources for setting up a RCC can be divided in the following main categories:

a. Human resources

Employees are expected to have a university degree and knowledge of IT; the methodology and legal experts are also expected to have a legal background, knowledge of the business environment, and competences in public administration information systems.

As the activities of the observatory regarding the collection of information are closely related to the advisory and consultancy module, the first of these gathers data and the second processes them and distributes them to OSS. This module is not mandatory and will depend on the size of the RCC. In any case, both modules can and should share employees, as it is essential that the person that informs the OSS staff has an in-depth knowledge of the information gathered. Two people could undertake both functions as the majority of the observatory field of work is not very dynamic (i.e. legal modifications).

As far as the necessary staff is concerned, the communication team includes, at least, two or three people who cover the following profiles:

- Dissemination and Communication Manager, who coordinates the dissemination and promotion of activities, keeps and reinforces the dialogue with regional and international stakeholders.

- Supporting Staff that feed the contents of the newsletters, website, and other material published by the Centre.

- Graphic Designer, who manages the publications and website layout.

For the advisory, consultancy and support activities:

- Employee (-s) for the data processing.
- Administrator (oversight, correcting errors, back-ups, administration of code-lists).
- Database methodologist (logical structure of data, processes, checks).
- Legal expert (external or employees).
- Consultant/methodologist for determining processes in dealing with clients requests and the development of legal services for the OSS network.

At least one employee is required for organizing and coordinating the training activities – depending on the number of OSS that the RCC is in charge of — an extra person may be necessary.

There will be a top manager responsible for the coordination and management and taking care of the institutional representation. Additionally, in the case that the RCC own a legal entity, one person would be necessary for taking charge of the administration and management of the RCC, as a managing director.

b. Equipment and premises resources

To ensure the provision of the above-mentioned human resources, the following equipment must be available:

- Official premises.
- Office equipment (desks, chairs, telephone lines).
- Creating & hosting a public/private web site.
- Technical infrastructure (network, computers, telephones, faxes, etc.).
- SW technologies and applications (helpdesk, databases, web publishing systems, editing interface for data input, search systems, EPRs, CRMs…).

4.1.2   RCC sustainability

RCC for OSS are a key instrument to streamline business start-up process. For this reason, sustainability in time is a key factor in order to achive the aforementioned objective. Promotion also should be supported, not only through dissemination means but also through any possible institutional platform. In this way, the exchange of experience among the EU countries will contribute to the permanent improvement of the OSS functioning and to the simplification of business start-ups, with the related increase of entrepreneurial activity within the Union and, consequently, greater economic growth.

The RCC for OSS can have the form of in-house bodies or institutions with their own legal entity. In the second case, the general administration of the Centre should be taken into account for:

- General administration tasks:
  - Financial administration.
  - Human resources management.
  - Other administration tasks (payment of invoices, equipment acquisitions...).

- Strategic management:
  - Elaboration of a strategic plan for the RCC, defining:
    - RCC goals.
    - RCC's budget.
    - Deadlines for achieving goals.
    - Allocation of resources.

  - Internal evaluation and control of RCC performances:
    - Defining control indicators.
    - Contrasting the achievement level of goals.
    - Defining and implementing corrective actions.

- Institutional relations:
  - Relation with institutional members participating in the OSS scheme.
  - Permanent promotion of the membership business-support institutions and business associations within the OSS system.
  - Continuous dialogue with the OSS system member institutions.
  - Promotion of public administrations cooperation in the field of business creation.
  - Promotion of pan-European OSS networks.

4.2 Technology platform for a RCC

4.2.1 Interoperability paradigm

The development of electronic administration services represents a key element in the process of improving the information and services that the different administrations offer to citizens and
companies, as well as the simplification of all the administrative procedures.

The national, regional and local European public administrations find themselves in a decisive moment, since they have to face up to numerous challenges as, for example, new needs and demands, changing economic and social conditions, institutional modifications due to the impact of new information technologies and communication, etc. The challenge of contributing to efficiency, productivity and the quality of their services lies in their hands.

New technologies (ICT) can assist governments and public institutions to confront the numerous challenges which the information society presents, but these are not enough. The solution could be found in the development of electronic administration.

