

# Ageing in digital societies: enablers and barriers to older persons exercising their social rights

Czechia

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# 1 Legal and policy framework

## 1.1 National legislation on digital public administration

The Act on the Right to Digital Services enshrines the right of 'natural and legal persons to the provision of digital services by public authorities in the exercise of their competences' and 'the obligation of public authorities to provide digital services'.<sup>1</sup>

The authors of the Act emphasise in the explanatory memorandum that 'anchoring the right to provide a digital service in no way excludes or limits the use of existing methods of service provision by public authorities at the choice of the service user'.<sup>2</sup> However, they also state that 'the basic principle of the proposed legislation is to accelerate the process of digitisation by the recipients of these services' and that 'the proposal fully respects the right to choose the appropriate form, thus preserving the possibility of physical (or paper) or assisted communication of persons. The digital form is and will only be the systemically preferred form'.<sup>3</sup>

With regard to persons with disabilities or other groups at risk of exclusion (e.g. older persons), the authors of the Act presume a 'clearly positive impact'. 'Electronic communication is in many cases a better form of communication than the need to physically travel to the authorities or elsewhere, which is often associated with subsequent overcoming of physical or other barriers. Given certain communication, information and physical barriers, accessible electronic communication is more effective for these persons and also provides them with greater legal certainty in their legal conduct'.<sup>4</sup> The Act on the Right to Digital Services in sec. 19 amends the Act on Administrative Fees<sup>5</sup> by providing a fee reduction if the application submitted to the administrative authority is done electronically. According to the Explanatory Memorandum, this is intended to encourage electronic filing as a preferred mode of action. Although this could lead to a case of indirect discrimination, the Act, including the explanatory memorandum, does not reflect that. The issue was raised by the Public Defender of Rights.<sup>6</sup>

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<sup>1</sup> Czech Republic (2020), Act No. 12/2020 Coll. on the Right to Digital Services ([zákon České republiky č. 12/2020 Sb. O právu na digitální služby](#)), 1 February 2020.

<sup>2</sup> [Explanatory Memorandum](#) to Act No. 12/2020 Coll., on the Right to Digital Services.

<sup>3</sup> [Explanatory Memorandum](#) to Act No. 12/2020 Coll., on the Right to Digital Services.

<sup>4</sup> [Explanatory Memorandum](#) to Act No. 12/2020 Coll., on the Right to Digital Services.

<sup>5</sup> Czech Republic (2005), Act No. 634/2004 Coll. on Administrative Fees ([zákon České republiky č. 634/2004 Sb. o správních poplatcích](#)), 16 January 2005.

<sup>6</sup> Public Defender of Rights (2021), [Slevy na poplatcích nesmí být diskriminační](#) (Fee discounts must not be discriminatory), Brno, 24 March 2021. See section 3 of this document.

## 1.2 National policies, strategies, or action plans on the digitisation of public services or digital inclusion

The first relevant policy is the 'Digital Czechia' document.<sup>7</sup> This is a general set of policy documents that is meant to lead to the comprehensive and coordinated digitisation of Czechia from 2018 onwards. It sets out the main goals in three thematic areas, which are then elaborated on in separate policy documents. Those are: Czechia in a Digital Europe,<sup>8</sup> The Information Plan of Czechia<sup>9</sup> (including user-friendly and efficient online services for citizens and businesses), and the Digital Economy and Society Plan<sup>10</sup> (including electronic health/eHealth, Health 4.0). Digital Czechia refers to the right to equal access to public services only by emphasising the process of standardising the services provided and thus making the range of services more transparent and more easily available for quality assessment.<sup>11</sup>

The second and most relevant policy document is Client-Oriented Public Administration 2030.<sup>12</sup> One key principle set out in the policy is that 'the possibility of off-line access will be maintained for those groups of people who do not want or cannot communicate electronically'.<sup>13</sup> Furthermore, the policy mentions in its introductory section that population ageing is something that needs to be taken into account, though it is likely that in the future older people will be more digitally literate than current older generations and will remain economically active for longer. The document also takes into account the needs of people with disabilities when proposing the abolition of local jurisdiction (e.g. in relation to the address of permanent residence of the person).<sup>14</sup> Within the framework of Objective No. 5 (informed and engaged citizens), the policy mentions that it is necessary to accommodate the communication needs of people with disabilities or other specific groups.<sup>15</sup> In order to do so, there will be methodical support for authorities that will focus on communication with specific groups of the population, in particular foreign nationals and persons with disabilities (deaf, blind, or persons with combined disabilities) and others.<sup>16</sup>

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<sup>7</sup> Czech Republic (2018), [Digital Czechia](#). Adopted by the Government on 3 October 2018.

