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Mediation Grammar - A testing methodology for measuring the empowerment of users of public services for migrants

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European foreword

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Introduction

The obligation of government bodies and agencies to grant the same high-level standard of public service supply to beneficiaries irrespective of their locations, and of the location of service providers acting under the same rule of law, is complementary to the right of each legal or natural person to gain the same level of access the public services they are entitled to demand, regardless of the city, county, or region, where those are provided.

Such a **non-discrimination principle** is notably enounced in art. 14 of the European Convention of Human Rights and in art. 21 of the European Charter for Fundamental Rights as well as embedded in the EU Dublin Regulation on asylum (No. 604/2013), which operates on the assumption that, as the asylum laws and practices of the EU Member States are based on the same common standards, they should allow asylum seekers to enjoy similar levels of protection in all EU Member States. This principle also underlies the European Commission's Action plan on integration and inclusion 2021-2021, which promotes inclusion for all, recognises the important contribution of migrants to the EU and addresses the barriers that can hinder participation and inclusion of people with a migrant background, from newcomers to citizens, in the European society. The plan is built on the principle that inclusive integration requires efforts from both the person and the host community side.

The principle also supports a growing number of digital applications developed at supranational and national levels to enhance the efficiency and effectiveness of public services delivered to both EU citizens and Third Country nationals (expats, refugees, asylum seekers, immigrants) settling down legally in any EU Member State, and that are inspired by the One Stop Shop or single point of access concepts[1].

In the case of immigrant population, a specific category known as "settlement and integration services" has been introduced, which includes various forms of support and assistance, helping newcomers to get established in the host country, to meet core needs/requirements for adaptation into their new homeland, and ultimately to become citizens of that country (Shields et al, 2016). Such category of services touches, for example, the domains of: host country's language tuition, social housing, inclusion in the labour market, access to healthcare and education, etc.

The persistent gaps noted in literature (Gilmartin and Dagg, 2022) between national and foreign groups within same-domain impact indicators – such as unemployment, completed education, or poverty rates – have been taken as evidence of the limited or partial success in the delivery of settlement and integration services to foreign immigrants, whether directly by governments or through the mediation of NGOs.

Still, this evidence of failure is at best, circumstantial, and the chosen, impact-focused, measurement approach only assumes, without demonstrating it, that the observed divergences in core domain indicators are actually due to violations of the non-discrimination principle on specific settlement and integration services. Moreover, such an approach does not fulfil the requirement of allowing cross-country (or even intra-country, but cross-city or cross-agency) comparison and benchmarking of service delivery modes; this in turn prevents quality harmonisation, if not high-level standardisation, among providers.

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[1] For a generic example see: https://administracion.gob.es/pag_Home/en/atencionCiudadana/Quienes-somos.html?imprimir=1

As noted already in a 2008 publication by Eurocities, "*Cities all over Europe are playing host to increasingly diverse populations. It is also in cities that the opportunities and challenges presented by this diversity are felt most immediately. Whether in Malmö or Milan, practitioners developing local integration policies and practices are confronted by many similar questions. However, the solutions they formulate and the governance arrangements they choose are developed within potentially very different local – and national – parameters*". From which the need to propose a benchmarking mechanism, based on peer reviews, to evaluate the governance arrangements and compare integration policies and practices in multiple European cities at a given point in time (Eurocities, 2008).

This CWA aims to achieve an extension of the non-discrimination principle to all **basic public services** that regular immigrants have the right to access and take benefit from, irrespective of their port of disembarkment, on the territory of any EU Member State, because of their acknowledged legal status (therefore, ignoring the case of irregular migrants), which puts them in a position of equality of treatment with respect to the nationals of the Member State concerned[2]. Examples of such basic services include: application for a certificate of residence or a disability certificate, request for a tax identification number, renewal of a work permit etc., up to applying for the gateways to access the host country's education, health and social care systems.

These public services are named "basic" in order to stress their importance for the quality of living of the beneficiaries concerned – who may include both EU citizens and Third Country nationals on a peer basis – and also to keep the distinction from other service categories already identified in literature, such as the aforementioned "settlement and integration services", but also the "more complex public services" that the 2010 EC Communication on interoperability[3] identified as generated by appropriate combinations of the basic ones.

With respect to such, probably quite long, list of basic public services, this CWA moves from an impact-focused to an outcome-focused measurement approach. To this end, it first identifies **three empowerment gaps of mediation in public service delivery** – language accessibility, information adequacy, and actualization of rights – each having three specifications, or requirements, the fulfilment of which can be considered as mostly responsible for the enforcement of the non-discrimination principle.

The term Mediation is well established in the migration literature and practice, with the specific meaning of language and cultural support – provided by professional intercultural mediators and public service interpreters or by social workers and members of NGOs, depending on the host country schemes – in the interaction between institutions of the host country and migrants' needs, problems and activities. One of the main features of this support is public service **content interpretation**, with special respect to complex bureaucratic procedures (Baraldi, 2018). The innovative trait of this document is to examine the effectiveness of mediation through the **success** of public service delivery – capacity of users to achieve their goals – and **duration** of the interaction between provider and beneficiary – which can be taken as a proxy of effectiveness, i.e. accuracy and completeness with which users achieve their goals.

In so doing, the document defines what gaps can be observed in the **empowerment** of target beneficiaries: regular immigrants, foreign expats, refugees and asylum seekers, compared with the nationals of the EU Member State where a service provider is located. Finally, it provides suggestions on the possible correlations between the observed gaps and the underlying service organisation(s), which can be compared in different ways:

- Across time, within the same location, as a derivative of e.g. a different composition of the population of intended users;

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[2] Consider by way of analogy the provisions of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-rights-all-migrant-workers

[3] https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52010DC0744&from=EN

- At the same point of time, between different locations, after controlling for the different compositions of the respective intended user populations;

- Across or at the same point of time, within the same location, but with a special focus on the intertwining of some basic public services, which are preparatory for or conditional to the successful fruition of others.

The definition of empowerment of service beneficiaries is exactly the same as in ISO/TR 21276:2018[4]: **the process of expansion of people's ability to make strategic life choices in a context where this ability was previously denied to them**. Such definition perfectly fits into the case, as the services in question:

- Respond to basic needs and fundamental rights of the beneficiaries concerned;

- May have different levels and intensities of fruition, which depend (at least in part) on the organisation of the service providing body or agency.

Finally, this document proposes a **summative testing methodology**, accompanied by operational guidelines and procedures, for service analysts willing to generate comparable information on usage (and outcomes thereof) across beneficiary types, service provider identities and locations, both within and across EU Member States, thus promoting further harmonization and convergence of outcomes, without staying unnecessarily focused on the perceived differences between the various possible organisations or service delivery modes.

Borrowing from the examples of Tullis and Albert (2013) in the domain of usability, summative evaluation (and therefore, testing) in our case helps answer such questions as:

- Does the service in question enable/empower users to reach their goals?

- How demanding and time consuming is the interaction of our intended beneficiaries with the service?

- What are the distinguishing characteristics of our service compared with other locations?

- Have we made any improvements in subsequent technical releases/delivery upgrades across time?

The other evaluative approach used in literature is known as formative evaluation. This has as its main orientation the improvement of e.g. the design of a new product/service prior to its release. Such is not the case in our proposed vision, although in clause 8 it will be argued that the provisions of this CWA may influence the design and implementation of new and innovative public service assessment systems.

The following table lists the four main approaches to service evaluation existing in the state of the art and ranks them by level of interest for the Mediation Grammar (in short: MG):

- Non-existent for impact evaluation,

- Low for process evaluation,

- Medium for output evaluation,

- High for outcome evaluation.

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[4] https://www.iso.org/obp/ui/#iso:std:iso:tr:21276:ed-1:v1:en

Table 1 — Aims of the proposed testing methodology

Type of service evaluation →	Process oriented	Output oriented	Outcome oriented	Impact oriented
Measurement target →	Structure & Organisation	Performance in Delivery	Empowerment Gaps	Delivered Benefits
Relevance for the MG →	Low	Medium	High	None

The MG therefore follows an outcome-oriented evaluation approach, inspired by the Anglo-American tradition (Perrin, 2006; Barber, 2017).

Intended users of this methodology are people with expertise in the design and management of usability and/or accessibility tests, working within or on behalf of public sector organizations, and/or third parties (such as private consultancies or NGOs), being involved in the delivery of basic or more complex public services to immigrants, refugees and asylum seekers.

1 Scope

The document contains a user-based summative testing methodology for the measurement of the extent to which basic public services are provided in a non-discriminatory manner to their intended beneficiaries, including, but not limited to, foreign expats, regular immigrants, refugees and asylum seekers, with a special focus on their level of **empowerment**.

This is defined by the ISO/TR 21276:2018 as "the [process of] expansion of people's ability to make strategic life choices in a context where this ability was previously denied to them".

The purpose of this document is to provide an analytical description and exemplification of the proposed methodological approach, without providing any results from its implementation or discussion of any initial findings.

2 Normative references

The following documents are referred to in the text in such a way that some or all of their contents constitute requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

ISO/IWA 26:2017, *Using ISO 26000:2010 in management systems*

EN ISO 9001:2015, *Quality management systems - Requirements (ISO 9001:2015)*

EN ISO 9241-11:2018, *Ergonomics of human-system interaction - Part 11: Usability: Definitions and concepts (ISO 9241-11:2018)*

EN ISO 15535:2012, *General requirements for establishing anthropometric databases (ISO 15535:2012)*

ISO/TS 18152:2010, *Ergonomics of human-system interaction — Specification for the process assessment of human-system issues*

ISO 20282-1:2006, *Ease of operation of everyday products — Part 1: Design requirements for context of use and user characteristics*

ISO/TS 20282-2:2013, *Usability of consumer products and products for public use — Part 2: Summative test method*

ISO/TR 21276:2018, *Clean cookstoves and clean cooking solutions — Vocabulary*

ISO 22458:2022, *Consumer vulnerability — Requirements and guidelines for the design and delivery of inclusive service*

CEN ISO/IEC/TR 25060:2017, *Systems and software engineering - Systems and software product Quality Requirements and Evaluation*

EN ISO 26000:2020, *Guidance on social responsibility (ISO 26000:2010)*

EN ISO 26800:2011, *Ergonomics - General approach, principles and concepts (ISO 26800:2011)*

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

- ISO Online browsing platform: available at https://www.iso.org/obp

- IEC Electropedia: available at https://www.electropedia.org/

3.1
Accessibility
Extent to which products, systems, services, environments, and facilities can be used by people from a population with the widest range of characteristics and capabilities to achieve a specified Goal in a specified context of use.

[SOURCE: EN ISO 26800:2011, definition 2.1]

3.2
Asylum seeker
Any person who is seeking protection as a refugee but whose claim has not been finally determined.

[SOURCE: UNHR and GMG[5]]

3.3
Basic services
The most fundamental Service components from which more complex Public services are built.

[SOURCE: 2010 EC Communication on interoperability]

3.4
Beneficiaries (of a Service)
Group(s) of people who directly interact with a Service provider or instance.

[SOURCE: adapted from ISO 20282-1:2006, definition 3.1]

3.5
Duration (of a Service)
The length of time elapsed between the commencement of a Service and the date on which it ends.

[SOURCE: Australian Government, Metadata Online Registry[6]]

[See also: ISO 18629-43:2006, definition 4.2.10]

3.6
Effectiveness
Accuracy and completeness with which Users achieve specified goals.

[SOURCE: EN ISO 9241-11:2018, definition 3.2]

3.7
Efficiency
Resources expended in relation to the accuracy and completeness with which Users achieve goals.

[SOURCE: EN ISO 9241-11:1998, definition 3.3]

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[5] Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations
[6] https://meteor.aihw.gov.au/content/503263

3.8
Empowerment
Process of the expansion of people's ability to make strategic life choices in a context where this ability was previously denied to them.

[SOURCE: ISO/TR 21276:2018, definition 3.6.5]

3.9
Expat
Short for expatriate. A person who lives outside their native country.

[SOURCE: Oxford's English dictionary]

3.10
Formative evaluation
Evaluation designed and used to improve the object of evaluation, especially when it is still being developed.

[SOURCE: ISO/TR 18152:2010, definition 4.6]

3.11
Goal
Intended outcome.

[SOURCE: EN ISO 9241-11:2018, definition 3.8]

3.12
Immigrant
A person who establishes his or her usual residence in the territory of an EU Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another EU Member State or a third country.

[SOURCE: European Commission, DG Migration and Home Affairs[7]]

3.13
Intended users
Individual or types of Beneficiaries for whom a Service is designed.

[SOURCE: adapted from ISO/TS 20282-2:2013, definition 4.12]

3.14
Interaction
Bidirectional information exchange between Users and Service provider.

[SOURCE: adapted from IEC/TR 61997:2001, definition 3.4]

3.15
Irregular migrant
In the global context, a person who, owing to irregular entry**,** breach of a condition of entry or the expiry of their legal basis for entering and residing, lacks legal status in a transit or host country.

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[7] https://home-affairs.ec.europa.eu/pages/glossary/immigrant_en

In the EU context, a Third-country national present on the territory of a Schengen State who does not fulfil, or no longer fulfils, the conditions of entry as set out in the Regulation (EU) 2016/399 (Schengen Borders Code) or other conditions for entry.

[SOURCE: European Commission, DG Migration and Home Affairs[8]]

3.16
Mediation
Written and oral activities that make communication possible between persons who are unable, for whatever reason, to communicate with each other directly.

[SOURCE: CEFR[9]]

3.17
Migrant
Any person who is outside a State of which they are a citizen or national, or, in the case of a stateless person, their State of birth or habitual residence.

[SOURCE: UNHR and GMG[10]]

3.18
Migrant worker
A person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.

[SOURCE: UNHR and GMG[11]]

3.19
Public service
A Service rendered in the public interest.

[SOURCE: Merriam-Webster online dictionary[12]]

3.20
Refugee
Someone outside their country of origin who is in need of international protection because of a serious threat to their life, physical integrity or freedom in the country of origin as a result of persecution, armed conflict, violence or serious public disorder against which the authorities in the home country cannot or will not protect them.

[SOURCE: UNHR and GMG[13]]

3.21
Satisfaction
Freedom from discomfort, and positive attitudes towards the use of a Service.

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[8] https://home-affairs.ec.europa.eu/pages/glossary/irregular-migrant_en
[9] https://www.coe.int/en/web/lang-migrants/linguistic-and-cultural-mediation
[10] Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations
[11] ibid.
[12] https://www.merriam-webster.com/dictionary/public%20service
[13] Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations

[SOURCE: adapted from EN ISO 9241-11:2018, definition 3.4]

3.22
Service implementation
Activities performing the technical development and/or the physical delivery of a Service, including their revisions.

[SOURCE: adapted from ISO/IEC 18384-1:2016, definition 2.36]

3.23
Service instance
Particular instantiation of a Service involving the co-presential and/or remote interaction between a Service provider and a User.

[SOURCE: adapted from ISO/IEC 23006-4:2013, definition 3.1.20]

3.24
Service interaction
Use of a capability offered by a Service instance in order to achieve a particular desired real-world effect.

[SOURCE: adapted from ISO/IEC 23006-4:2013, definition 3.1.19]

3.25
Service provider
An organization that provides one or more Service instances to a User.

[SOURCE: adapted from ISO/IEC/IEEE 8802-1Q:2020, definition 3.225]

3.26
Success rate
Percentage of Users successfully achieving a Goal while using a Service.

[SOURCE: adapted from ISO/TS 20282-2:2013, definition 4.16]

3.27
Summative evaluation
Evaluation designed to present conclusions about the merit or worth of the object of evaluation.

[SOURCE: ISO/TS 20282-2:2013, definition 4.17]

3.28
Tasks
Activities required to achieve a Goal.

[SOURCE: EN ISO 9241-11:2018, definition 3.9]

3.29
Third country national
Any person who is not a citizen of the European Union within the meaning of Art. 20(1) of TFEU and who is not a person enjoying the European Union right to free movement, as defined in Art. 2(5) of the Regulation (EU) 2016/399 (Schengen Borders Code).

[SOURCE: European Commission, DG Migration and Home Affairs[14]]

3.30
Usability
Extent to which a system, product, or service can be used by specified Users to achieve specified Goals with Effectiveness, Efficiency, and Satisfaction in a specified context of use.

[SOURCE: EN ISO 9241-210:2019, definition 2.13]

3.31
User
Person who interacts with a system, product, or service.

[SOURCE: ISO/TS 20282-2:2013, definition 4.22]

3.32
User characteristics
Attributes of a user that could influence interaction.

[SOURCE: adapted from ISO/TS 20282-2:2013, definition 4.23]

3.33
User interface
Elements of a Service used to control it and receive information about its status.

[SOURCE: adapted from ISO/TS 20282-2:2013, definition 4.25]

3.34
User test group
Group of persons selected to participate in a test of Usability, sampled according to specific requirements.