In addition, the information has to be available in an easy and accessible format, so that the agents of economic activity are able to take decisions in a freely and fully-informed manner. This fact is especially relevant to SMEs, given that they are the ones which have minimal resources, whether measured in time or money, to dedicate themselves to the search for information which is frequently fragmented or scattered around different administrative levels

Because of the aforementioned, the two main challenges facing the European Union are digital convergence and interoperability. The first raises an increasing need for methods and design tools and integrated management for the frequently more numerous formats, devices and channels of access to contents and digital services, and secondly confirms the necessity for tools and standard agreements for the exchange of information and cooperation between administrations and third parties. Following this line, interoperability could be defined as the capacity of systems based on information and communication technologies (ICT) and managerial processes based on these, to permit the exchange of information as well as idea-sharing of information and expertise. This requires that the ICT systems of diverse entities at different administration levels integrate themselves, that is to say *interoperate*.

Interoperability and Open Source Software, are very important topics. Interoperability is the milestone, because we would want that our RCC ICT systems could "understand" the systems hosted by other government initiatives, in order to use their services.

The Bolkenstein Directive proposal already emphasized the importance and interrelation between electronic administration infrastructure and the mobility of companies, as a consequence of which Member States would be requested to promote an infrastructure over interoperability which would permit the placing of single contact points at the disposal of companies in order that administrative procedures would be promptly completed. But to enable this stage of development to be attained, a modernization of public services has to be fostered, processes redesigned, encourage the interoperability of systems and databases of those involved in the process, and have basic processes in place for the development and implementation of single windows.

Every RCC should adopt and implement the European Interoperability Framework for pan-European eGovernment Services that defines a combined array of recommendations and guidelines for electronic administration services, so that administrations, companies and citizens are able to interact across borders in a pan-European context. The recipients are the managers of electronic administration projects and OSSs in national administrations and European institutions. Their objectives are:

- To assist the EU strategy to provide electronic services focussed on users and SMEs, by means of the interoperability of services and systems of public

administrations, as well as between administrations and those citizens and companies, at pan-European level.

- To complement national interoperability frameworks in those areas which cannot be adequately treated from a purely national perspective. Nevertheless you should check what kind of initiatives do your country/region have in order to be aligned with them.

- To try to obtain interoperability in and between different sectorial areas, specially in the context of the Programme IDABC and other programmes and relevant regional initiatives.

The European Framework of Interoperability is constructed on the basis of 8 principles as follows:

1. Accessibility: The services of electronic administration have to ensure that equality of opportunities are accessible without discrimination. Generally accepted design principles have to be applied to ensure that the handicapped have access. The WAI (Web Accessibility Guidelines) directives must be born in mind. The socioeconomical disparities between regions and groups of citizens have to be considered. A multichannel focus approach will have to be adopted to make services available through different channels.

2. Multi-linguilism: In Europe, language is a key factor in the effective rendering of trans-European electronic administration services. The underlying infraestructures should be linguistically neutral so as not to convert themselves into an obstacle impeding the rendering of services.

3. Security: The trustworthy exchange of information has to be in conformity with an established security policy. This is achieved by appropriate analysis of the risks prior to the establishment of services and adequate security measures. The administrations involved should take into consideration their own security policies and agree a common one at pan-European level.

4. Personal Data Protection: Pan-European electronic administration services require uniform levels of protection for personal data, in accordance with national and community legislation.

5. Subsidiarity: The guidance offered by the European Framework of Interoperability does not interfere with the internal framework of the administrations and European Institutions. Each Member State and EU Institution has to adopt the necessary steps in order to guarantee interoperability at pan-European level

6. Use of open standards: The European Framework of Interoperability identifies the minimum characteristics which a technical specification has to possess in order to be considered as an open standard:

a. The standard has been adopted and maintained by a non-profit making entity and its continuous development takes place on the basis of a decision process open to all interested parties (consensus or majority decision).

b. The standard has been published and the document containing the specifications is available, either free of charge or via payment of a symbolic charge; copying of same should also be allowed, distribution and use either free of charge or via payment of a symbolic charge. Intellectual property – for example, possible patents – of the standard (or some of its parts) is irrevocably offered free of royalties. There are no restrictions applied to the reutilization of the standard.