<sup>8</sup> Czech Republic (2020), [Czechia in Digital Europe](#).

<sup>9</sup> Ministry of Interior (2020), [Information Plan of Czechia](#).

<sup>10</sup> Ministry of industry and trade (2020), [Digital Economy and Society Plan](#).

<sup>11</sup> Czech Republic (2018), [Digital Czechia](#), p. 13.

<sup>12</sup> Ministry of Interior (2020), [Client-Oriented Public Administration 2030](#).

<sup>13</sup> Ministry of Interior (2020), [Client-Oriented Public Administration 2030](#). Its creation was mandated by the government to the Minister of Interior on 27 August 2014, and adopted by the Government on 25 May 2020, p. 26.

<sup>14</sup> Ministry of Interior (2020), [Client-Oriented Public Administration 2030](#), p. 36.

<sup>15</sup> Ministry of Interior (2020), [Client-Oriented Public Administration 2030](#), p. 91.

<sup>16</sup> Ministry of Interior (2020), [Client-Oriented Public Administration 2030](#), p. 93.

Lastly, the Government Committee for the rights of older persons<sup>17</sup> has set as one of its priorities for the years 2021 and 2022 digital inclusion and alternatives to on-line communication.<sup>18</sup>

### **1.3 National recovery and resilience plans covering the digitisation of public services**

The Recovery and Resilience Plan (the RRP) is divided into six sections, one of which relates to digital transformation (including measures for the expansion of e-government and e-health services).

The European Commission noted in its analysis of the RRP that citizens and businesses are reluctant to use public services digitally. The Czech Republic needs to increase the use of these services by increasing citizens' and businesses' trust in existing and new eGovernment services and making them more user-friendly and interoperable, preferably through a central public administration portal. Digitisation, eGovernment, and improving access to justice through electronic means is a reform priority for the Czech Republic.<sup>19</sup> The RRP foresees investments in digital transformation of EUR 1,636,763,550; according to the Digital Transformation Tracking Methodology, this sum allocated for digital transformation represents 22.1% of the total funding allocated to the RRP.<sup>20</sup> An amount of EUR 277 million is dedicated to digital systems of public administration and EUR 112 million is for digital services for citizens and companies.<sup>21</sup>

There are no safeguards to ensure people's rights with regard to equal access to public services. Nor is there any consideration devoted to the issue of digital exclusion.

## **2 Programmes and practices aimed at ensuring equal access to public services in the digital age**

The Ministry of Labour and Social Affairs operates a national website called 'ProjectDigi', which, among other things, provides a Methodology for the Identification of digitally excluded and digitally illiterate people.<sup>22</sup> The Methodology is an output of the project 'Development of System Support for Digital Literacy' (Digistrategy 2020), which was developed by a working group composed of

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<sup>17</sup> Government of the Czech Republic (2021), Government Committee for the rights of older persons., 2 November 2021.

<sup>18</sup> Government Committee for the rights of older persons (2021), [Resolution on the priorities of the committee](#), 29 September 2021.

<sup>19</sup> European Commission (2021), [Analysis of the Recovery and Resilience Plan of Czechia](#), COM(2021) 431 final, p. 18.

<sup>20</sup> European Commission (2021), [Analysis of the Recovery and Resilience Plan of Czechia](#), COM(2021) 431 final, p. 65.

<sup>21</sup> European Commission (2021), [Analysis of the Recovery and Resilience Plan of Czechia](#), COM(2021) 431 final, p. 23.

<sup>22</sup> Ministry of Labour and Social Affairs, Methodology for the Identification of Digitally Excluded and Digitally Illiterate People ([Metodika identifikace osob digitálně vyloučených a digitálně negramotných](#)).

experts nominated by the Ministry of Labour and Social Affairs and Labour Office of the Czech Republic.

The methodology is intended to serve as a tool for anyone working with specific groups of people. Three groups were identified as being at risk of digital exclusion: jobseekers, youth, and older people. The purpose of this tool is to offer solutions to mitigate the risk and further work on digital inclusion regarding selected target groups. The methodology explains the causes and indicators of digital exclusion of older people. It also explains how to work specifically with older people, emphasising the need to motivate them in order for them to overcome barriers to developing digital literacy. There is also a structured questionnaire available for anyone who wants to work with older people and help them overcome digital illiteracy. The methodology notes that 'digital literacy and illiteracy are a choice in the sense that every citizen has the right to make a choice on where to set their own boundaries and whether they will or will not allow digital technologies into their lives. While access to internet is slowly becoming a right, the right to be offline shall not be forgotten either'.<sup>23</sup> There is no monitoring mechanism in place as it is only a guideline available to the public.