[SOURCE: ISO/TS 20282-2:2013, definition 4.23]

Table 2 — List of acronyms

AMIF	Asylum Migration and Integration Fund
AVRR	Assisted Voluntary Return and Reintegration
CCSS	Common Core State Standards
CEAS	Common European Asylum System
CEFR	Common European Framework of Reference
CSO(s)	Civil Society Organisation(s)
DG HOME	Directorate-General for Migration and Home Affairs
EASO	European Asylum Support Office
EBCGA/Frontex	European Border and Coast Guard Agency
EES	Entry/Exit System
ETIAS	European Travel Information and Authorisation System

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[14] https://home-affairs.ec.europa.eu/pages/glossary/third-country-national_en

EU+	European Union Member States plus Norway and Switzerland
EURODAC	European Asylum Dactyloscopy Database
IBC	Irregular border crossings
GMG	Global Migration Group
ISO	International Standardisation Organisation
KEQ(s)	Key Evaluative Question(s)
KPI(s)	Key Performance Indicator(s)
LIBE	European Parliament Committee on Civil Liberties, Justice and Home Affairs
MG	Mediation Grammar
MS	Member State(s)
MSS	Management System Standard
NGO(s)	Non-Governmental Organisation(s)
PDCA	Plan-Do-Check-Act, sometimes seen as Plan-Do-Check-Adjust
PSO(s)	Public Sector Organisation(s)
RCT(s)	Randomised Control Trial(s)
RR	Recognition Rate
SAR	Search And Rescue
SCIFA	Strategic Committee on Immigration, Frontiers and Asylum
SIS	Schengen Information System
SLA(s)	Service Level Agreement(s)
SR	Social Responsibility
TEU	Treaty on European Union (also known as Maastricht Treaty)
TFEU	Treaty on the Functioning of the European Union (originated as Treaty of Rome, then renamed as such by the Treaty of Lisbon)
UNHR or OHCHR	United Nations Human Rights (Office of the High Commissioner)
VIS	Visa Information System
W3C	World Wide Web Consortium
WCAG22	Web Content Accessibility Guidelines (WCAG) 2.2

4   General principles

4.1   General

The methodology is based on the preliminary identification of three empowerment gaps of mediation in public service delivery that pose the most crucial challenges to intended users when trying to deal with the official gateways to service access and usage, in order to reach their personal goals:

(1) **Language accessibility** – the extent to which the service provider's organisation compensates for the poor understanding of local language, and especially legal jargon, that immigrants (but also

poorly educated native citizens) may experience and that prevents them from grasping the details of the bureaucratic procedures to be followed to exercise their rights;

(2) **Information adequacy** – the extent to which the service provider's organisation complements the immigrants' capabilities to find and follow the correct pathways to gain access to public services, while at the same time overcoming any technical/procedural and educational/cultural barriers that may arise in this endeavour; and

(3) **Actualisation of rights** – the extent to which the service provider's organisation takes into account the extent, depth and connectedness of services, which may require from the beneficiary's side a special capacity to explore, navigate and interact with them, especially when the fruition of one is preparatory to accessing another.

With respect to the aforementioned challenges, the proposed **measurement methodology** takes into account the user's experience and achievements in his or her interaction with the service provider, rather than the latter's organisational, logistical and infrastructural characteristics. This is a qualifying aspect of the methodology, which doesn't take any stance on the ways a certain government body or agency sets itself up to deliver a certain basic service (with or without a complete automation/digitalisation, with or without the support of cultural mediators such as NGOs, with or without 'sufficient' endowment of qualified and experienced staff, etc.), and only focuses on the observed gaps in the degrees of user empowerment, from the perspective of intended beneficiaries[15].

The measurement of empowerment gaps, and the resulting reflections on which outputs are delivered and how, should provide specific assistance to the public service provider (body or agency):

(1) To improve **language accessibility** to foreign expats, regular immigrants, refugees and asylum seekers, and more generally all intended users of a service, including those who are fluent in the official language of the host country, under the following respects:

(1.1) basic vocabulary knowledge, so that users can at least understand the technical/administrative keywords or short sentences associated with the instructions on how to access a certain service, when reading the texts provided to them in paper form or as online contents;

(1.2) pronunciation intelligibility, so that users can verbally interact with the assistant at the service desk (either a human being or a virtual bot), making sure that a different pronunciation of certain words is not an impediment to good communication;

(1.3) linguistic and cultural mediation, so that users can ask and receive, if and when required, individual support of competent staff (from public sector organisations and/or NGOs) in the absence of dedicated measures bridging the above gaps.

(2) To improve **information adequacy** to foreign expats, regular immigrants, refugees and asylum seekers, and more generally service beneficiaries, under the following respects:

(2.1) preliminary orientation, i.e. giving to new comers or unaware service users a global overview of where to find answers to which questions/needs;

(2.2) specific advice, i.e. putting intended users in the best possible conditions to overcome the technical/procedural and educational/cultural barriers to access and/or utilise available services in their full potential;

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[15] This approach is pretty much in line with the literature on service quality evaluation, see Parasuraman et al. (1988).

(2.3) helpdesk and troubleshooting, i.e. providing continuous support to the fruition of (especially the natively digital or digitalised) public services designed for them.

(3) To improve **actualisation of rights**, creating the conditions for ensuring the capacity, or ability, of service users (foreign expats, immigrants, refugees and asylum seekers, but also nationals in some cases) to take benefit of:

(3.1) the full range of available services to them, without any exclusion or exception that is unrelated to their legal status (Horizontal actualisation);

(3.2) the full extent (coverage or intensity) of any service they are entitled to access, without any limitation, restriction or interruption that is not due to objective and documented reasons (Vertical actualisation);

(3.3) the possibility of conditional access to additional/derived services, that is the fruition of a service, which is dependent on first accessing another one. Example: until an ID card is obtained there will be no way to rent a flat or formalise a regular work contract (Extended actualization).

The proposed testing methodology may prove useful in a number of concrete instances, such as the following:

- When public service providers intend to collect, directly from the field, valid and reliable metrics of user empowerment, additional to the conventional KPIs in terms of effectiveness, efficiency, and satisfaction, in order to identify improvement areas for the current organisation and/or compare their performance with other providers of identical, similar or different services within the same country or in different countries.

- When the composition of intended users undertakes dramatic changes, such as because of a sudden alternance of the countries of origin of immigration phenomena (for example: after the outbreak of the Ukrainian war), and the question may be if the current organisation and delivery mode needs changes to comply with new or modified requirements of the intended users.

- When the government body or agency undertakes a significant transformation of the service delivery modes, such as moving from analogue to digital delivery, or internalising/externalising some parts of the management from/to NGOs, and this can generate the necessity (or opportunity) to assess with objective means whether intended users are receiving the same standard of quality or not.

- When civil society and higher-level tiers of public administration need to prove their accountability towards government stakeholders and the general public, in terms of the integrity and effectiveness of their services, which should facilitate administrative procedures and contribute to the newcomers' quick integration in the new communities.

- When governmental bodies or agencies need to update and improve public services intended for citizens, by interconnecting related procedures on a single digital platform, thus reducing bureaucratic inconveniences, while increasing efficiency and effectiveness in public administration.

- When local administration or governmental agencies take the initiative to organize digital literacy campaigns, in order to familiarize citizens with the opportunities of digitalization in public administration procedures.

4.2   Legislative and regulatory background

Immigrants, refugees and asylum seekers hold the same rights to access public services as EU nationals. This principle is acknowledged by all EU Member States' National Constitutions, the EU common founding values (art. 2 TEU), as well as the **EU Charter of Fundamental Rights**[16], notably: art. 1 (human dignity) – art. 18 (right to asylum) – art. 19 (protection in the event of removal, expulsion, extradition) – art. 20 (equality before the law) – art. 21 (non-discrimination) – art. 22 (cultural, religious and linguistic diversity) – art. 23 (equality between men and women) – art. 41 (right to good administration) – and art. 45 (freedom of movement).

This perspective has been, at least partially, taken into account when designing some of the recent EU initiatives in the migration domain, such as the Regulation on integrated border management (2019/1896), the EU Agency of Asylum, the renewed EUROPOL mandate foreseeing the establishment of Fundamental Rights Officers, the adoption of Fundamental Rights Strategies and complaint mechanisms. In all these initiatives, some fundamental rights are duly taken into account, such as the right to data protection, while others, such as the right to good administration foreseen by art 41 of the EU Charter, are still missing.

According to the Court of Justice **the right to good administration is a general principle of law**, foreseen by art. 41 of the EU Charter of fundamental rights and binding not only for the EU Institutions, agencies and bodies, but also for MS administration when applying EU law, as it is the case with border, migration and asylum policies. In this perspective, the Court of Justice jurisprudence on art. 41 of the EU Charter of fundamental rights, which, until now, has dealt with other EU policies (Competition, State Aid…), is also relevant to the migration domain.

The requirement of impartiality in public administration, foreseen in art. 41, notably covers "subjective" impartiality and thus precludes bias or personal prejudice. However, it also covers "objective" impartiality and thus requires that there must be sufficient guarantees to exclude any legitimate doubt as to possible biases on the part of the public administration body or agency concerned.

In the absence of a general EU law framing the behaviour of public administration (besides Staffing and Budgetary accountability), other general principles should be invoked as implicit in the scope of Art. 41, such non-discrimination, proportionality, objectivity, impartiality and independence, legitimate expectations, the right to be heard, and the provision of reasons and fairness. All these principles are described also by the (non-binding) Ombudsman's "European Code of Good Administrative Behaviour"[17].

As per the 2017 Tallinn Declaration on e-Government[18] and, more recently, the European Commission's proposal of a solemn "European Declaration on Digital Rights and Principles"[19], the rights and freedoms of all individuals should be respected, protected and enforced at all times, both offline and online, including by lending them access to a broad range of online public services.

This means notably that:

- (digital) public services should be made more accessible (including findable), secure, and usable by everyone in a non-discriminatory manner, with appropriate assistance available upon need;

- the principles of universal design should be applied to the setting up of services and (e.g.) public websites should be made simple to read and easy to understand;

- personalized and proactive services should be made available;

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[16] https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/eu-charter-fundamental-rights_en

17 https://www.ombudsman.europa.eu/en/publication/en/3510

18 https://digital-strategy.ec.europa.eu/en/news/ministerial-declaration-egovernment-tallinn-declaration

[19] https://digital-strategy.ec.europa.eu/en/policies/digital-principles

- the same information should not be asked more than once to public service users.

As per the 2020 Berlin Declaration on Digital Society and Value-Based Government[20], EU public authorities at all levels should lead by example to strengthen the tenets of the European Union by adopting the following basic principles in the digital sphere:

1. Validity and respect of fundamental rights and democratic values

2. Social participation and digital inclusion

3. Empowerment and digital literacy

4. Trust and security in digital government interactions

5. Digital sovereignty and interoperability

6. Human-centred systems and innovative technologies in the public sector

7. A resilient and sustainable digital society.

These principles are even more relevant for the so-called EU "common policies" such as the **Immigration Policy** (art. 79 TFEU), which has among its purposes the "fair treatment of third-country nationals residing legally in Member States". Such purpose should be achieved according to a consistent legislative framework and to multilevel governance principles, bringing together public administration bodies operating at supranational, national, regional and local levels. It is noteworthy that according to art. 70 TFEU "the Council may, on a proposal from the Commission, adopt measures laying down the arrangements whereby Member States, in collaboration with the Commission, conduct objective and impartial evaluation of the implementation of the Union policies referred to in this Title [which include Immigration Policy] by Member States' authorities". **The proposed testing methodology is a contribution to facilitating such an "objective and impartial evaluation".**

To connect and integrate all EU MS public officials engaged in Immigration Policy into a single, common, virtual administrative space, several initiatives have been taken up at supranational level, in order to:

- share relevant information in a timely manner (e.g. through the European Website on Integration, drawing on data collected in the EU Annual Local and Regional Barometer and other sources);

- feed common EU Databases (such as EES, ETIAS, EURODAC, SIS, VIS, etc.);

- improve, if necessary, with the help of EU agencies, the capacity of managing interactions with third Country nationals who want to enter and stay on the EU territory.

Further to that, the EU Regulation on the Asylum Agency (2021/2303) has envisaged the establishment of a European standard curriculum for the public officials who interact with refugees and migrants.

What is **missing, and should be provided**, is a common and adequate system of quality measurement for the services provided to foreign expats, immigrants, refugees and asylum seekers, supporting the diffused adoption of the principles of good administration and consistent with the purpose of fully integrating them in a democratic society, as defined by the European Treaties and the EU Charter of Fundamental Rights.

Without prejudice of the traditional approaches of verifying the implementation of EU law, our proposed Mediation Grammar fits more into the complementary and neutral evaluation mechanism described by art 70 TFEU, notably for the EU borders' asylum and migration policies. Such a

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[20] https://digital-strategy.ec.europa.eu/en/news/berlin-declaration-digital-society-and-value-based-digital-government

mechanism – which requires a close cooperation between the European Commission and the Member States – has already been designed for the evaluation of the Schengen acquis and cooperation[21]. For the Common European Asylum System (CEAS) it is foreseen by art. 14 and 15 of Regulation (EU) 2021/2303 of 15 December 2021 on the European Union Agency for Asylum and should be established before the end of 2023 (art. 73, 2nd paragraph).

A consensus-based CWA on *Testing methodology for the measurement of the empowerment of users of public services for migrants* may be the first step towards successive more binding regulatory mechanisms leading to mutual recognition and progressive harmonisation of Member States' administrative practices in these domains. A strong potential also derives from the association to this endeavour of EU Municipalities and NGOs supporting immigrants' successful entry and integration in the EU society.

4.3   Sources of inspiration

To define the concept of Mediation Grammar, two main sources of inspiration proved beneficial: the US Federal government's *Common Core State Standards (CCSS) Initiative*[22] and the Council of Europe's *Common European Framework of Reference (CEFR) for language learning, teaching and assessment*[23].

The CCSS are a collection of standards developed in 2009-2010 by NGA, the non-partisan association of governors from the 55 American states, territories and commonwealths, and CCSSO, the council of the principals of elementary and secondary state schools in the US. These standards respond to the question "what American students should know" in English language, arts and mathematics – there is no coverage of social and empirical sciences, which were conferred to another set of standards, issued in 2013 – at the conclusion of each school grade. CCSS also describe the skills that K-12 students should acquire in order to achieve university or work readiness.

With the "No Child Left Behind" Act of 2001, passed with bipartisan support and replaced by the "Every Student Succeeds Act" in 2015, the Federal Government took the leadership of introducing national standards for measuring school as well as student performance, including by the use of CCSS after their initial development. However, the criticism received for this approach led to allow more flexibility to State and local governments in adopting, reviewing or repealing the CCSS, which are currently in operation, on a voluntary basis, in a vast number of US schools from 41 American States, the District of Columbia, four Territories, and the Department of Defense Education Activity.

Motivation of the CCSS initiative and analogies with the European scenario of services to migrants

1) Before the CCSS were developed, a problem with Math teaching for example, was that different State and local schools were distributing topics coverage in different ways at the various grade levels. Coming to a consensus on a progression that is coherent with teaching and learning requirements looked appropriate to harmonize grade level sequence and, ultimately, the readiness of K-12 students for college studies and/or the labour market.

2) Another point is that teaching English literature was no longer enough to meet the requirements of career readiness, which overwhelmingly focuses on reading and understanding complex texts across multiple subject areas, such as in history and science. Thus, a more interdisciplinary effort was needed from teachers of all disciplines who are asked to focus on reading and writing, listening and speaking, to build pupils' knowledge outside their specific curricula.

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[21] See the recent Council Regulation (EU) 2022/922 of 9 June 2022.

[22] http://www.corestandards.org/about-the-standards/development-process/

[23] https://www.coe.int/en/web/common-european-framework-reference-languages/home

3) Last but not least, it is noteworthy that the CCSS showed only minimum, not maximum, targets of performance: "no State was asked to lower their expectations for students in adopting the Common Core".

4) And that they were completely agnostic on the ways school principals and teachers organised themselves for the delivery of such performance targets.

The European scenario of services to foreign expats, immigrants, refugees and asylum seekers **is characterised by very similar elements**. In fact, the CEAS (Common European Asylum System[24]) established since 1999 and reformed in 2020, is composed of several EU directives and regulations, which have the purpose of guaranteeing that a set of common standards is enacted in cooperation with the Member States to ensure that asylum seekers are treated fairly and equally wherever they apply. However, due to the heterogeneous status of service supply (eco)systems across EU Member States and within each of them, such guarantee does not seem to be enacted in the same way in different locations and/or at different points in time. Therefore, the need is evident for the introduction of a methodology for the measurement of the extent to which basic public services are provided in a non-discriminatory manner to their intended beneficiaries.