7. Value the benefits of free software: This software tends to assist and define open standards and open public specifications. The products based on free software are, by nature, specifications publicly available, and the availability of the source code promotes an open and democratic debate on the specifications, which make them more solid and interoperable. As such, free software responds to the objectives of this Framework and should be considered favourably together with proprietary alternatives.

8. Use of multilateral solutions: In a multi-participating environment, the adoption of common agreements regarding operability provides first-time advantages for a solution, which is developed once it meets the needs of all, when compared with bilateral solutions of greater cost and lower effectiveness.

Basically there are 3 fields of interoperability:

- Organizational interoperability: The ability to identify the agents and the organizational processes which intervene in the availability of a specific electronic administration service, and the reaching of an agreement between them as how to structure interactions for citizens life cycles such as births, weddings, social security, etc.; and business events such as initiating formalities with a view to registering a company, tax payments, participation in public tenders, etc.

- Technical interoperability: A combination of IT systems and software and the definition and use of interfaces, open regulations and protocols for the creation of trustworthy, effective and efficient information systems which will enable communication between computers.

- Semantic interoperability: A guarantee that the meaning of exchanged information will not be lost during the process and that people, applications and institutions involved will remember and understand same. A semantic interoperability strategy is in the process of being developed around the following recommended elements:

A good starting point as a strong reference on the matter should be the Semantic Interoperability Guide for the IDABC that will define the principles for coordination and guidance of formats based on XML for pan-European electronic administration services. It will compliment the directives of IDABC within the European Framework of Interoperability.

4.2.2   Services requirements

The IT services supporting an electronic administration must be strategically orientated to enable public administrations to contribute to the achievement of the objectives of the Strategy of Lisbon.

The basic services should be available on-line, not only for the citizen but also for the company,
And should be the result of the interaction of 2 realities: on one hand, the advances of the Information Association with respect to the modernization of the public sector and its rendering of services to citizens and companies and, on the other hand, their needs in a changing European Union which requires an original approach to the provision of public services.

These public on-line services of the Public Administration directed at companies (A2B) and which relate to the e-Europe 2005 initiative were the following:

1. Employee contributions to the Social Security.
2. Corporate taxes: declaration, presentation.
3. VAT: declaration, presentation.
4. Registration of new companies.
5. Data transmission of official statistics.
6. Customs declarations.
7. Environmental permits.
8. Public purchases or tenders.

Obviously, the most important service a RCC should provide is the 4th, although the same RCC could bring together some other related services, but this depend on the competences assigned to the RCC by the government.

5 RCC study cases

Here, old partners are going to make a briefing of their OSS implantation in order to obtain a first approach of the feasibility study. This can be used by the new partners/appliers as an example guide.

5.1 Galicia

Background

Some years ago, the Galician Government felt the need of promoting the creation of companies with the intention to empower the Galician economy.

In 1998, the Presidents Council and the Public Administration perceived the necessity to support and promote the creation of industries in Galicia, resulting in the birth of the Office of Single Industrial Proceedings (OTU). The fundamental objective of this Office was to inform and advise the persons interested in starting any type of industrial company. At the same time, this Office used to process all the files relating to administrative authorizations which were requested by the Xunta of Galicia. As an underlying idea to the creation of the OTU, a concept existed for simplifying the process of those industries which did not required a previous authorization, achieving a reduction of the processes into 1 instead of 2. The attempts made by Galicia to disseminate this practice need to be highlighted as well, given that an OTU existed in each Provincial Delegation of the Council of Industry and Commerce.

In those days, that initiative was important and pioneering, the idea that was originally suggested has been surpassed not only in concept but also in the manner of its management, fundamentally via the development of the ICTs. In effect, one of the major inconveniences was the fact that it was limited to the setting-up of business projects relating only to industrial matters, which resulted in a large percentage of entrepreneurs being excluded from these types of subsidies.

On 21 November 2006, the Cabinet of Ministers approved Royal Decree 1332/2006 which, as from March 2007, permits the constitution of the Private Limited Company via internet.

Following this and via the PAIT network of CIRCE, the telematic system was extended to all Private Limited Liability Companies and not only to the Private Limited New Companies.