### **3 Research and data focused on equal access to public services in the digital age**

There were 46 complaints in 2021 with regard to age discrimination submitted to the Public Defender of Rights.<sup>24</sup> Most of them concerned older people. Out of those 46 complaints, seven related to health care and one to 'other public services'. Unfortunately, the Public Defender of Rights does not collect data on complaints regarding discrimination in relation to access to public services in the sense of this information request.

The Czech Statistical Office published a report on the situation of senior citizens. It also includes information on digital literacy. 'Especially older seniors are significantly behind younger and middle-aged people - only one in five over the age of 75 in 2020 had access to the internet (the proportion of people under age 54 was over 96%). For these seniors, there was also a significant gender gap: 26% of men and only 15% of women had access to the internet. The gap with regard to internet usage is even wider for mobile phone internet usage. Over 95% of young people under 34 have one, but only 4% of women over 75 and 7% of men of the same age.'<sup>25</sup> The analysis was produced by the Demography and Social Statistics Section of the Czech Statistical Office and draws on various data sources freely available to the public.

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<sup>23</sup> Ministry of Labour and Social Affairs, Methodology for the Identification of Digitally Excluded and Digitally Illiterate People ([Metodika identifikace osob digitálně vyloučených a digitálně negramotných](#)), p. 13.

<sup>24</sup> Information provided by the head of the discrimination department via email on 21 April 2022.

<sup>25</sup> Czech Statistical Office (2020), Senior Citizens in Czechia ([Senioři v ČR v datech](#)), p. 11.

The Public Defender of Rights is conducting a research regarding the potential indirect discrimination of senior citizens through the Right to Digital Services Act,<sup>26</sup> which in sec. 19 amendsec. 9 of the Act on Administrative Fees establishing that 'an administrative office shall reduce the fee by 20%, but not more than CZK 1,000, if the request or other proposal to perform the act is submitted on an electronic form published pursuant to the law regulating the right to digital services'.<sup>27</sup> The Act raises questions as to whether the effort to digitise public administration outweighs the likely disproportionately negative impact on digitally illiterate / excluded people, most of whom are older people. The Members of Parliament who created the bill<sup>28</sup> stated that the aim of this change is to promote, through a systemic measure, the preference for digital over other forms of services. They claim that the Ministry of Finance approved the proposal. After the bill became law, the Public Defender of Rights turned to the Ministry of the Interior and the Ministry of Finance to gather more detailed information on the intentions and circumstances of the adoption of the regulation and to assess the issue of possible disadvantages for certain groups of people.<sup>29</sup> In May 2022, the Public Defender addressed their successors in the new government and warned that the fee concession for e-filing could adversely affect the elderly. He made the same warning to the Deputy Prime Minister for Digital and the Minister for Regional Development. The Defender does not currently plan to use the special power under Sec. 22 of the Ombudsman Act<sup>30</sup>, i.e. to recommend to the Government a change in legislation. However, the provision is currently still in effect and there is no information available regarding its potential amendments. As stated in Chapter 1.1 above, while the authors of the legislation assume a clearly positive impact of the law on older people and people with disabilities, as it allows them to communicate with public services without overcoming physical barriers, the Public Defender of Rights has highlighted a potential blind spot in the provision.

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<sup>26</sup> Czech Republic (2020), Act No. 12/2020 Coll. on the Right to Digital Services ([zákon České republiky č. 12/2020 Sb. O právu na digitální služby](#)), 1 February 2020.

<sup>27</sup> Czech Republic (2005), Act No. 604/2004 Coll. on Administrative fees ([zákon České republiky č. 604/2004 Sb. o správních poplatcích](#)), 16 January 2005.

<sup>28</sup> Czech Republic (2019), Act No. 447/0 on the Right to Digital Services and Amending Certain Acts ([návrh na vydání zákona o právu na digitální služby a o změně některých zákonů](#)).

<sup>29</sup> Public defender of rights (2021), The discounts on charges cannot be discriminatory ([Slevy na poplatcích nesmí být diskriminační](#)).

<sup>30</sup> Czech Republic (1999), Act No. 349/1999 Coll on the Public Defender of Rights ([zákon České republiky č. 349/1999 Sb. o veřejném ochránci práv](#)).