Following the inspiration of the CCSS, this methodology should be:

- **Service neutral**: namely, it should be implemented in a variety of services for the migrants, irrespective of their specificities;

- **Process neutral**: i.e. results from its implementation should not depend on the way a certain service is delivered, e.g. on the extent it is digitalised or not;

- **User centred**: that is, service performance should be measured through its outcomes on migrants, not its outputs nor process KPIs. And more specifically, in terms of empowerment of beneficiaries, i.e. "expansion of people's ability to make strategic life choices in a context where this ability was previously denied to them".

Launched in 2001 and updated in 2018-2020, the CEFR serves the global aim of the Council of Europe as defined in Recommendations R (82) 18 and R (98) 6 of the Committee of Ministers: "to achieve greater unity among its members" and to pursue this aim "by the adoption of common actions in the cultural field".

In this context, the Committee of Ministers highlighted "the political importance at the present time and in the future of developing specific fields of action, such as strategies for diversifying and intensifying language learning in order to promote plurilingualism in a pan-European context" and drew attention to the value of developing further educational links and exchanges and exploiting the full potential of modern information and communication technologies.

1) **Interesting elements of the CEFR and what contributions they bring to this CWA vision** It is instructive to note that the First Summit of Heads of State, where the objectives of a CEFR were introduced and discussed, identified xenophobia and ultra-nationalist backlashes as primary obstacles to European mobility and integration, and as a major threat to European stability and the healthy functioning of democracy. In turn, the Second Summit named the preparation for democratic citizenship a priority educational objective, thus giving importance to promoting modern methods of language teaching, which also strengthen skills like independence of thought, judgement and action, combined with social skills and responsibility. By a similar vein, the vision in this CWA – and in the EU funded project easyRights[25] the MG stems from – is that "public services are bridges to civil and human rights", and ensuring full accessibility of the former is a way of shaping the profiles of citizens being fully entitled to exercise the latter.

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[24] https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system_en
[25] See https://www.easyrights.eu/

2) Language barriers are an integral part of this lack of accessibility. Therefore, making sure that immigrants are (nominally) entitled to access the same public services as the broader population of a country is not enough for those people of foreign origin who are affected by them. To promote their removal, service gateways should be accessible in the multiple languages spoken by the migrant community members, and/or contents of the services should be communicated with a simplified jargon. These are also the recommendations of a 2020 Report on the status of the Integrating Cities Charter[26], a global initiative launched by Eurocities in 2010 and initially signed by 17 European Mayors, but now supported by 39 Cities from Europe and North America, which use it as a blueprint for their own integration policies.

3) The Council of Europe's reference to plurilingualism is also inspiring. Plurilingualism differs from multilingualism, which is the knowledge of several languages by an individual or the co-existence of different languages in a given society. As noted in the introduction to the 2001 edition of the CEFR volume, "multilingualism may be attained by simply diversifying the languages on offer in a particular school or educational system, or by encouraging pupils to learn more than one foreign language". Instead, plurilingualism (which also includes dialects, not just official languages) emphasizes the connection between the knowledge, even partial, of a "foreign" language and the direct experience of a culture and cultural context associated to it. For instance, a person knowing even few words of another language can use them to communicate, therefore mediate culturally, with the people speaking that language. Aligned with this vision is the recommendation to service providers to go beyond multilingualism in the description of their contents and access gateways and adopt plurilingualism that is a genuine attempt at overcoming the huge language comprehension difficulties experienced by non-EU citizens who legally enter the EU territory, which prevent them from a full and complete exercise of their rights according to extant legislation and regulations. Such difficulties are not only related to the different languages spoken by the service provider and beneficiaries, but also to the use of an administrative "jargon", which may sound esoteric also to native language speakers, in the descriptions of how to access the service.

4) Although the concept of 'mediation,' as first appeared in CEFR (2001), was mostly related to language use for educational and language assessment purposes (mainly in the context of secondary school and adult learners of foreign languages), there has been subsequent work on the creation of illustrative descriptors for this concept, accompanied by the statement that "*mediation descriptors can be considered to be – at least potentially – relevant to public, professional, academic and migration contexts in addition to the world of school education*", which was the initial focus of the study (Coste & Cavalli 2015, as cited by North and Piccardo, 2016). In fact, North and Piccardo (2016) provide a description of the design and validation process of the illustrative descriptors for mediation, which is distinguished in four types (linguistic, cultural, social and pedagogic) and finally comment on their relevance to different contexts (clause 7). As stated by North and Piccardo (2016, p. 46), "*personal mobility and migration were not at all invisible as concerns at the time the CEFR was developed in the early to mid-1990s*". However, the revised work on the creation of illustrative descriptors for mediation reveals its connection (among others) to "second language learners who find themselves as immigrants, despite their possibly partial competences, operating as more formal or less formal mediators between representatives of a host community and newer arrivals" (pp.46-47, ibid).

5) **Last but not least**: practically speaking, the CEFR (but also the CCSS, *mutatis mutandis*) is/are a sort of maturity model, structured in six levels of growing mastery of language[27], each associated to a collection of sentences describing the individual degree of empowerment (autonomy, fluency, etc.) in the comprehension and production of written and oral discourse. Such sentences, named **illustrative descriptors**, are **"Can Do" statements** associated to an individual's performance in

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[26] See http://integratingcities.eu/integrating-cities/charter
[27] Namely A1-A2 (Basic User), B1-B2 (Independent User), and C1-C2 (Proficient User).

terms of written and spoken language learning, use and production. For example, a Proficient User of C2 maturity "can understand with ease virtually everything heard or read", while a Basic User of A1 maturity "can interact in a simple way provided the other person talks slowly and clearly and is prepared to help". These "Can Do" descriptors are very powerful in defining not only the targets and the KPIs of dedicated curricula, but also the minimum levels of personal capacity associated to each step of the maturity model. Therefore, they serve as a basis for both learners and teachers, to define their respective improvement targets, but also for evaluators and curriculum planners, to assess progress and achievements and help define the next learning steps[28]. In light of the above, **the proposed measurement approach closely relates to the one adopted by many language learning institutions and language testing organizations using the CEFR**, whereby the results of assessment questionnaires and other (writing or speaking) tests distributed to the candidates during an examination, are first graded and then attributed to a specific position in the ranking (A1, A2, B1 etc.), which corresponds to a summary description of achieved skills and capacities.

Much in the same vein, **this document comes up** (in the next three clauses, 5 through 7) **with exemplary descriptors of the (minimum) requirements** allowed for a certain public service to bridge some empowerment gaps, which could be verified by e.g. interviewing or surveying a representative sample of intended users. To keep it simple, the proposed ranking only has three levels: A=Basic, B=Independent, and C=Autonomous. This same structure is replicated for each of the three requirements and specifications as presented in the next three clauses. Based on the results of a survey or interview round done on a subset of the target population, a public service provider can receive a summary of the prevailing degree of empowerment (or gaps) of intended users, as will be explained in clause 8 of the present document.
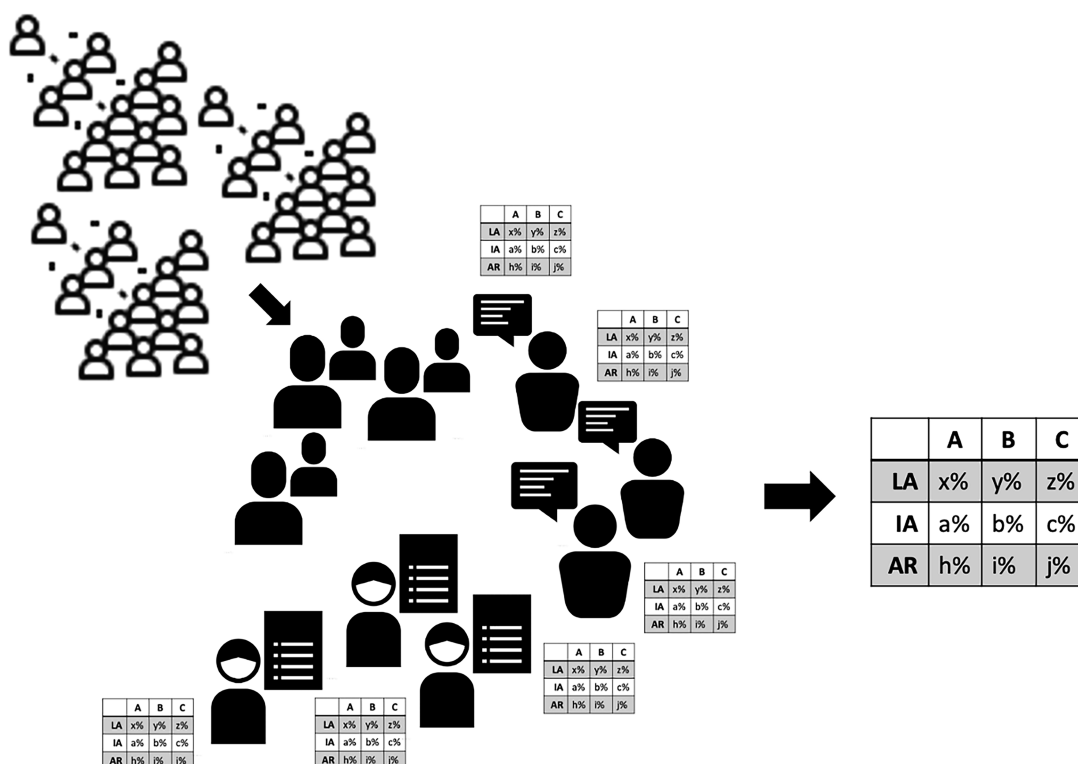

Figure 1 — Overview of the measurement process28F[29]

4.4   Sources of inspiration

The Mediation Grammar (henceforth: MG):

- Is a **collection of minimum requirements** for enforcing the informational rights of migrants, refugees and asylum seekers entering the European Union legally.

- Points at the set of linguistic, communicative and plurilingual skills that citizens should have as part of the general set of competencies required to live in democratic and culturally diverse societies[30].

- It **does not question** the legitimacy or adequacy of the existing framework that the EU and its Member States have built and are developing according to their policy priorities, instrumental goals and political equilibria. This framework, which is also subject to change due to political reasons, defines the perimeter of the MG proposal.

- Within that perimeter, the MG **focuses on enhancing the informational rights** of regular immigrants – and more generally, of all citizens of a Member State, as an extension of the principle of government transparency[31] – when dealing with public administration and services.

- In that direction, it aims at supporting public bodies and agencies in collecting fresh evidence to identify the barriers to communication between officials and service beneficiaries, notably regular immigrants but also expats from other EU countries, who may generate disparities of treatment against the Law and therefore limits to the full exercise of acknowledged citizen rights.

As suggested by the CEFR and CCSS analogies presented previously, such barriers can originate from:

- The random combination of the "language and culture of the service user" and the "language and culture of the host country and of its legal and regulatory system".

- The poor quality of communication regarding the administrative and/or service-related processes, the terms and narratives of which may be incomprehensible to native speakers as well.

To put emphasis on and suggest how to tackle these issues, the MG proposes a measurement approach based on three "pillars", or empowerment gaps, as depicted in the Figure below:

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[30] Source: Council of Europe (2016). Competences for democratic culture. Living together as equals in culturally diverse democratic societies. Executive Summary. https://rm.coe.int/16806ccc0c.

[31] Art. 15 of the Treaty on the Functioning of the European Union states that the EU institutions are obliged to ensure that individuals and any natural or legal person residing or having its registered office in an EU country can access documents related to policy making. The right for gaining an access to public information is also stated in the Constitution of Finland, the newest version of which dates from 1999.
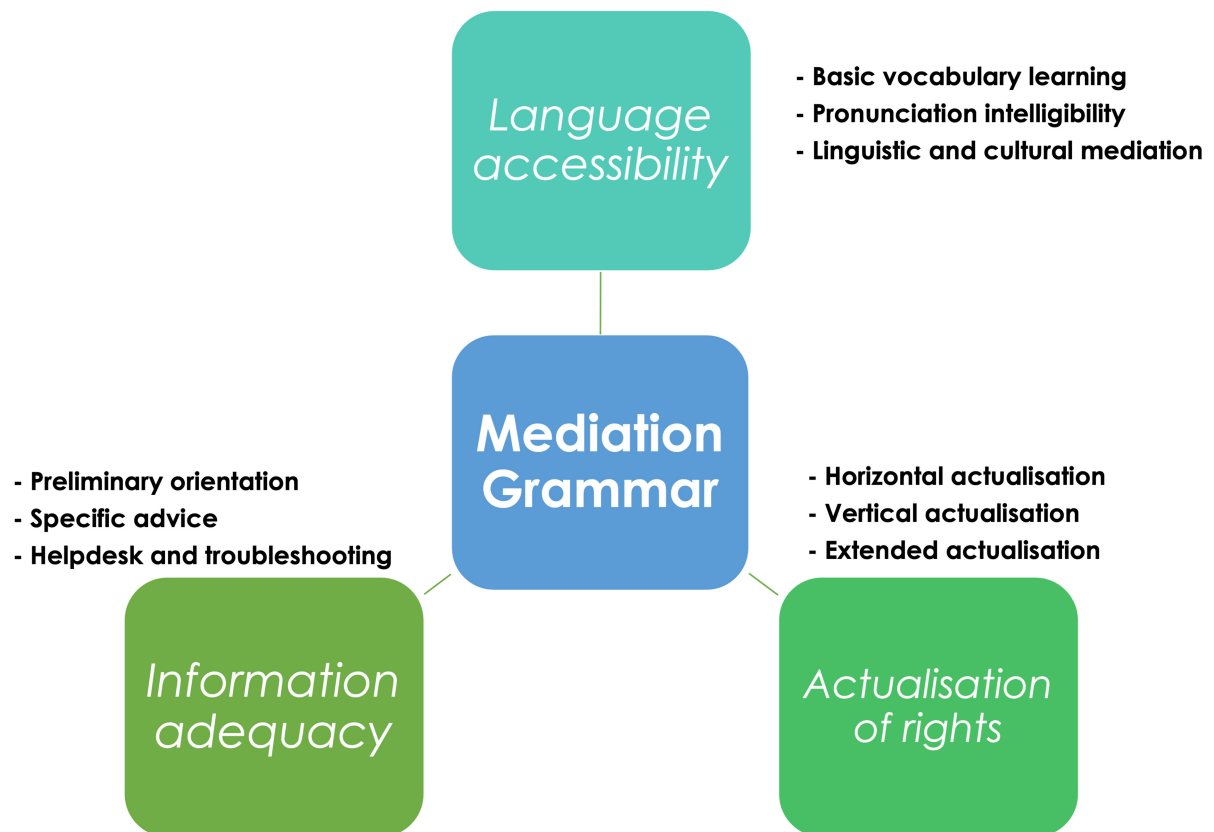
Language accessibility

- Basic vocabulary learning
- Pronunciation intelligibility
- Linguistic and cultural mediation

Mediation Grammar

- Preliminary orientation
- Specific advice
- Helpdesk and troubleshooting

- Horizontal actualisation
- Vertical actualisation
- Extended actualisation

Information adequacy

Actualisation of rights

Figure 2 — The three "pillars" (or empowerment gaps) of the Mediation Grammar

The empowerment gap of **language accessibility** refers to the capacity of a service provider to bridge the linguistic barriers of intended users – notably foreign expats, immigrants, refugees and asylum seekers – who are not fluent in the language of the host country, or if they are, may not be familiar with technical/administrative jargon of the instructions on how to access the service itself.

Language accessibility includes three main requirements, which constitute the specifications of this first pillar:

• **Basic vocabulary knowledge**. The extent to which a user can grasp the meaning of service-related keywords and short sentences contained in the written instructions on how to access that service (e.g. regulations, notices, calls for action), made available to him/her in paper form or as emails, text messages, web pages etc.;

• **Pronunciation intelligibility**. The extent to which a non-native speaker of the host country's language (who may not be in possession of all the "sounds" of that language) is enabled to verbally interact with the assistant at the service desk (either a human being or a virtual bot), making sure that a different pronunciation of certain words is not an impediment to good communication;

• **Linguistic and cultural mediation**. The extent to which a user can ask and receive, if and when required, individual support of competent staff (from public sector organisations and/or NGOs) in the absence of dedicated measures bridging the above gaps.