From 22 March 2007, thanks to a pilot programme implemented by the Ministry of Industry, (and in which the Autonomous Regions of Madrid and Andalucia also participate), the Galician SLRs, thanks to telematic transmission, are now able to be constituted in only 3 days via the PAITs of Vigo, Santiago de Compostela and La Coruña, thereby substituting 15 forms which were required to be completed before a Notary at the moment of their constitution.

Single Contact Points in Galicia

In Galicia, the PAITs (a.k.a. OSS sor SCPs) are a network of advice points and start-ups of proceedings, which are integrated into the Information Centre and Network Creation of Companies (CIRCE).

PAITs have a dual mission. On one hand, there is the rendering of information services and advice to the entrepreneurs and the provision of the same attention during the first years of activity of the Private Limited New Company (SLNE) and Private Limited Liability Companies (SLRs). On the other hand, they have to cover all the requirements of a business set up under the legal forms of S.L.N.E. and S.R.L. using electronic channels and all done in only one administrative step.

The principal challenges facing the implementation of the window or single contact point for companies in Galicia were:

- Facilitate the interoperability of the Public Administrations.
- Facilitate the coordination between organizations which provide services to entrepreneurs and companies (whether public or private).
- Include in the political agenda the creation or set-up of the window or single contact point for companies in Galicia.

The main goals of the PAITs are:

- Speed up the administrative procedures and red tape, dramatically reducing time and associated costs of a business start up.

- Simplification of the administrative procedures of business registering and start up, avoiding unnecessary trips: The entrepreneur only has to go to the PAIT and Notary. No more paper forms!

All the territorial premises of the IGAPE (Galician Regional Development Agency) operates as Single Contact Points for Business Assessment and Procedures in which you could set up a business under the S.L.N.E. or S.R.L. legal forms in 72 hours.

IGAPE runs the website (http://www.igape.es/oficina-virtual.html) in which all the information and services offered to the entrepreneurs are comprised.

Around 5000 business (Private Limited Liability Company) are set up using this legal form in Galicia.

The GEM study, that measures the impact of the entrepreneurship activity, remarks that financing issues still are the biggest problems for entrepreneurs, also with red tape procedures linked to public subsidies. In Galicia, the lack of social awareness about entrepreneurship is an important issue too, still unconsidered positively to be an entrepreneur.

By 2007 Galicia raised as the 3rd region in the European Ranking of Entrepreneurship, and moreover, Galician entrepreneurial initiatives are well consolidated inside the EU. These are the highlights extracted from the Executive Summary Galicia 2007, done under the project GEM (Global Entrepreneurship Monitor), one of the most important international observatories regarding entrepreneurial activities. The development of entrepreneurial initiatives and ventures, not only is one of the characteristics of a developed society, but also is one of the fundamental aspects of the economy of a country, consolidating its economic growth. The Galician region goes well on this, because the number of entrepreneurial initiatives is raising dramatically, and the consolidated ones are in a good position.

5.2   Sardinia

Regional centre of competence for One Stop Shops was officially created in Sardinia with the regional law number 3 of 2008.

Currently the Industrial Authority of the Sardinian Region has among its responsibilities the coordination and the support of the network of OSSes and the supervision of the correct application of the regional laws dealing with economic activities (craft, commerce, industry, farming, services).

To support the creation of the OSSes throughout the region, a lot of preparation activities were carried out by the Industrial Authority.

In 2004, when the activity started, there were only 47 OSSes representing 239 municipalities (out of 377). Nevertheless, only 23 OSSes were declared as being operative. Among the main causes for this lack of development and efficiency of the OSSes in Sardinia, there were: the difficulty to involve the different authorities, who had to provide permits and licenses for every single procedure; the lack of resources; the request of too many opinions and many different subjects. Moreover, enterprises continued to address each single authority instead of addressing the OSSes directly, due to a lack of information but most of all because the authorities continued to ignore the existence of the OSSes. At the beginning of 2005 the Regional Industrial Authority cooperated with Ancitel Sardegna (the Association of Municipalities in Sardinia) in the ICHNOS project, within the INTERREG III C Programme.

Starting from this non-positive situation, the Regional Administration has given a boost to the start-up of the OSSes, favouring agreements among the administrations and writing guidelines.
With the aim of favouring the exchange of experiences and skills and solving queries arising from every day work, the Regional authority has periodically organized workshops and meetings between the provinces, the local authorities and operators.