## 4 State of digitalisation of selected public services

		Selected public services relevant for older persons			
		Access to health records	Public statutory pensions	Social benefits	Other (as relevant in your context)
<b>Stage of digitisation</b>	Not digitised (N)	N Health records are in general not available online; however, there are several healthcare providers connected to the National Contact Point for eHealth in a pilot study in one Czech region. Patients of those providers can access healthcare records online. Insurance companies have their own websites where clients can find a list of healthcare reported by doctors in relation to each patient.	N Information regarding public statutory pensions can be accessed through the Citizen Portal, which is a gateway to the website of the Czech Social Security Administration.	N Information regarding public statutory pensions can be accessed through the Citizen Portal, which is a gateway to the website of the Employment Office.	
	Information is available online (Y/N)	Y	Y	Y	
	Transactions are possible online (Y/N)	N	N	Y	
<b>Recognition of groups at risk of digital exclusion</b>	Service-specific regulation recognises barriers to digital inclusion / vulnerable and disadvantaged groups (Y/N).	N	N	N	
	<b>If yes</b> , please list the barriers and groups that are mentioned.				



<p><b>Multichannel access options</b></p>	<p><b>Telephone service (Y/N)</b>  <b>If yes, please describe what kind of personalised services it provides.</b></p>	<p>N  There is no universal telephone service. Insurance companies can be contacted via telephone. For the eHealth platform, there is a phone service for those who are struggling to log into the system online.</p>	<p>Y  There are three call centers of the Czech Social Security Administration and one of them is specifically for statutory pensions.</p> <p>It provides information on:</p> <ul style="list-style-type: none"> <li>- pensions in general</li> <li>- entitlement to pension benefits and calculation of pensions</li> <li>- the conditions for claiming a pension benefit</li> <li>- payment of pensions (within the Czech Republic and abroad)</li> <li>- the making of enforced deductions from pensions to enforce decisions</li> <li>- implementation of social security within the framework of EU coordination regulations and international treaties</li> </ul>	<p>Y  There is a free helpline for the whole of Czechia. It is also possible to access phone numbers of individual offices in cities or municipal districts, including the phone numbers of individual workers in local offices .</p>	
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	<p><b>Physical administrative access points (Y/N).</b>  <b>If yes,</b> please specify the level of availability (local, regional, national), the opening days and hours.</p>	<p>Y  The particular region in which the eHealth pilot project operates can also be accessed physically.<sup>31</sup> Insurance companies also have physical local offices.<sup>32</sup></p>	<p>Y  Each office of the Czech Social Security Administration is open to the public and has set opening hours. The Social Security Administration operates in all fourteen regions and has branches in many cities. The contacts of the individual offices are easily accessible online.<sup>33</sup></p>	<p>Y  Each office of the Employment Office is open to the public and has set opening hours. The Employment Office operates in all fourteen regions and has branches in many cities. The contacts of the individual offices are easily accessible online.<sup>34</sup></p>	
	<p><b>Specific locations that facilitate offline access to the service (Y/N)</b>  <b>If yes,</b> indicate the location(s). Please describe what kind of support is provided.</p>	N	N	N	
	<p><b>Specific locations that facilitate online access to the service (Y/N).</b>  <b>If yes,</b> indicate the location(s). Please describe what kind of support is provided.</p>	N	N	N	

<sup>31</sup> eHealth (2022). [Contact](#).

<sup>32</sup> Všeobecná zdravotní pojišťovna (2022). [Contacts](#); vojenská zdravotní pojišťovna (2022), [contacts](#); Česká průmyslová zdravotní pojišťovna (2022), [contacts](#); Oborová zdravotní pojišťovna (2022), [contacts](#); Zaměstnanecská pojišťovna škoda (2022), [contacts](#); Zdravotní pojišťovna ministerstva vnitra (2022), [contacts](#); Revírní bratrská pokladna (2022), [contacts](#).

<sup>33</sup> Social Security Administration (2022). [Contacts](#).

<sup>34</sup> Employment Office (2022). [Contacts](#).

	<b>Other</b> – please indicate any other access channels to the service.				
<b>Other forms of support for online use</b>	Please indicate any other <b>form of support to facilitate the use of the online service</b> for older persons such as easy-to-read versions, different language versions, etc.	N	Y there is an easy to find button which leads the readers to a text in Ukrainian language regarding help available to them. <sup>35</sup> However, there are no easy to read options.	Y there is a link at the main page to information regarding help for refugees, their employers <sup>36</sup> and households hosting them. <sup>37</sup>	

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<sup>35</sup> Social Security Administration (2022), Help for the citizens of Ukraine and their families ([Pomoc pro občany Ukrajiny a jejich rodiny](#)).

<sup>36</sup> Employment Office (2022), [Help for Ukrainian citizens and their employers](#).

<sup>37</sup> Employment Office (2022), [Humanitarian aid](#).