The empowerment gap of **information adequacy** refers to the capacity of a service provider to organise a well-functioning socio-technical system (i.e. a system composed of both human beings and technologies) to provide to foreign expats, immigrants, refugees and asylum seekers, and more generally to all intended users, as these public services are commonly made accessible to both EU citizens and Third Country nationals settling down legally in any EU Member State:

- **Preliminary orientation**, i.e., a global overview of where to find the answers to which questions/needs;

- **Provision of specific advice**, i.e., putting intended users in the best possible conditions to access and/or utilise available services in their full potential;

- **Helpdesk and troubleshooting**, i.e., providing continuous support to the fruition of (especially the natively digital or digitalised) public services designed for them.

The empowerment gap of **actualisation of rights** needs a preliminary clarification. According to the vision developed within the easyRights project, **public services are connectors to the enforcement of human and civil rights**. However, it may occur rather frequently that, because of lack of understanding, or adequate information, foreign expats, immigrants, refugees and asylum seekers are not completely aware of the full range of services that would enable them to exercise their acknowledged rights[32]. Second, it is not always the case that, after first accessing or utilising one single instance of a certain public service successfully, beneficiaries can immediately achieve their goals in a complete fashion[33]. Finally, it is rather common that the full exercise of a given right is not connected to a single public service, but to a "chain" of related services; therefore, the incomplete or delayed fruition of one of them may jeopardize the timely or effective fruition of another, which directly depends on the former[34].

Along this train of logic, it becomes evident that a (possibly neglected) task of a public service provider is to create the conditions for the above limitations not to materialise in concrete. This also requires ensuring that intended users hold sufficient knowledge about:

- the full range of services that are available to them, without any exclusion or exception that can only be due to objective and documented reasons (**Horizontal actualisation of rights**);

- the complete fruition of any service they are entitled to access, including repeated interactions with the service providers and/or the reiteration of an application that was previously unsuccessful (**Vertical actualisation of rights**);

- the possibility of conditional access to additional/derived services, including compensation in case of delayed fruition of a service, which prevents accessing another one. (**Extended actualization of rights**).

The above 3 empowerment gaps and 9 requirements will be described in more detail in the next three clauses.

5 Measuring language accessibility

5.1 General

The term "language accessibility" finds its origin in education (Janan and Wray, 2012), but is also used in the context of translation and interpreting services, including, but not limited to, the information delivered to service users (Schuster, 2012), multilingual public websites (McDonald et al., 2011) and

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[32] For example: in case of a serious accident, hospitalisation is always granted, even to irregular migrants, in which case healthcare operators are bound to secrecy regarding their status, except in case of clear evidence of criminal behaviours.

[33] For instance: there could be situations where such particular types of users (including, in some cases, poorly educated native citizens) get the false impression that only one instance of that specific service could be availed of, or that interaction with the service providers should not be iterated multiple times until its successful finalisation.

[34] For example: until an ID card is obtained there will be no way for an immigrant to rent a flat or formalise a regular work contract.

the readability of online dictionaries (Jatowt and Tanaka, 2012). In this latter sense, the connection with the broader concept of web content accessibility is evident. In that respect, *WCAG22 Guideline 3.1: Readable*[35] issued by W3C provides instructions for web developers and online content providers to allow their texts to be read by users and by assistive technology, and to ensure that information necessary for understanding them is available. Success Criteria for that Guideline include: Language of Page, Language of Parts, Unusual Words, Abbreviations, Reading Level and Pronunciation. A related action research strand focuses on accessibility of legislation (Curtotti and McCreath, 2013) and the possibility of using computational tools to facilitate the writing, not only the reading, of legal texts, and thus reduce their complexities. On the side of consumer information, the European Commission since 1998 has been issuing guidelines to enhance the readability of the label and package leaflet of medicinal products for human use.

5.2 Proposed approach

In the following text, as explained in the previous clause, our attention will be focused on **the language related barriers** that may impede or make more difficult the understanding of instructions on how to access public services by intended users – notably foreign expats, immigrants, refugees and asylum seekers. The implied message for service providers is that they should not organise service delivery based on a generic, or abstract representation of their intended users. Particularly they should not underestimate the consequences of an imperfect, or totally lacking knowledge of the host country's language within the beneficiaries of the services provided.

The proposed approach cuts across the differences between services (basic or more complex ones, digital or analogue, etc.) and service providers (legal nature, location, organisation and staffing, involvement of supporting third parties like NGOs or none at all, etc.). It is also agnostic with respect to the language spoken in the host country and by the beneficiaries of public services. Finally, it does not draw any implication nor make any recommendation in terms of changes to be made to the existing service setup, although some exemplary and non-exhaustive reflections and suggestions are displayed at the end of this clause.

The descriptions provided in Table 3 below are **"Can(not) Do" statements associated to three distinct, and growing levels of empowerment** under the perspective of language accessibility: **A (Basic), B (Independent) and C (Autonomous)**. Such descriptions are not meant to be exhaustive, but indicative of the variety of gaps that one or more users of a certain service may exhibit in reality and that are likely to create discriminations in the level of legal protection, if not jeopardise the possibility of achieving certain personal goals by the migrants interacting with the service provider.

Clause 8 will propose a number of methodological tools (such as surveys, interviews, and other ways to collect fresh information from a statistically significant number of people) as well as a template for organising research in this field.

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[35] See https://www.w3.org/WAI/WCAG22/Understanding/readable

Table 3 — Descriptors of empowerment gaps for language accessibility

Empowerment gap	Requirements	A – BASIC	B – INDEPENDENT	C – AUTONOMOUS
Language accessibility	**BASIC VOCABULARY KNOWLEDGE**	Only grasps the general meaning of legal and regulatory texts and knows a small number of essential words and sentences associated with the different service procedures of his or her interest.	Can make precise questions and ask for clarifications while at the same time not being completely familiar with all the terms and sentences used in the context of received/accessed written instructions on services.	Has a good command of the bureaucratic jargon and knows the meaning of most technical expressions and procedural tasks, requirements and deadlines.
	PRONUNCIATION INTELLIGIBILITY	Holds a good command of a broad range of terms but has difficulties with intonation and correct spelling, due to differences in his or her spoken language habits, which may lead to misunderstandings.	Can produce clear, smoothly flowing, well-structured speech elements and phrases, however still with occasional or recurrent pronunciation errors, which are not always realised and corrected when they occur.	Is able to pronounce all the sounds of the host country's language fluently and almost effortlessly, although with residual problems in uttering the most difficult sounds.
	LINGUISTIC AND CULTURAL MEDIATION	Needs the support of translation, interpretation, paraphrasing, summarizing and note-taking from a third party, otherwise could not even start the service procedure at hand.	Can still take benefit from third party assistance in order to grasp some crucial words or terms and finalise the service procedure autonomously or with the partial support of service provider's staff.	Does not need any support, although taking benefit from sporadic interactions with mediators on how, where and when to fulfil the service procedure.

5.3 Analysis of results

By way of exemplification only, Table 4 summarizes the information that can be obtained after the distribution of surveys or the running of interviews or other forms of feedback collection from service users, with the purpose of showing how these might be interpreted and actioned at managerial level for improving the service at hand.

It is important to stress that the results gathered below are fictitious and should not be reconnected to any specific and concrete service delivery scenario.

Table 4 — Possible results from field analysis in terms of language accessibility

Empowerment gap	Requirements	Prevalence of type A users	Prevalence of type B users	Prevalence of type C users
Language accessibility	BASIC VOCABULARY KNOWLEDGE	Type A users are the majority, then type B, then type C follow. "ABC"	Type B users are the majority, then type A, then type C follow. "BAC"	Type C users are the majority, then type A, then type B follow. "CAB"
		Type A users are the majority, then type C, then type B follow. "ACB"	Type B users are the majority, then type C, then type A follow. "BCA"	Type C users are the majority, then type B, then type A follow. "CBA"
	PRONUNCIATION INTELLIGIBILITY	Type A users are the majority, then type B, then type C follow. "ABC"	Type B users are the majority, then type A, then type C follow. "BAC"	Type C users are the majority, then type A, then type B follow. "CAB"
		Type A users are the majority, then type C, then type B follow. "ACB"	Type B users are the majority, then type C, then type A follow. "BCA"	Type C users are the majority, then type B, then type A follow. "CBA"
	LINGUISTIC AND CULTURAL MEDIATION	Type A users are the majority, then type B, then type C follow. "ABC"	Type B users are the majority, then type A, then type C follow. "BAC"	Type C users are the majority, then type A, then type B follow. "CAB"
		Type A users are the majority, then type C, then type B follow. "ACB"	Type B users are the majority, then type C, then type A follow. "BCA"	Type C users are the majority, then type B, then type A follow. "CBA"

As shown by the Table, there can be 6 different results from field analysis per requirement, leading the total number of occurrences to $6^3=216$, although it can be predicted that if type X users are prevalent for one requirement, they will also be so for the other two.

5.4 Implications for service management

Knowing more about the composition of intended users may help solve problems such as those outlined – again, only as examples – in Table 5 below.

It should be stressed that the following examples are fictitious and should not be reconnected to any specific and concrete service delivery scenario.

The column labelled "Evidence" and the following one entitled "Interpretation" show signs of a problem that (in case no analysis is carried out of the migrant population according to the recommended strategy) has no solid connection with the characteristics of service beneficiaries. Therefore, the proposed "Action" may or may not be appropriate, adequate, effective enough to tackle the underlying phenomenon. It may prove expensive and useless at the same time.

On the other hand, knowing the prevalent type of users existing at a certain point of time, in a certain location, and/or interested in a certain service instance, may shed a completely different light on both available Evidence and the resulting Interpretation and Action.

Table 5 — How service can be improved under the perspective of language accessibility

Empowerment gap	Requirements	Evidence	Interpretation	Action
Language accessibility	**BASIC VOCABULARY KNOWLEDGE**	Our front-line staff is challenged by the increasing variety of foreign people who ask for information at the desk. Leaflets are distributed, but when it comes to acting, it looks like they don't even know what they want to do – nor can they name it properly. Our staff cannot know so many languages!	Multilingual information leaflets and web pages do exist, but they are too synthetic not to say generic. It's impossible to think that these people may read and understand. Quite often, legal and administrative procedures (and their related application forms) are not translated from our language.	Provide glossaries of the key legal and administrative terms. Associate each term with the corresponding procedures. Choose the most widely spoken languages and provide integral translations of all key templates. Check them with native speakers.
	PRONUNCIATION INTELLIGIBILITY	The log files of our new voice bot – supported by best of breed AI – have revealed a high frequency of interrupted calls. There are rumours saying that "it speaks too difficult" and "it never gets me right".	After the war in XYZ, a new wave of refugees and asylum seekers reached the country. They don't know a single word of the language spoken here. And worse of all, their accent is very unusual, they even miss some sounds we have in our language.	Organise live experiments with people of different nationalities using the voice bot. Keep track of the results and particularly of variations. Retrain the voice bot using more and different accents.
	LINGUISTIC AND CULTURAL MEDIATION	Our new portal supports a wide range of services / procedures and related application forms, which by rule of law must be submitted in our own language. However, a statistical analysis of received applications through the portal shows that it is actually used only by a few specific nationalities, while the others continue to prefer face to face	Further analyses of the nationalities who use / don't use the portal have led to a better understanding their motivations. For example, people from country NNN have difficulties in finalising their registration in the portal, because they are reluctant to sharing their email addresses for 2-stage confirmation. People from PPP instead, are supported by a fellow who has been a	State your priorities first. To the extent they are associated to broadening the use of the portal, it might be an idea to setup training sessions both online and offline, before and during access to the system by its intended users. Another possibility might be to act on the nationalities

Empowerment gap	Requirements	Evidence	Interpretation	Action
		interaction with our desk staff.	resident for years and speaks our language very well.	preferring face to face interaction through dedicated initiatives.

In **Annex D** to this document, some guidelines are proposed for the provision of services to deaf migrants and refugees.

6 Measuring information adequacy

6.1 General

By "information adequacy" it is meant **the actual amount of information received and understood** by a given user or group thereof, combined with their perception of whether they feel adequately informed or not (Redding, 1972). The topic as a subject of study has been popularised by organisational science. For example, Spiker and Daniels (1981) found out that satisfaction with the work relationship between an employee and his/her immediate supervisor and top management is higher for those who perceive that they are adequately informed and lower for those who think the opposite. In an academic environment, Kogler Hill et al. (1989) showed that higher success rates and performance scores of faculty members are associated with perceptions of higher levels of information adequacy and communication support by their mentors. Another application domain for the concept is civil law: in fact, some contracts may be declared null and void if it could be proven that one of the parties did not receive adequate information to understand the risks implicit in e.g., the underlying financial transactions, because of his/her imperfect understanding of the language used to draft the contract itself[36].

6.2 Proposed approach

Coherently in the following, as explained in clause 4, our attention will be focused on the effective amount and on the perceived quality of the information offered by the service provider to intended users of that service – notably foreign expats, immigrants, refugees and asylum seekers. The message for service providers is again, as before: do not organise your delivery based on a generic, or abstract representation of your intended users. Particularly do not underestimate the consequences of an imperfect, or totally lacking management of information to the beneficiaries of your services.

Three distinct situations (use cases) are considered, depending on whether access and fruition of a service has yet to occur (in which case, one speaks of preliminary orientation); or it is ongoing (and maybe demands some specific advice); or has come to a dead-end (from which the need for dedicated problem solving). As for the measurement of the previous requirement (in clause 5), the proposed approach is agnostic in terms of the nature of the services at hand (basic or more complex ones, digital or analogue, etc.) and of their providers (in terms of legal nature, location, organisation and staffing, involvement of supporting third parties like NGOs or none at all, etc.). Moreover, it does not draw any implication nor make any recommendation in terms of changes to be made to the existing service setup, although some exemplary and non-exhaustive reflections and suggestions are displayed at the end of this clause.

The descriptions provided in Table 6 below are **"Can(not) Do" statements associated to three distinct, and growing levels of empowerment** under the perspective of information adequacy: **A (Basic), B (Independent) and C (Autonomous)**. Such descriptions are not meant to be exhaustive, but

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[36] See https://www.handbook.fca.org.uk/handbook/CONC/4/2.html

indicative of the variety of gaps that one or more users of a certain service may exhibit in reality and that are likely to create discriminations in the level of legal protection, if not jeopardise the possibility of achieving certain personal goals by the migrants interacting with the service provider.

Clause 8 will propose a number of methodological tools (such as surveys, interviews, and other ways to collect fresh information from a statistically significant number of people) as well as a template for organising research in this field.

Table 6 — Descriptors of empowerment gaps for information adequacy

Empowerment gap	Requirements	A – BASIC	B – INDEPENDENT	C – AUTONOMOUS
Information adequacy	**PRELIMINARY ORIENTATION**	Knows whom to ask to get the information needed on the exact location of the service providers of his/her interest. Can make a limited number of exploratory questions to operators during face-to-face (or remote/virtual) Q&A sessions. Interaction and communication are however limited and complex.	Can interact with orientation service providers in a relatively clear and self-explanatory manner. Makes a lot of questions and does not seem to run huge risks of being mis-understood. During conversations, can still be hesitant when searching for patterns and expressions and this may generate a few noticeably long pauses.	Can make deep questions to the orientation service providers on how to activate and follow the most complex procedures and understand received answers in full. Is able to keep conversation alive with a fairly even tempo and can correct most of his/her wording mistakes without losing sight of the goal.
	PROVISION OF SPECIFIC ADVICE	Knows generically what to do for accessing and/or utilizing a service, but has doubts and concerns on how to do it, in which procedural order, using which document templates, respecting which deadlines etc. He or she may not be in the condition of understanding what has to be done in full.	Has a sufficient knowledge of local language and procedures to be able to make precise requests for clarification. However, the requirements of the current procedure may be too tight for him or her to give a complete and timely execution to them, also because of a lack of specific knowledge and experience.	Can initiate discourse, help the discussion along-track and be concrete and up to the point in asking for what he or she needs. Generally will not need a special or dedicated support for the finalisation of his/her own tasks. Can also ask for advice on behalf of third parties and be effective in transferring it appropriately.
	HELP DESK AND TROUBLESHOOTING	Has a very limited opportunity of interacting with dedicated support staff during his or her operation of procedural tasks.	Can interact with help desk and troubleshooting service staff timely and effectively, although receiving written instructions	Is able to take full benefit from the interaction with dedicated support staff and still lead the underlying procedural tasks to

Empowerment gap	Requirements	A – BASIC	B – INDEPENDENT	C – AUTONOMOUS
		Such circumstance may be source of mistakes that are either neglected or can paralyze task execution.	may be preferred to verbal ones and even in that case, some degree of misunderstanding may survive with unpredictable consequences.	full completion. May only be prompted to make very specific questions in case of limited and localised concerns or dilemmas on how to proceed.