Through the involvement of the 8 regional Provinces, qualified assistance was given to the Municipalities to favour the establishment of new OSSes, and funds to buy hardware. Another support activity was carried out with Formez (one of the Italian main training providers for Public Administrations), continuing a previous activity of technical assistance funded by the Department of Public Administration through the Programme "Governance and Empowerment". This activity ranged from basic training delivered to OSSes with low activity and weak presence in the territory, to the

solution of very complex problems, in the case of advanced OSSes and strong alliances in the territory.

With reference to information tools and in order to stimulate the chances of comparison and communication, the project has created an internet forum dedicated to the operators and the other Public Administrations involved; the project has offered a legal advice service and created a specific portal (www.sardegnasuap.it) which gives on-line services, able to simplify the relationships between the Public Administration and enterprises.

OSS file management software was created. Thanks to this software, enterprises can send the necessary documentation to the Public Administration and can monitor the status of their application on-line. After the training courses delivered to the OSSes and other Public Administrations involved, 208 Municipalities are now using the software.

A massive promotional campaign , through placards and the mass media has been organized ensuring that there were no possible difficulties in the application of the law, due to a lack of knowledge on the part of the civil servants or mainly on the part of the entrepreneurs.

With reference to law and procedures simplification, the Regional Authority has laid down a thematic collection of all the laws per subject.

A great impulse to cut down time and the costs of bureaucracy was achieved through Regional Law n.3/2008, mentioned at the beginning, which introduced self-certification as the preferential way to start up an economic activity. With this aim, the law has reviewed the different phases of application by the entrepreneur and management by the public administration

Thanks to self-certification, the entrepreneur is allowed to start up his activity, or to build his premises (the self-certification fulfils the requirements for building permission). In this way, after 20 days since when the request for setting up a business has been submitted, the entrepreneur can start his/her business without waiting any longer for the response of the public administration and its frequent delays. Moreover, the law foresees that the OSS is the unique addressee for the entrepreneur in the lifetime of his/her activity, forbidding any other third body by having direct contact with him/her. Any application or permit is automatically null and void.

Self-certification is not applicable in the case of specific matters (related for instance to health, environment, security) clearly defined in paragraph 24 of the Regional Law); in this case the OSS must, within 7 days, summon a short-dated Decisional Conference which must take place within the following 15 days. The entrepreneur must wait for the response of the Decisional Conference before starting his/her activity.

The Regional Authority has also issued a memorandum in order to support the OSSes in solving all doubts in enforcing the new procedure. The memorandum was written by a group of experts representing different authorities, including OSS operators, and included all the contributions which had arisen in the internet forum.

The Regional Authority, with the support of Ancitel Sardegna, is also reviewing and updating the data base of procedures and permissions for the start up of new

economic activities according to the great changes introduced by the Law 3/2008. The database is available on line in the thematic internet portal www.sardegnasuap.it and in the management software. It includes all the necessary information for starting up 102 different activities and more than 160 connected procedures (description, procedures, application forms, licensing laws, memorandum, documentation, annotations). Great support to this activity was given by each OSS and the other local authorities and public administrations involved.

In 2008 and 2009 the Region of Sardinia received a national award for the outstanding and significant contributions in the field the administrative simplification through its activity in the coordination of OSSes and it was mentioned at the European Enterprise Awards.

5.3   Vysocina

Background

The Vysocina region searched in the ICHNOS project for suitable model reflecting specific conditions of the region and allowing to adopt a feasible solution. T ebí Area Business Incubators Network was selected as a good platform for a possible pilot testing. According to regional administration, business incubators placed in 7 different municipalities were expected to play an important role of OSS and Advisory, Training and Research Centre (PCPI) located in the city of T ebí could be gradually established as a RCC. In a long term horizon after creation of next Business Incubators and after setting-up of Jihlava Science and Technology Park, regional authorities decided to transfer RCC competences to this natural centre of business infrastructure. Management, control and coordination functions are provided by the Science and Technology Park located in the capital of the region and other Business Incubators operate as OSS.

Since 2007, when ICHNOS project had been finished, several changes in national system conditions have been introduced. The Vysocina region has to reflect them.