6.3 Analysis of results

By way of exemplification only, Table 7 summarizes the information that can be obtained after the distribution of surveys or the running of interviews or other forms of feedback collection from service users, with the purpose of showing how these might be interpreted and actioned at managerial level for improving the service at hand.

It is important to stress that the results gathered below are fictitious and should not be reconnected to any specific and concrete service delivery scenario.

Table 7 — Possible results from field analysis in terms of information adequacy

Empowerment gap	Requirements	Prevalence of type A users	Prevalence of type B users	Prevalence of type C users
Information adequacy	**PRELIMINARY ORIENTATION**	Type A users are the majority, then type B, then type C follow. "ABC"	Type B users are the majority, then type A, then type C follow. "BAC"	Type C users are the majority, then type A, then type B follow. "CAB"
		Type A users are the majority, then type C, then type B follow. "ACB"	Type B users are the majority, then type C, then type A follow. "BCA"	Type C users are the majority, then type B, then type A follow. "CBA"
	PROVISION OF SPECIFIC ADVICE	Type A users are the majority, then type B, then type C follow. "ABC"	Type B users are the majority, then type A, then type C follow. "BAC"	Type C users are the majority, then type A, then type B follow. "CAB"
		Type A users are the majority, then type C, then type B follow. "ACB"	Type B users are the majority, then type C, then type A follow. "BCA"	Type C users are the majority, then type B, then type A follow. "CBA"
	HELP DESK AND TROUBLESHOOTING	Type A users are the majority, then type B, then type C follow. "ABC"	Type B users are the majority, then type A, then type C follow. "BAC"	Type C users are the majority, then type A, then type B follow. "CAB"
		Type A users are the majority, then type C, then type B follow.	Type B users are the majority, then type C, then type A	Type C users are the majority, then type B, then type A

Empowerment gap	Requirements	Prevalence of type A users	Prevalence of type B users	Prevalence of type C users
		"ACB"	follow. "BCA"	follow. "CBA"

As shown previously, there can be 6 different results from field analysis per requirement, leading the total number of occurrences to 6^3=216, although it can be predicted that if type X users are prevalent for one requirement, they will also be so for the other two.

6.4 Implications for service management

Knowing more about the composition of intended users may help solve problems such as those outlined – again, only as examples – in Table 8 below.

It should be stressed that the following examples are fictitious and should not be reconnected to any specific and concrete service delivery scenario.

Table 8 — How service can be improved under the perspective of information adequacy

Empowerment gap	Requirements	Evidence	Interpretation	Action
Information adequacy	**PRELIMINARY ORIENTATION**	A survey of the beneficiaries of our orientation service desk has shown that x% belong to type A, y% to type B and z% to type C users in relation to information adequacy. This raises questions on whether the service desk has been correctly organised to align with intended user expectations as reflected by their capacities.	Deeper inspection of the results is recommended, to assess among other aspects whether the survey outlined a user distribution by type that is somehow related to the nationalities, and/or to the spoken languages, of the groups and if the composition of survey respondents reflects that of the statistical universe or not.	An obvious suggestion can be to repeat the survey across time, in order to perceive, and possibly also to anticipate, significant variations in the composition of users by type in relation to information adequacy, which can be induced by (e.g.) sudden and/or massive changes in the incoming nationalities.
	PROVISION OF SPECIFIC ADVICE	The same survey results, coupled with an analysis of statistical data on service utilization by type of service, can also lead to draw implications on the current degree of procedural complexity – and therefore need for specific advice/support – in	Normally an equilibrium has to be found, between the efforts (also including financial investments) to simplify access conditions to each service that a provider may put in place, and some unavoidable procedural complexities that only personalised	The establishment (or further consolidation) of a dedicated service to provide preliminary advice and support to intended users engaged in submitting applications is other than a generic orientation service and should engage internal staff rather than external

Empowerment gap	Requirements	Evidence	Interpretation	Action
		relation to the intended users of each.	advice can help users overcome.	consultants.
	HELP DESK AND TROUBLESHOOTING	It is a common business practice, especially within customer care services offered by telephone or the web, to ask the user for a post-interaction judgment of the quality of received attention, according to several predefined criteria.	However, it is perfectly possible that the results of such an instant feedback collection exercise may be misleading, when the universe of respondents holds traits of high differentiation – e.g. by type, in relation to information adequacy as described above.	Therefore, the main suggestion before undertaking any action is to control for the heterogeneity (and possibly the variations over time) of the user base features and assess their implications for the nature of received responses to the post-interaction poll.

7 Measuring actualisation of rights

7.1 General

Literally, in the English language, "actualisation" means "the process of making something real or driving it to happen". Therefore, when speaking of "actualisation of rights" the implicit assumption is being made that some or all of these rights are indeed acknowledged, but rarely or only partially enforced. As the Belgian academic and former minister Frank Vandenbroucke put it in a 2018 forum speech[37], the key transition that modern democratic States should reflect upon, is from recognising that a person has title to exercise a certain right, or to activate legal coercion measures in case anyone does not comply with that legal recognition, towards directly providing citizens with all the instruments that may enable the full exercise of that right[38].

To a very good extent, the European Union has taken the lead of this transition. The European Pillar of Social Rights as jointly launched in November 2017 by the European Parliament, the Council and the Commission and still operating today, is a set of 20 principles concerning equal opportunities and access to the labour market, fair working conditions (including an adequate minimum wage), social

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[37] See http://www.euvisions.eu/europea-social-union-public-forum-debate-vandenbroucke/

[38] "The nature and purpose of what is proposed as 'rights' at the EU level must be clarified. We tend to conceive of 'rights' primarily as instruments for the enforcement of entitlements. Ferrera (2018) rightly argues that we should broaden our understanding of the role of rights: following the tradition of Max Weber, we can define rights as sources of power (Machtquellen). There are three distinct types of resources which back the actual exercise of any right. First, there are normative resources (…). Secondly, there are enforcement resources: if compliance is not obtained, the right-holder can activate legal coercion. Thirdly, there are instrumental resources: the availability of practical conditions for the full exercise of a right (…). We know that even when it adopts binding norms that indirectly impinge on national citizenship, the EU cannot provide enforcement resources directly to citizens. The EU does, however, provide normative resources (if only through soft law) and, in particular, instrumental resources. I suggest that the primary role of the European Pillar of Social Rights regarding citizen empowerment could and should result, initially, from its capacity to exploit coherently and systematically its motivational and actualisation potentials".

protection and inclusion, most of which are particularly appropriate to the case of foreign expats, immigrants, refugees and asylum seekers[39].

The topic of rights actualisation is also echoed, among others, in the theoretical and practical debate surrounding Amartya Sen's and Martha Nussbaum's Capability Approach to personal well-being and social empowerment, which highlights the difference between substantive freedom – capabilities, as means or instrumental policy goals – and achieved integration aspects – as outcomes, or ultimate social policy ends (Robeyns, 2005).

7.2 Proposed approach

However, in the following, as already anticipated in clause 4, the focus will be narrowed down on a very specific aspect of rights actualisation, which is related to two convergent aspects. On the one hand, the vision of the easyRights project is that – for every citizen, especially including marginalised people – public services are connectors to the enforcement of human and civil rights. Therefore, an incomplete fruition or denied access to a certain service which a person is legally entitled to may bring as a consequence, for that person, of a partial or lacking enforcement of nominally acknowledged citizen rights. On the other hand, for reasons that are connatural to their special status, it may occur rather frequently that foreign expats, immigrants, refugees and asylum seekers only hold incomplete knowledge of the full range and extent of the public services they are legally entitled to.

Three distinct problematic situations are considered, where there could be such denied or partial access and fruition of services. First is the case of a person being unaware of the full range of services that are available to him/her. Second is the case of a user being convinced that only a single interaction with a certain service provider would be sufficient or a reiteration of the same application impossible to activate. Third is the case of "chained" services, where the incomplete or delayed fruition of one of them may jeopardize the timely or effective fruition of another, directly depending on the former.

The message for service providers is particularly delicate here: **you should not organise your delivery based on a generic, or abstract representation of your intended users**. Particularly **you should never assume that the beneficiaries of your services know what they want, by when, and how to achieve it**.

As for the previous two requirements (in clauses 5 and 6), the proposed measurement approach is agnostic in terms of the nature of the services at hand (basic or more complex ones, digital or analogue, etc.) and of their providers (in terms of legal nature, location, organisation and staffing, involvement of supporting third parties like NGOs or none at all, etc.). Moreover, it does not draw any implication nor make any recommendation in terms of changes to be made to the existing service setup, although some exemplary and non-exhaustive reflections and suggestions are displayed at the end of this clause. However, the price to be paid for such a neutral and high-level positioned analysis is to stay focused on what users perceive they can do, rather than what they are concretely allowed to do. This may be a double-edge sword: on the one hand, like for the previous requirement of information adequacy, what really matters to reach user empowerment is to let him or her gain awareness, not just receive a nominal attribution of rights. On the other hand, there may be other barriers or constraints than those under the sphere of power of a service provider, which may perpetuate a situation of insufficient actualisation of rights.

The descriptions provided in Table 9 below are **"Can(not) Do" statements associated to three distinct, and growing levels of empowerment** under the perspective of rights actualisation: **A (Basic), B (Independent) and C (Autonomous)**.

Such descriptions are not meant to be exhaustive, but indicative of the variety of gaps that one or more users of a certain service may exhibit in reality and that are likely to create discriminations in the level

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[39] See https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles_en

of legal protection, if not jeopardise the possibility of achieving certain personal goals by the migrants interacting with the service provider.

Clause 8 will propose a number of methodological tools (such as surveys, interviews, and other ways to collect fresh information from a statistically significant number of people) as well as a template for organising research in this field.

Table 9 — Descriptors of empowerment gaps for actualisation of rights

Empowerment gap	Requirements	A – BASIC	B – INDEPENDENT	C – AUTONOMOUS
Actualisation of rights	**HORIZONTAL ACTUALISATION**	Is largely unaware of the full range of services available to him/her in dependence of both legal status and local or contingent situation. The same goes for related third parties (e.g. relatives). Mostly relies on word of mouth and casually obtained assistance.	Can navigate the full range of available services to locate his or her needs and requirements but is not completely informed of the full content and potential interest/value of each of them. May not know how to proceed after the introduction of a new service, or a procedural variant.	Is perfectly aware of the range of services available to him/her and the conditions for their availability and fruition. Knows also a lot about the evolution across time of the configuration of each service and the cases of new entries or variations of existing ones.
	VERTICAL ACTUALISATION	Has never had a complete experience, or had only a very partial one, of the full process starting from the preparation of an application to a public service and ending with its approval. May ignore that in case of initial failure the same application can be resubmitted because the inherent right did not vanish.	Has gained a full or almost full understanding of the application process and its implications, steps and deadlines, either because of previous trials or received advice, on which has shown a good level of comprehension. Is able to fulfil most of the tasks imposed by the specific legal and administrative procedures.	Has had previous, if not also multiple experiences of access to that specific service and is, therefore, fully aware of the underlying procedural stages, mechanisms and responsible staff. Sometimes he or she also acts as an intermediary for other people, being able to recognise their peculiar requirements.
	EXTENDED ACTUALISATION	Ignores that in case of partial or lacking recognition of a certain service or right, there may be others in jeopardy for him-/her- self, and/or for other members of his/her family or community. Is incapable of speaking up for his/her rights when	Can identify a non-immediately visible pattern of reciprocally conditioning services or rights and act to prevent certain unwanted implications or consequences from materialising. Knows that he or she has rights to compensations and	Has gained a broad and full picture of his or her rights and those of his or her family or community members. Can design original and coherent patterns to create opportunities that are not immediately or obviously available to grasp.

Empowerment gap	Requirements	A – BASIC	B – INDEPENDENT	C – AUTONOMOUS
		necessary.	other forms of recognition.	

7.3 Analysis of results

By way of exemplification only, Table 10 summarizes the information that can be obtained after the distribution of surveys or the running of interviews or other forms of feedback collection from service users, with the purpose of showing how these might be interpreted and actioned at managerial level for improving the service at hand.

It is important to stress that the results gathered below are fictitious and should not be reconnected to any specific and concrete service delivery scenario.

Table 10 — Possible results from field analysis in terms of actualisation of rights

Empowerment gap	Requirements	Prevalence of type A users	Prevalence of type B users	Prevalence of type C users
Actualisation of rights	**HORIZONTAL ACTUALISATION**	Type A users are the majority, then type B, then type C follow. "ABC"	Type B users are the majority, then type A, then type C follow. "BAC"	Type C users are the majority, then type A, then type B follow. "CAB"
		Type A users are the majority, then type C, then type B follow. "ACB"	Type B users are the majority, then type C, then type A follow. "BCA"	Type C users are the majority, then type B, then type A follow. "CBA"
	VERTICAL ACTUALISATION	Type A users are the majority, then type B, then type C follow. "ABC"	Type B users are the majority, then type A, then type C follow. "BAC"	Type C users are the majority, then type A, then type B follow. "CAB"
		Type A users are the majority, then type C, then type B follow. "ACB"	Type B users are the majority, then type C, then type A follow. "BCA"	Type C users are the majority, then type B, then type A follow. "CBA"
	EXTENDED ACTUALISATION	Type A users are the majority, then type B, then type C follow. "ABC"	Type B users are the majority, then type A, then type C follow. "BAC"	Type C users are the majority, then type A, then type B follow. "CAB"
		Type A users are the majority, then type C, then type B follow. "ACB"	Type B users are the majority, then type C, then type A follow. "BCA"	Type C users are the majority, then type B, then type A follow. "CBA"

As shown previously, there can be 6 different results from field analysis per requirement, leading the total number of occurrences to $6^3=216$, although it can be predicted that if type X users are prevalent for one requirement, they will also be so for the other two

7.4 Implications for service management

Knowing more about the composition of intended users may help solve problems such as those outlined – again, only as examples – in Table 11 below.

It should be stressed that the following examples are fictitious and should not be reconnected to any specific and concrete service delivery scenario.

Table 11 — How service can be improved under the perspective of actualisation of rights

Empowerment gap	Requirements	Evidence	Interpretation	Action
Actualisation of rights	**HORIZONTAL ACTUALISATION**	Interviews carried out with a sample of the local population of migrants, refugees and asylum seekers have shown that x% belong to type A, y% to type B and z% to type C users in relation to rights actualisation. These results bring a number of implications on the way services are offered and delivered.	A closer look into the statements made during the interviews is recommended, to assess among other aspects whether there may be a connection between types of users and nationalities, if not also spoken languages, and whether the composition of interviewees reflects that of the underlying population or not.	An obvious suggestion can be to repeat the interviews across time, in order to perceive, and possibly anticipate, significant variations in the composition of users by type in relation to rights actualisation, which can be induced by (e.g.) sudden and/or massive changes in the incoming nationalities.
	VERTICAL ACTUALISATION	The same interview results, coupled with an analysis of statistical data on service utilization by type of service, can also lead to draw implications on the current degree of procedural complexity – and therefore insufficient outreach – in relation to the intended users of each.	Normally an equilibrium has to be found, between the efforts (also including financial investments) to simplify access conditions to each service that a provider may put in place, and some unavoidable procedural complexities that can however discourage users from pursuing access and suggest adding third party support.	However it should be borne in mind that with the progress of service digitalisation (not to mention the use of AI to support interaction with intended users) will growingly leave people all alone in front of an interface, and that the digital divide also evolves across time if too little care is taken of simplification.
	EXTENDED ACTUALISATION	It is perfectly possible that some of the personal stories narrated in the interviews confirm how difficult it is for Third Country	However, in the case of migrants, refugees and asylum seekers, the pathway to rights actualisation is more tortuous and prone to errors in interpretation,	Perhaps a good action plan may be to track the behaviour of some intended users across real, or at least realistic, "chained" service

Empowerment gap	Requirements	Evidence	Interpretation	Action
		nationals to acquire the same level of understanding as native citizens of the "chained" nature of some services (and rights).	conduct and evaluation, leading them to suffer from an unjust burden of unwanted consequences.	journeys, making use of buyer personas, mystery clients or other established marketing techniques.

8 Implementation and operation

This clause provides guidance on how to take stock of the information gathered through the analysis of the intended users' population to implement a service for the first time, or (more frequently) to revise it in order to fulfil the observed gaps in the empowerment of target beneficiaries.

The key components of the service implementation process supported by the operation of the Mediation Grammar are fivefold:

1) Testing actual user and service characteristics according to the 3x3 = 9 requirements of the MG;

2) Publicising and sharing the results internally and with other stakeholders and service providers;

3) Taking decisions and actions to revise the service delivery aspects highlighted by the testing results;

4) Being accountable for behaviour and outcomes; and

5) Undertaking reviews and follow up actions.