- In several steps, significant changes in Trade Licensing Act were approved (from reduction of number of trade licences to fully electronic on-line registration).
- Central institutions started providing of methodology support to entrepreneurs.
- eGovernment strategy entered to operation step-by step.
- Czech Government approved the Plan on the reduction of administrative burden before 2010 and started its execution.
- The process of implementation of the European Directive on Services in Internal Market (the Service Directive) was started.
- Municipal Trade Licensing Offices operate as Central Registration Points providing procedures during start-ups as well as during business development.
- The current network of regional Czechinvest offices extended their services towards consultancy.
- The Chamber of Commerce extended its network of Information Points for Entrepreneurs (InMP).

- Centres of Regional Development and Regional Development Agencies operate in regions.
- Several Czech organizations entered the Enterprise Europe Network (EEN) and provide services supporting entrepreneurs in regions.
- Some Clusters were created and started their operation in the region.

Under these circumstances, it was clear that realization of OSS network and RCC may not be related only to one type of institution like Business Incubators or Science and Technology Parks. Their role during starting business was very important but they could not be able to cover wide range of different types of business activities as well as all RCC functions developed during ICHNOS project and defined in its outputs.

The Vysocina Region decided to reassess the OSS/RCC concept to fit better to the present situation.

Suitable model that could meet these requirements is so called **Contact Centre of the Vysocina region**. Its objective is to provide equal and transparent access to information concerning relations citizen–public administration and citizen–region, regardless of communication means, from every place and in any time.

Integration of the RCC model to the Vysocina region concept

The project of creation of the Vysocina Region Contact Centre is a part of "Electronization of Public Administration Regional Programme". Its first idea was articulated in Regional Development Plan in 2004. Progressive implementation of eGovernment accelerated its development. The project fully agrees with legislation and normative rules concerning information systems of public administration and approved concept of IT development for the Region of Vysocina – a principal document defining priorities and objectives from the point o view of regional needs. The Contact centre will become a regional access point for citizens that will have to communicate with public administration whether to solve their life situation (thus, process providing) or to gain any kind of information concerning the region. Similarly, visitors in the region will use the Contact centre as an unique access point to relevant information.

From communication channels point of view, it is supposed that Contact Centre will be using a multichannel approach:
- telephone voice services (as a typical call centre)
- SMS
- email
- web portal
- VoIP

It is not expected that user's requirements will be met through personal visits in the Contact centre.

However, it will be possible to arrange a meeting with a competent civil servant.

The Vysocina Region Contact Centre will operate several topics that will be controlled by a responsible person. This topic manager can divide competences for content

maintenance, technological infrastructure, operation, data quality, etc. among different organizations (e.g. Regional Authority, municipalities, authorities of micro regions, specific organizations, etc.). These responsibilities will be specified in concrete contracts.

With respect to wide range of topics (mostly of local dimension), it will be necessary to create a comprehensive and easily accessible knowledge base. The base will provide information support that will be necessary for meeting users' requirements.

A specific type of a citizen will be an entrepreneur having the role of
- a citizen interested in starting a business (potential entrepreneur);
- or a citizen that already runs a business.

Some services of the Contact centre will be created with a special attention to the requirements of these types of users. According to their life situation they will be for example interested in
- registration of business;
- founding of the company;
- changes of identification, personal or contact details;
- extension of business (new licences are needed);
- handling of tax matters and all financial duties towards public administration (contributions, payment, etc.);
- notification of cross-border service provision;
- establishment of service provider with domicile in other EU member state.

Information needs of such users will be aimed at information
- on economic situation in specific sector, industry or other branch of activities;
- on transport possibilities (public transport services) within the territory of interest;
- on investment opportunities and incentives;
- on business support programmes, grants, etc.

The Vysocina Region Contact Centre will consist of the central management structure placed in the Regional Authority and the service operators which can be employees of municipalities, information offices or other organizations. The main requirement is to offer specialists on the specific topics operated under the contact centre services. Individual operators will be considered as virtual OSSes. The Contact Centre Management placed in a Regional Authority will manage them, provide technological and contentual background for them, will communicate with topic managers (thus OSS managers) and provide all necessary back-office functions as well as the knowledge base operation and content. **Therefore, the Contact Centre will play the role of a RCC of these virtual OSSes.**

![ICHNOS plus logo]

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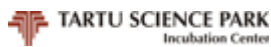
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