These five components will now be examined in turn.

8.1 General

This clause provides guidance on how to take stock of the information gathered through the analysis of the intended users' population to implement a service for the first time, or (more frequently) to revise it in order to fulfil the observed gaps in the empowerment of target beneficiaries.

The key components of the service implementation process supported by the operation of the Mediation Grammar are fivefold:

1) Testing actual user and service characteristics according to the 3x3 = 9 requirements of the MG;

2) Publicising and sharing the results internally and with other stakeholders and service providers;

3) Taking decisions and actions to revise the service delivery aspects highlighted by the testing results;

4) Being accountable for behaviour and outcomes; and

5) Undertaking reviews and follow up actions.

These five components will now be examined in turn.

8.2   Testing users and service

To facilitate understanding why and how testing results should have influence on service implementation, the following conceptualisation is provided as an example.

At any point in time, the status of a certain service can be visualised by the help of the following figure:
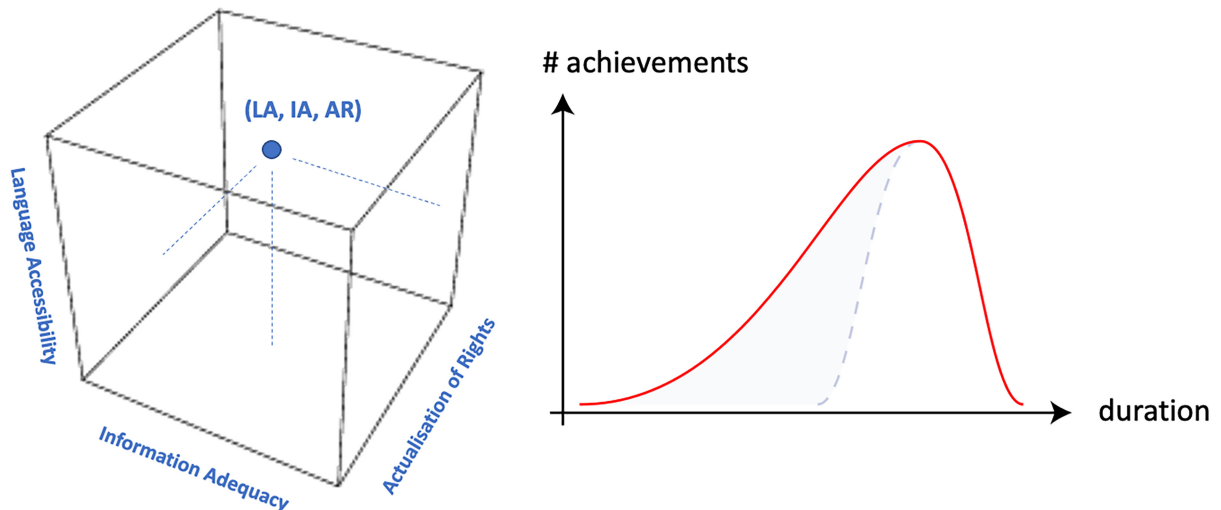
Figure 3 — Snapshot of a generic service status

On the left-hand side of the picture, the contingent configuration of service delivery in light of the provisions of the MG can be (idealistically) represented as a **triplet (LA, IA, AR)** – where LA stands for Language Accessibility, IA for Information Adequacy, and AR as Actualisation of Rights – the three "pillars", or empowerment gaps, introduced and described in clause 4 and ff. of this document. The blue point corresponds to a specific combination of the three MG empowerment gaps, supposedly measured by the use of absolute numbers, the (x, y, z) coordinates of a 3D space, visualised as a "cube" in the above figure.

Evidently, there is a strong simplification in this representation, because it is entirely arbitrary that the status of each MG empowerment gap could be represented by a number. However, the message should be quite clear: a service provider wanting to measure LA, IA and AR would get certain results, and the interpretation of these results would help define how well a certain service is delivered to its intended users.

On the right-hand side of the figure, another fictitious representation adds new light to the status of this service delivery. It is a graph plotting the **success** of the service against its **duration**.

- By "success" – coherently with the vision of the easyRights project, which connects the fruition of a service with the exercise of citizen rights – it is meant the capacity of a provider to ensure that users do achieve their goals by carrying out one or more interactions, therefore across one or even more than one service instances. To realise why this may be so, just think of the experience of going several times to the same desk, to finalise an application with the provision of all the required accompanying documents. Or the similar experience of resubmitting the same application, after it has been rejected the first time, for whatever reason. Therefore, the most reasonable way of measuring success is by what is called "achievement", i.e. the ultimate finalisation of the procedure with the materialisation of its intended outcome.

- By "duration" it is referred to the length of time needed for the specific achievement to materialise for a specific user of that service. It is not easy to determine upfront whether duration should be measured in months, days, hours or seconds; this will mostly depend on the nature of the service

and how it is delivered. For instance, if a basic public service is considered, like "applying for a certificate of residence", the time needed to obtain this by a native citizen can be minutes, using one of the popular e-Census applications adopted by the majority of EU Member States. If that application is used by a non-native, it may take days, weeks or even months, depending on a number of circumstances. Indeed, for several typologies of services – e.g. the activation of a public utility contract, or the resolution of a client's issue submitted to a help desk – providers do use duration as a KPI for assessing their performance and document it to the general public in a transparent manner.

In our representation, the curve plots the number of achievements – i.e. successful fruitions of that service by its intended users – against the duration of the procedure leading to them. Apparently, the curve is quite "skewed" to the right, that is, its statistical parameters, **Mode** (point corresponding to the highest number of achievements) and **Median** (point corresponding to the cumulative number of achievements reaching 50%), both occur well after the average duration as measured on all achievements. This is again an arbitrary choice, but useful to finalise the example by adding the further dimension of **time**.

From a purely descriptive perspective, our assumption is that if nothing changes – neither in the MG empowerment gaps, nor in the way the service is currently structured or organised by its provider – the red curve will also stay identical across time. If on the other hand something changes, for instance: the characteristics of served population, or some technical or regulatory aspects of service delivery, the shape of the curve will also change, as the following figure shows.

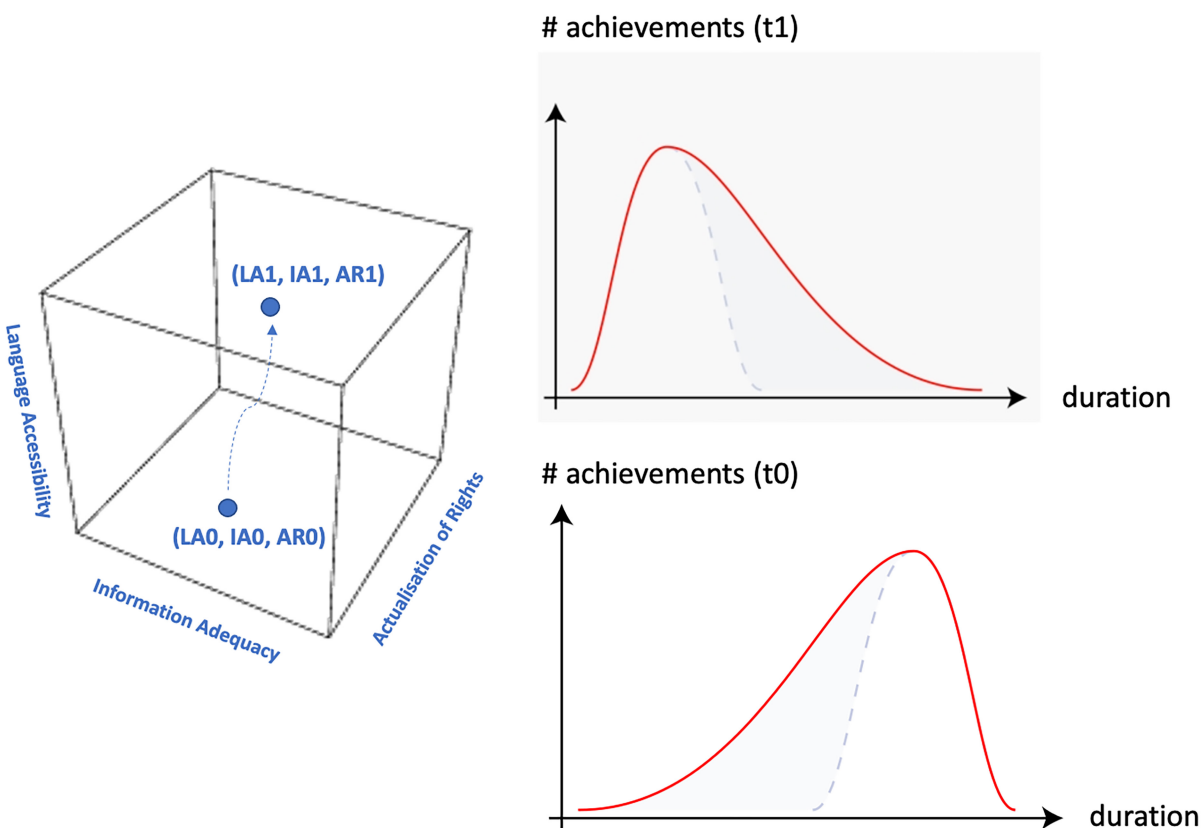**Figure 4 — Transition of a generic service delivery status from time 0 to time 1**

Now there are two points of time, 0 and 1, where some changes can be detected and (idealistically speaking) measured in both LA and AR, while IA – for whatever reason – is staying the same. Therefore, the contingent configuration of the service is no longer given by the triplet (LA_0, IA_0, AR_0) but the new

one (LA_1, IA_1, AR_1). In association with this new scenario, what can be seen is that the Mode and Median of the red curve have moved leftwards, in the sense that a far higher number of achievements is now taking place with a considerably lower duration of the underlying procedure.

From a normative perspective, **the rationale of implementing the Mediation Grammar is to provide guidelines to service providers**, so that they can act to **modify the skewness of the curve**, in order to make it (e.g.) more similar to a Gaussian distribution curve or even try to shift its statistical Mode and Median leftwards, to stay as close as possible to the origin of the (# achievements / duration) axis.

To prepare the ground for achieving this objective, it will be necessary to:

a) Understand the AS-IS situation of the service, in terms of number of achievements and duration of the procedure;

b) Explore the elements of the triplet (LA, IA, AR), to take their uncontrollable changes across time into account (e.g. modification of the composition of intended users of a service, because of the inflow of a new nationality, never seen before, like Ukraine after the start of the war); and

c) Implement the necessary initiatives that will help ensure a higher number of achievements in a shorter duration than the current one.

Both a) and b) will require a testing and measurement effort, which will be described in the remaining part of this subclause.

Prior to any evaluation, it is essential for a service provider to be in possession of **adequate, robust and consistent data sets**.

*   By "adequate", it is meant ample enough (in terms of number of observations, in case of quantitative data collection) and/or descriptive enough (in case of non-numerical data such as narratives resulting from face-to-face interviews) to enable the design and implementation of the envisaged assessment rounds.

*   By "robust", it is implied that the ways of collecting data should be methodologically sound, to avoid too many defects (e.g., broken data series, heterogeneous quality of descriptions, contaminations between the interviewer's and interviewee's opinions, etc.).

*   Finally, by "consistent", it is made reference to the fact that quite often, when there is not a continuous field activity, but data is gathered sporadically and "ad hoc", definitions may voluntarily or involuntarily change, and therefore the contents of a first collection may not be comparable (thus, can be inconsistent) with the results of the second one.

In the operational scenario proposed here, service providers can be assumed not to be in possession of the required data sets at all, or to a very limited extent only. Therefore, an initial round of data collection and analysis will be required, which needs to be designed and carried out in collaboration with service users. Broadly speaking, the following, **state of the art user research methods** may be appropriate to the purpose:

*   **Service usage data collections**: many providers (esp. online) routinely gather anonymized data on service usage by all customers, which serve as a basis for the measurement of Key Performance Indicators (KPIs). Our proposal here is to focus data collection on the duration of administrative procedures, to derive similar curves to the red one shown in the previous figures 3 and 4;

*   **User observation**: this means spending some research time with single or groups of intended users of a service, to observe their behaviours while interacting with the service provider until the (successful or unsuccessful) finalisation of the underlying procedure;

- **User diaries**: as the word itself says, this is a kind of self-reporting method, engaging participants to record their activities, experience, and thoughts about interacting with a service provider over a certain period of time. A variant of this method is the so-called "mystery client", a researcher dissimulating his or her identity while interacting, as a customer, with the service provider;

- **User inquiries (interviews)**: a simple approach to understanding what users think is to directly ask them. This can materialise within the framework of structured, semi structured or totally loose and informal interview sessions, which can be recorded or not;

- **User surveys**: a very popular method of gathering opinions, feedback and suggestions for improving a service is to prepare questionnaires to be distributed on a large scale, with open and/or closed questions regarding e.g. the user experience of a certain service;

- **Randomised control trials**: extensively used in medicine, they are based on randomly selecting the members of two user groups, drawn from a same population, so that the subjective characteristics of the group members may be assumed to be comparable if not identical. Then the first group is exposed to a change in service delivery modes (e.g., going online or adding an intermediary for certain purposes) while the second group continue to use the service as before. By comparing the user experience (or empowerment, in our case) between the two groups, one can reasonably infer whether a certain intervention Is bringing its expected results on intended users or not.

In **Annex A** to this document, the reader can find more detailed descriptions of all the above list items.

The following table 12 matches the aforementioned user research methods against (an exemplary list of) Key Evaluative Questions (KEQs) related to the topic at hand. What is evident from the table is the formation of three clusters of methods: the collection of KPIs from service usage, all proposed interactions with service users, and RCTs being the ideal approach to assessing the consequences of a service change. What the three clusters have in common is that they all take benefit from user generated data. **The main risk from a service provider's point of view is therefore to adopt a method that is inappropriate to the KEQ(s) to be contingently answered**.

Table 12 — Applicability of user research methods

Examples of Key Evaluative Questions (KEQs)	Service usage data	User observation	User diaries	User inquiries	User surveys	RCTs
What is the average duration of a certain procedure in a given period of time?	X					
What is the duration that corresponds to the higher number of achievements in a given period of time?	X					
What is the duration that corresponds to the 50% of achievements in a given period of time?	X					
How does a change in service delivery mode(s) affect the above measures of central tendency?	X					
How does a certain group of		X	X	X	X	

Examples of Key Evaluative Questions (KEQs)	Service usage data	User observation	User diaries	User inquiries	User surveys	RCTs
users distribute themselves among types A, B or C from the point of view of Language accessibility?						
How does a certain group of users distribute themselves among types A, B or C from the point of view of Information adequacy?		X	X	X	X	
How does a certain group of users distribute themselves among types A, B or C from the point of view of Actualisation of rights?		X	X	X	X	
How do the above distributions change across time?		X	X	X	X	
How does a certain change in service delivery mode(s) affect its intended users under the point of view of Language accessibility?						X
How does a certain change in service delivery mode(s) affect its intended users under the point of view of Information adequacy?						X
How does a certain change in service delivery mode(s) affect its intended users under the point of view of Actualisation of rights?						X

8.3   Publicising and sharing the results

From the point of view of evaluation, the essence of the Mediation Grammar is to be **a summative, rather than a formative, assessment methodology**. This means that instead of being implemented to improve its object of attention – user empowerment, in a word, with its related 3 empowerment gaps and 9 requirements – it aims to take a snapshot of the reality according to this special lens, which also constitutes a standardised approach for measuring the extent to which basic public services are provided in a non-discriminatory manner to their intended beneficiaries.

This has two immediate consequences:

1) First, the methodology is truly service neutral, or it can be replicated in exactly the same way, whatever the specific service being provided to its intended users (from the target population of foreign expats, regular immigrants, refugees and asylum seekers).

2) Second, in order to prove its usefulness, the methodology and the results of its application shall be made as public and communicated as openly as possible, both inside the service provider's organisation, and outside it, that is, to its extended stakeholder community.

Being disengaged from specific references to the way a certain service is organised, the MG can do justice of those heterogeneities in service delivery modes (in digital or analogue form, with or without the mediation of NGOs etc.) that are usually considered as barriers, not only to cross-country (or even intra-country, but cross-city or cross-agency) comparison and benchmarking of provider performances; but also impede the formulation of an evidence based answer to the question, whether the non-discrimination principle applies to these services, regardless of the city, county, or region, where they are provided.

The table 13 below suggests a possible way to publicise and share the assessment results:

Table 13 — Diagnostic checklist template for service providers

MG empowerment gap/requirement	Prevalence of type A users	Prevalence of type B users	Prevalence of type C users
Language accessibility/Basic vocabulary knowledge	ABC or ACB	BAC or BCA	CAB or CBA
Language accessibility/Pronunciation intelligibility	ABC or ACB	BAC or BCA	CAB or CBA
Language accessibility/Linguistic and cultural mediation	ABC or ACB	BAC or BCA	CAB or CBA
Information adequacy/Preliminary orientation	ABC or ACB	BAC or BCA	CAB or CBA
Information adequacy/Provision of specific advice	ABC or ACB	BAC or BCA	CAB or CBA
Information adequacy/Helpdesk and troubleshooting	ABC or ACB	BAC or BCA	CAB or CBA
Actualisation of rights/Horizontal	ABC or ACB	BAC or BCA	CAB or CBA
Actualisation of rights/Vertical	ABC or ACB	BAC or BCA	CAB or CBA
Actualisation of rights/Extended	ABC or ACB	BAC or BCA	CAB or CBA

In correspondence with each requirement, six are the possible configurations a service can take, which are identified using the letters "A", "B" and "C", in the same order as the decreasing size of the corresponding user group. Of course, a certain triplet, "ABC" for example, may be assigned only once to each row, excluding all other options by column, but can be repeated on other rows, indicating that the absolute prevalence of type A users and the relative prevalence of type B users is a recurrent phenomenon across several requirements. Moreover, in case a target population is relatively homogeneous (e.g., refugees from Ukraine), it is quite likely that the same order of letters would repeat itself across rows, which should contribute to simplifying the provider's understanding of results from user research. This is also why the use of the three empowerment gaps of the MG, rather than the nine requirements, can be sufficient to define the status of a generic service delivery, as done in Figures 3 and 4 above. By so doing, the sheer number of possible configurations is downsized from more than 10 million to slightly more than 200. However, it is also possible to focus the analysis on a single dimension of the MG – be they requirements or empowerment gaps – in which case the proposed user research approach would be both facilitated and more likely to provide some truly intelligible and actionable results.

Once the contents of the above table are defined, after the results of user research, quite a few interesting exercises become possible. For example, as described in Figure 4 above, it becomes possible to compare:

• Two configurations of the same service in the same location in two distinct points of time, to see whether there are any differences to be explained.

- Or in a same point of time, to compare two distinct service providers (for instance, located in the same country or region, but also in two different countries) who deliver the same service to their respective intended users.

- Or even to compare the configurations of two different services delivered in the same location by the same provider.

All the above is possible because the approach proposed here is (purposefully) neutral with respect to the specific service identified.

The next table 14 displays – **in an idealistic manner**, i.e., without referring to a real study case or service delivery scenario – how one of such possible comparisons might look like.

Table 14 — Exemplary use of the diagnostic checklist for comparative purposes

MG empowerment gap/requirement	Configuration #1	Configuration #2
Language accessibility/Basic vocabulary knowledge	ABC	ACB
Language accessibility/Pronunciation intelligibility	ABC	ACB
Language accessibility/Linguistic and cultural mediation	CBA	BAC
Information adequacy/Preliminary orientation	ABC	ACB
Information adequacy/Provision of specific advice	ABC	ACB
Information adequacy/Helpdesk and troubleshooting	ABC	ACB
Actualisation of rights/Horizontal	CBA	BAC
Actualisation of rights/Vertical	CBA	BAC
Actualisation of rights/Extended	CBA	BAC

ABC Vs. ACB: in both configurations there is a reported prevalence of "type A" users having very poor knowledge and understanding of the local language of the Host country, who may also have problems in expressing themselves clearly, and are dependent on the activation and maintenance of orientation, advice and helpdesk/troubleshooting services. The main difference between the two configurations lies in the second largest group of users, which is "type B" in one case, "type C" in the other.

Recalling the previous list of possible interpretation exercises:

- If the two configurations refer to the same service in the same location but in two distinct points of time, we can infer that some small improvements in the target population have occurred meanwhile, for example, because of the activation of dedicated language tuition services.

- If they refer to two distinct service providers (for instance, located in the same country or region, but also in two different countries) who deliver the same service to their respective intended users in the same point of time, the differences between the two target populations should be considered, albeit minimal, to the purposes of comparison.

- If the two configurations pertain to two different services delivered in the same location by the same provider in the same point of time, evidently the first one brings more difficulties than the second, where "type C" users are prevailing over "type B" ones.

CBA Vs. BAC: in the first configuration there is a reported prevalence of "type C" users while in the second one these users are a minority. From the point of view of linguistic and cultural mediation, this

means that the motivation for it is less pronounced in the first configuration than in the second. Same goes from the point of view of actualisation of rights, which is more protected in the first than in the second configuration. However, these two pieces of evidence collide with the reported prevalence of "type A" users in both configurations (see above).

This mismatch can be explained as follows:

- If the two configurations refer to the same service in the same location but in two distinct points of time, one can speculate that some external factor may have occurred and determined a more pronounced need for cultural mediation. For instance, a migrant or group of migrants previously operating as middle persons with the service provider on behalf of their fellows, may have left or ceased to collaborate for any reason, leaving people more unaware and uninformed than they were before.

- If they refer to two distinct service providers (for instance, located in the same country or region, but also in two different countries) who deliver the same service to their respective intended users in the same point of time, the existence or absence of such a self-organised mediation service should be considered, albeit minimal, to the purposes of comparison.

If the two configurations pertain to two different services delivered in the same location by the same provider in the same point of time, evidently the migrants in question should be knowledgeable only of the first and not, or far less, of the second service.

8.4 Taking decisions and actions

Being the proposed one a summative assessment methodology, all the above exercises should be finalised with an evaluative judgment. Although any activity of such a kind is prone to arbitrariness, it seems quite reasonable to make a proposal in that sense.

As was mentioned in the Introduction, the motivation of the CWA initiative is to provide a method of verification for the so-called **non-discrimination principle**, notably embedded in the EU Dublin Regulation on asylum (No. 604/2013). This operates on the assumption that, as the asylum laws and practices of the EU Member States are based on the same common standards, they should allow asylum seekers to enjoy similar levels of protection in all EU Member States. The question then becomes how to attribute to the evidence gathered as described above, a synthetic evaluative judgment summarizing it in the best possible manner.

Based on the discussion done so far, one can predict that whatever judgment would be influenced by the observation of service's performance in terms of **success by duration**, that is, the higher the Median or Mode of the curve shown in Figures 3 and 4, the less positive should be the judgment given to a certain service as it stands. However, it would be risky to draw any inferences after comparing only the average duration of two distinct services, or even of the same service delivered in two distinct locations, considering the high level of heterogeneity that characterises the delivery of these services and the neutral or agnostic attitude the MG has towards these heterogeneities.

Being little informative in absolute terms, the success by duration may be more so in relative ones – i.e., in terms of variations over time: comparing two services where the curve becomes skewer for one, less skewed for the other, across time, should be enough to identify two opposite trends in their delivery. However, the vision behind the MG should remind us that a reduction in a certain service success by duration might not be due to a real improvement of service organisation (e.g. more staff involved in service delivery), but simply to a change in the composition of the target population, with a substitution of type A or B with more type C users.

The problem therefore becomes to assess how fast the composition of that population may vary across time. Trying to be as generic and encompassing as possible, the adoption is proposed here of two distinct evaluative approaches:

- One for the short run, assuming a relatively unchanged composition of the service's intended users across time. In this case, the **observed trend of the success by duration curve's Median or Mode**[40] will be of crucial importance to determine the score and therefore the judgment over the service at hand. Note that this first approach is the one normally in use in the case of a self-assessment exercise by a single service provider, which is routinely done without making any assumption on the dynamics of the target population. Note also that this approach can also be used to benchmark the way different services are delivered (even by distinct providers) to the same target population, provided it is done in a single point of time or within short time spans;

- Another approach for the medium to long run, i.e., with a possibly changing composition of the service's intended users across time. In this case, the **observed trend of the composition of target population by typology** takes the most prominent importance for the purpose of expressing an evaluative judgment. Note that this second approach is the only usable to compare distinct service providers located in different places, that is, to verify whether the non-discrimination principle really applies within and between them.

The following two tables 15 and 16 display the possible results of implementing the respective evaluative approaches.

Table 15 — Summative assessment of a service (short run)

Static photography of the target population / Change of the curve's Median or Mode across time	Prevalence of type A users	Prevalence of type B users	Prevalence of type C users	No available user categorisation
No available information	No assessment	No assessment	No assessment	No assessment
Leftwards trend (reduced duration across time)	Best Practice	Excellent	Positive	Adequate
No change across time	Neutral	Neutral	Neutral	Neutral
Rightwards trend (increased duration across time)	Negative	Critical	Very Critical	Inadequate

The evaluative judgments used in the table are precisely the following:

- **No assessment**: this pertains to a service provider that does not keep track of the success by duration trends. Therefore, the proposed assessment methodology simply turns out to be impossible.

- **Best Practice / Excellent / Positive / Adequate**: these judgments pertain to a service provider that manages to reduce the time needed for a higher number of users to achieve their goals. The meaning of the word presented in the beginning of this clause should be reiterated here: achievement is defined as the ultimate finalisation of the administrative procedure with the materialisation of its intended outcome for the specific user involved. Reasonably speaking, this outcome happens to be most significant for a service provider when the prevailing typology of users is "A", given the higher complexity of dealing with this typology of users. Then for the same reason, the judgment decreases in emphasis while going from "B" to "C", although value creation for the users involved may not be less intense. Finally, the Adequate judgement depicts a situation

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[40] In statistics, these are collectively named, together with the mean (or average), "measures of central tendency" for the curve, as they have an influence on its shape and particularly skewness.

where the improvement, although noteworthy and documented, cannot be interpreted in relation to its ultimate capacity of increasing user empowerment because that information is not collected, or it may happen that the majority of users doesn't even reach the "A" level, which may bring other consequences with it (see the next Table 16 on medium to long run assessment and the comments related to its contents);

- **Neutral**: this pertains to a service for which no significant change occurs across time on the skewness of the achievements/duration curve;

- **Negative / Critical / Very Critical / Inadequate**: these judgments pertain to a service provider that, for any reason, increases rather than reducing the time needed for a higher number of users to achieve their goals. Evidently, this outcome happens to be most critical when the prevailing typology of users is "C", because the failure cannot even be attributed to a particularly unfavourable composition of the target population. Then the assessment decreases in emphasis while going from "B" to "A" and becomes simply Inadequate should there be no information on user types, or with the majority of users not even reaching the "A" level of empowerment[41].

Table 16 — Summative assessment of a service (medium to long run)

Change in the target population / MG empowerment gaps	Growth of type A users	Growth of type B users	Growth of type C users	No available information
Language accessibility	High risk of user discrimination in service	Moderate risk of user discrimination	Low risk of user discrimination	Unmeasurable risk of user discrimination
Information adequacy				
Actualisation of rights				

The judgments used in the table are as follows:

- **High / Moderate / Low risk of discrimination in service**: reasonably speaking, the risk of failing to document the achievement of non-discrimination decreases, but cannot be eliminated, while the prevailing typology of users goes from "A" to "B" and "C", given the decreasing difficulty in managing the latter types of users. This judgment pertains to the three empowerment gaps of the Mediation Grammar, although, at least in principle, the gathering of evidence on the evolution of target population should be carried out at the level of each requirement, and then aggregated (it this makes sense) to the level of empowerment gaps. It is also conceivable that the focus be narrowed on one single requirement only: as an example: with a sudden reduction of "type C" users and increase of "type A", there would be good reasons to reflect on the consequences of these changes for the horizontal actualisation of rights.

- **Unmeasurable risk of discrimination**: this pertains to a service provider that doesn't do any attempt at collecting information on the dynamics of intended users across the three typologies proposed in this document. Therefore, the proposed assessment methodology simply cannot be implemented.

In **Annex B** to this document, the reader can find a non-binding example of how user distribution across the three typologies can be measured for all nine requirements of the MG.

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[41] As a side note, we shouldn't forget that the "A-B-C" typology is not only applicable in its entirety, based on all three empowerment gaps (and nine requirements) of the Mediation Grammar. On the contrary, the analytical focus can be narrowed, depending on necessity, on each single empowerment gap or requirement. Again, see the next Table 16 and the comments following it.

It is important to stress here that what has been proposed in clauses 5-6-7 is a **collection of minimum requirements**. Therefore, it is perfectly possible that the way a service delivery is organised outperforms the descriptions contained in the various cells of the tables proposed therein. On the other hand, the opposite can also be true, namely that as it stands at the moment, the organisation of a certain service does not even meet the conditions described in the lower level (type A) of intended users.

In this case, and only in this case, the summative assessment methodology may become formative, and help **generate decisions and actions that go and interfere with the global design and implementation of public service assessment systems**, even before considering whether and how to revise the ways services are delivered in those particular locations.

Such decisions and actions may affect the KPI (Key Performance Indicator) collection utilised by the service provider to monitor delivery performance and document compliance with some other predefined quality standards, e.g., related to timeliness, efficiency, effectiveness and satisfaction. They may also affect the SLA (Service Level Agreement) frameworks supporting accountability, both for internally resourced services and for third party and partnership teams.

Ad hoc KPI collections and SLA frameworks play a critical role in the assessment of public services, providing consistent measures of whether they are meeting or exceeding some predefined targets or not. What the MG adds to this state of arts is a set of additional (minimum) requirements associated with user empowerment and with respecting the non-discrimination principle. Therefore, a revised assessment system in light of the MG provisions should make room for the design and implementation of a coherent set of actions to meet the following goals:

- Analyse the information flows that pass from and to the delivery teams and the individual or grouped users of a certain service;

- Define appropriate metrics for monitoring the depth and breadth of those flows, as well as their capacity to reach their intended goals in terms of clarity and consistency of operational instructions;

- Train or retrain civil servants and third parties involved in service delivery, improving their human rights and mediation literacy (knowledge and skills) not only in terms of strict procedural aspects in relation to public services, but more generally, effective acknowledgment and enforcement of the citizen rights enabled or facilitated by access to those services.

The following Table 17 proposes a sort of (indicative and non-prescriptive) blueprint to frame the aforementioned revision process:

Table 17 — Formative use of the MG for existing service assessment systems

MG empowerment gaps and requirements	Current configuration of intended users (A-B-C ordering)	Resulting decisions and action item(s)	Justification and further evidence in support
Language accessibility/Basic vocabulary knowledge	e.g., ABC, CBA…	Concerning e.g., communication, digitalisation of delivery, staff training and capacity building, monitoring, assessment, etc.	Add here
Language accessibility/Pronunciation intelligibility	…		…
Language accessibility/Linguistic and cultural mediation	…		…
Information adequacy/Preliminary orientation			
Information adequacy/Provision of specific advice			
Information adequacy/Helpdesk and troubleshooting			

MG empowerment gaps and requirements	Current configuration of intended users (A-B-C ordering)	Resulting decisions and action item(s)	Justification and further evidence in support
Actualisation of rights/Horizontal			
Actualisation of rights/Vertical			
Actualisation of rights/Extended			

8.5 Being accountable for behaviour and outcomes

A key aspect not sufficiently stressed in the above discussion is the recommendation of being transparent at all stages, sharing both internally and externally the complete results of user research as well as their implications in terms of diagnostics, evaluations, decisions and action items.

In fact, for the Mediation Grammar to have maximum impact, EU local government bodies and service providing agencies will need to evolve their accountability systems to more fully embrace and operationalise the principles of user empowerment and non-discrimination as (additional if not core) instrumental aims for all services to regular immigrants, refugees and asylum seekers. To date, very few examples exist of service providers in this domain who have built their accountability systems around the expectation that their performances (however defined) should be prone to verification and benchmarking across locations, countries, and services.

Implementation of the MG therefore provides the opportunity to move in a new direction, which makes accountability for behaviour and outcomes an integral part of the functioning of all public institutions, enterprises and NGOs active in this domain at EU level and internationally.

Some preliminary ideas to reinforce this trend towards diffused accountability may include the following:

- **Widely diffuse and share – among all involved actors and stakeholders – a more positive rationale of service performance measurement**. Too often the external communication of someone's performance is seen as a punitive mechanism, being used to highlight the delays, failures and malfunctions of those organisations and teams that are currently lagging behind in comparison to a supposedly agreed and clearly defined benchmark status. Put in this way, no incentives may be conceived of to motivate exemplary and inspiring performances, not to mention external visibility of running endeavours, including the problems and perils of implementation, possibly in the form of solved problems and recommendations to avoid them again in the future. Incentives are important though, to create an environment in which achievement is perceived as something meaningful to work toward, not just something to meet to avoid sanctions.

- **Agree on a common set of indicators for user empowerment and non-discrimination in service delivery**. This would mean to go beyond the mere analysis of intended and/or current users and focus on real achievement, incentivising and supporting continuous improvement. By so doing, one could make sure that users who are identified as off track (notably Type A) get the attention and resources they need to get back on track before it's too late. Second, one could avoid a situation where the floor becomes the ceiling and instead provide incentives for the service providers who outperform the minimum requirements of this CWA to continue to strive for more. Building such indicators would also imply a new vision of the kind of information beneficiaries of public services should be in possession of. Meanwhile, the EU legal framework for collecting comparable statistics in the migration and international protection domains is still evolving (see Regulation 2020/851).

- **Set up a roadmap with agreed targets at EU level to spur collective improvement efforts**. In recent years, local government bodies and agencies have become increasingly involved in the delivery of integration services to Third Country nationals who are entitled to receive them. While the migration phenomenon has been largely monitored and studied from different perspectives, including practitioner's, what is missing is a roadmap for what regular immigrants exactly need to achieve in a reasonably contained duration of time to become fully integrated in the host countries and societies. This roadmap with its associated targets would help foster dialogue between providers and beneficiaries of services and a broader understanding of the connections – not only between services and rights, but also – between services and services, which the MG empowerment gap named Actualisation of Rights has tried to highlight. But unless the roadmap translates into specific, meaningful targets for the medium to long term improvement of service providers, its underlying principles will remain aspirational, rather than instrumental to a full implementation of the Common European Asylum System.

- **Communicate the roadmap implications widely to EU service providers**. One of the sources of added value for the Mediation Grammar is its bottom-up formation history, in the sense that none is obliged to do anything, and nothing is superimposed; quite the contrary, the system is expected to function from the grassroots. A similar approach should be followed in communicating the aforementioned roadmap to (esp.) small and medium sized municipalities and local public service providers. In order for them to have clear improvement targets to aim for, the targets of the roadmap should be transformed into "stretched aims" that reflect the specific situation at the grassroots. It is also noteworthy that the European Commission's Action plan on integration and inclusion 2021-2021, which promotes inclusion for all, is built on the principle that effective integration requires efforts from both the person and the host community side.

- **Complement recommendations for indicators adoption with diffused capacity building efforts**. Raising standards puts increased pressure on civil servants and NGOs to improve performance and document achievements. Yet (esp.) local actors are not ready to align themselves to these new requirements unless supported by a clear strategy for building their capacity. It is important to stress here that such strategy may not need be top-down, but intertwined with the strive towards accountability of the fastest and best equipped organisations. These should be offered the opportunity (and incentives) to create operational partnerships with under-performing bodies and agencies from the same city/region or different ones, including from other Member States. In such cases, each partner entity should retain the final responsibility for any action and performance directly involving them.

Develop accountability metrics to acknowledge and reward meaningful progress in this direction. Alongside "conventional" KPIs and the suggested performance indicators from the Mediation Grammar, attention should be paid to new and "unconventional" indicators measuring how wide, open and transparent is the approach of EU service providers towards authentic sharing of resources – e.g., in evidence gathering and interpretation of user empowerment and effectiveness of integration – rather than simply communicating externally the process of service reengineering. Accountability indicators might include the following: increased recognition among peers and within the community, increased discretion in using current resources, and degree of autonomy from costly or time-consuming EU funding requirements.

8.6 Undertaking reviews and follow up actions

Up to now, the discussion carried out in this document has been framed within the Scope stated in clause 1: measuring the extent to which basic public services are provided in a non-discriminatory manner to their intended beneficiaries. However, it should be quite evident that the decisions and actions proposed in the previous paragraphs are pretty aligned with the principles of **Social Responsibility** as listed – in particular – within the EN ISO 26000:2020 international standard:

- Accountability

- Transparency

- Ethical behaviour

- Respect for stakeholder interests

- Respect for the rule of law

- Respect for international norms of behaviour

- Respect for human rights.

Despite the EN ISO 26000:2020 provisions not being prescriptive, like in a Management System Standard (MSS)[42], thus not meant for certification, they can be used as part of public policy activities – on the one hand – and in conjunction with "proper" MSSs such as those of the ISO 9001 series. In fact, the International Workshop Agreement ISO/IWA 26:2017 was approved to facilitate organisations adopting EN ISO 26000 to better understand the MSS approach in their work on Social Responsibility (SR). Its intended benefits are both to improve the performance of an existing management system by incorporating SR guidance, and to improve SR performance by using a structured management system approach.

Much in the same vein, the implications of this CWA for a public service provider willing to pursue them can be significant, in that:

a) The MG supports continuous improvement in the management of service delivery processes by shifting the attention from outputs to outcomes and from efficient technical functioning to societally and ethically relevant KPIs;

b) The permanent changes in the management system of the service provider will improve its documented capacity to comply with SR principles, which sometimes go far beyond legal compliance.

For organisations adopting Deming's PDCA (**Plan-Do-Check-Act**, sometimes known as Plan-Do-Check-Adjust) model for continuous improvement, this CWA and especially the contents of the present clause can be supportive of

- The "Plan" step, whereby data collection and analysis can suggest e.g. the revision of how the delivery of a certain public service is organised.

- The "Do" step, being the proper redesign of existing processes, tasks and working teams, e.g. tailored on a new distribution of target population among type A, B and C users;

- The "Check" step, especially through the reiteration of systematic recourse to the assessment systems proposed in this clause.

- The "Act" (or "Adjust") step, being the decisions and actions outlined in this clause and/or the restart of a new cycle in case of persistence of a non-conformity and related need for corrective action.

For those organisations holding a **certified quality management system**, the periodic use of the methodology proposed in this CWA may be supportive to the monitoring reviews and external audits of the quality control practices currently adopted as well as their capacity to ensure compliance with the highest quality standards.

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[42] A list of ISO MSS is available at: https://www.iso.org/management-system-standards-list.html.

Annex A
(informative)

Detailed descriptions of User Research methods

A.1 Service usage data collection

Information on the way service is provided and the extent to which it enables users achieve their goals has been routinely gathered by providers of all kinds through (esp.) the instrument of satisfaction questionnaires. However, with the fast progress of digitalisation and the enormous improvement of computing capacities, a growing number of private and public entities has started to collect real time data or prompt evidence on various aspects of business operations, including delivery times, disruption frequencies, peak hour delays etc. Gathering data on service usage is not only useful to (e.g.) document technical performance or report inefficiencies, but also to spot bottlenecks, prioritise interventions, and ultimately guide further transformations of service provision as suggested by a number of meaningful KPIs - Key Performance Indicators – which are designed and oftentimes harmonised on a voluntary basis or by the impulse of legislative or control authorities.

For example, the switching times of individual electricity or gas suppliers are monitored by the EU national energy regulation authorities in the context of the internal market liberalisation, and they are not permitted to exceed 21 days unless duly justified by objective reasons. In the UK, this approach is supported by a voluntary agreement known as Energy Switch Guarantee[43], which has been signed by most, though not all, of the power suppliers operating in the country, and is enforced by regular compliance checks carried out by the competent trade association.

In a related domain, the European Climate Foundation identified the excessive duration of administrative procedures as one of the barriers hindering the deployment of renewable energy installations for the production of electricity in Europe[44]. However, a punctual comparison of country performances based on a collection of field data has not been provided by the Foundation.

To conclude this overview, getting to know how long it takes to the average user or consumer to achieve their goals is certainly possible, and in some cases, particularly when made compulsory by extant legislation, already achieved by a wide majority of service providers in specific sector, such as power or water supplies. The same cannot be (yet) reported in the case of the provision of (basic or more complex) services to the migrants.

Our proposal then is to focus data collection on the duration of administrative procedures, to derive similar curves to the red one shown in the previous figures 3 and 4. Logically speaking this shouldn't be an issue for most service providers, being already in possession of the personal information on each applicant to a certain procedure and also knowing how much time has elapsed between the initial application and its successful ending. Therefore, only at a minimum cost in terms of organisational change, a precious set of KPIs could and should be defined, such as:

- Number of new applications to a certain service on each single day;

- Number of finalised applications to a certain service every day (achievements, according to our definition);

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[43] See https://www.energy-uk.org.uk/index.php/our-work/energy-switch-guarantee.html
[44] See https://resmonitor.eu/it/categories/administrative-processes/duration-of-administrative-procedure/barriers/

- Daily turnover ratio (proportion between the number of finalised applications on a given day and the number of new applications on the same day);

- Monthly turnover ratio (same proportion, but referred to a monthly span);

- Number of days associated to each finalised application (duration, according to our definition);

- Average number of days needed to reach the outcome of a service usage (or average duration, defined as the ratio between the sum of all durations and the cumulative number of achievements);

- Median number of days needed to reach the outcome of a service usage (or number of days for 50% of the applications to become successful);

- Number of days corresponding to the highest number of achievements (Mode, in our definition).

It should be noted that none of the above KPIs implies a disclosure of the personal identities of involved users in a certain service usage. With the help of these KPIs, the calculation of which should be reiterated across time, at least on a monthly basis, the evolution of service delivery could be monitored by the provider, and any change in current performance evaluated against the composition of served population by type of users, as described in the previous clauses of this document.

Note that in the case of multiple services delivered by the same provider, the above collection of service usage data should be replicated for each service involved – possibly, though not mandatorily, at the same point of time for all services (e.g. at the end of the day, week, or month). And in case of different locations of service delivery, the same exercise should be reiterated for each of them.

A.2 User observation

While the collection of usage data allows documenting – and to some extent, measuring – the functioning of a service in the aggregate, user observation lies at the opposite of an ideal continuum, as it implies the identification of one or more than one users and their tracking (close monitoring) during the interaction with the service provider. As the previous discussion should have demonstrated, it is relatively simple – though organisationally a bit expensive – to decide whether a certain service delivery is improving or deteriorating its performance across time, thanks to the KPIs listed in the previous subclause. However, this approach leaves behind a deeper understanding of the reasons why that improvement or deterioration is materialising, whether they may be due to organisational changes on the service provider's side or to modifications in the composition of served population, and also the consequences that the changing situation may have on the destinies of involved people (or the degree of empowerment of migrants, in our case).

User observation fills in this knowledge gap by offering to researchers and practitioners (including from the public sector) the possibility of observing multiple interactions between single or groups of intended users of a service and the corresponding service provider, in charge of the delivery, until the (successful or unsuccessful) finalisation of the underlying procedure (achievement, in our jargon). Among the comparative advantages of this method - compared with others listed below in this Annex - lies the possibility of disentangling whether the problems encountered by an average user during interaction are mostly due to his or her subjective characteristics or to the way the service has been organised – including with more or less digitalisation, cultural mediation, etc. Among the main disadvantages, as argued here below, lies the impossibility of drawing general conclusions and especially comparing two different service providers delivering the same service in two distinct locations or the same in two distinct points of time.

There are two principal ways of setting up user observation rounds: in controlled environments, such as testing and validation laboratories where people can be invited to stay for short periods and exposed to the user interfaces of new or existing services; and in free and open environments, such as the real

conditions of a (non-simulated) attempt at presenting an application by a previously identified group of participants. Obviously, this latter approach is the only one applicable to our case.

In order to give to user observation also a statistical value, participants – i.e. the migrants – should be selected in a way that is representative of the current composition of served population. In this sense, the recommendation of assessing whether there is a prevalence of type A, B or C users in a certain community and for a certain service, exactly goes in that direction. However, it is also fair to admit that the "true" distribution of users of a certain service across the three typologies is unknown, and most likely to be very changing, at any point in time. Therefore, what can be done basically is to define a sufficiently high number of participants in an experiment, and use its results mostly to suggest new points of view, some alternative perspectives, and maybe directions for improvement, rather than draw conclusions that may be considered as generally applicable. In fact, it is quite likely that a same experiment of user observation, if repeated in two distinct periods of time, would lead to different conclusions, just because the respective protagonists have changed in the meantime.

Another potential source of bias is the so-called "Hawthorne effect": people who are aware of being observed while engaged in some activities and for specific, known or guessed research purposes, tend to act less spontaneously than in normal conditions and especially in the direction of making those purposes evident to the observer – even unduly so. This bias should be considered and possibly controlled for during experimentation.

To conclude this overview, user observation is a powerful research methodology that has grown its popularity over time, particularly in the domain of usability testing and more generally service experience evaluation. However, its statistical basis is not solid, it requires significant number of participants to produce meaningful results, and also a qualified team of social scientists to be carried out. Finally, informed consent from participants needs to be gathered upfront to comply with ethical requirements (see Annex C below), including the avoidance of personal data sharing and external communication, contrary to service usage data analysis that is normally run in the aggregate, therefore preserving the anonymity of participants in full.

A.3 User diaries

A specific application of the user observation methodology occurs when individual participants are knowledgeable (and literate) enough to record, report and describe by themselves their activities, experience, and thoughts about interacting with a service provider over a certain period of time. Most of the research management issues mentioned in the previous clause (including how to select participants and the unstable nature of conclusions) are reconfirmed as likely to occur here. Of course, engaging participants in a kind of self-reporting may be less expensive than user observations in terms of engaged expert resources, although the planning, organisation and monitoring activities may not be less demanding. More generally, dropping the connection between observer and observed participant can be the only option in a number of specific cases: such as when it is impossible for a researcher to stay close to the user during his or her interaction with the service provider, or the number of participants in the experiment is high and largely exceeds that of involved experts.

User diaries are not necessarily written on paper. They can be audio/video recordings, or photographs/screenshots taken with promptly available means (e.g. mobile or smart phones), or even blog/social media posts or commentaries sent to the research website. This helps lower the knowledge and literacy barrier of prospective participants, though may not be applicable in some circumstances – such as during face-to-face interaction with service staff – or lead to reliable results – such as when the purpose of research is to spot gaps or mistakes in specific parts of a certain service access procedure.

In the latter case, a variant of user diaries is the so-called "mystery client" method, involving a researcher who dissimulates his or her identity while interacting, as a user/customer, with the service provider. Of course, with this method a user experience can be thoroughly described, but not necessarily reproducing the feelings of "true clients" – which may be a limitation in case of foreign

migrants showing a huge variety of cultures, or if the purpose of the experiment was to highlight the negative influence on service delivery of a prevalence of "type A" users in a certain community.

Globally speaking, the main problem with user diaries and related methods lies with the difficulty, if not absolute impossibility, of aggregating the results of individual self-reports without a strong injection of expert competency in this domain. This adds to the unavoidable bias in selecting the participants in this experiment, which may have a very strong influence on the nature and quality of results. Given the small number of people involved and the emphasis given to the contents of their reporting rather than the statistical representativeness of their profiles compared with the underlying population, this approach can and should be considered more inspirational than informative on the true status of a certain service delivery.

Finally, ethical research requirements also apply to user diaries and related methods (see Annex C below). Besides gathering informed consent, special attention should be paid to the risk of involuntary sharing own personal data and information when producing photos, videos and other specific user outputs.

A.4 User inquiries

A very simple approach to understanding what users think is to directly ask them. This can materialise within the framework of structured, semi-structured or totally loose and informal interview sessions, which can be recorded or not. Obviously the lower the structuring of an interview script (with many open questions and even space left for the spontaneous communication of feelings) the higher the need for recording the activity.

Being a time-consuming activity, for both parties involved, the number of run interviews is usually not very high and therefore unable to provide a statistically significant representation of reality. However the usefulness of the method – which explains its popularity – can be proven in a number of service related contexts: such as new idea generation, conceptualisation, design or redesign, testing or validation, usability analysis, service evaluation etc.

Activities normally start with the preparation of an interview script that is administered by face-to-face interaction, or by telephony, and more recently by audio/video conferencing systems. The higher the structuring of an interview, the lower the need to involve senior expert resources, which may lead to financial savings that can also be partly or totally reinvested in a higher number of interviews than user diaries or user observation rounds. The photograph of reality provided by interview results may also be more stable than by the other methods, particularly when the focus is set on very precise aspects of service delivery, on which the opinion of a sufficiently high number of interviewees is gathered in a relatively unequivocal manner – such as through "closed answers" to some questions accompanied by proper justifications.

Of course, the role played by the interviewer is at least as important as that of the observer, with the advantage of a shorter duration of the engagement of both parties (limited to the duration of the talk, and eventually the review of responses). However, the actual "distance" from service experience is often higher in user inquiries than in diaries or observations, which may lead to a certain bias in reporting, of unpredictable entity, including a similar, though not identical attitude to the one described by the so-called "Hawthorne effect" (see above).

To conclude this overview, ethical requirements also apply to user inquiries (see Annex C below), particularly when interviews are audio or video recorded and their degree of structuring is low. In that case, the risk of gathering data and information belonging to the personal spheres of the respondents, and being sensitive in some cases, according to the legal definition contained in e.g. the GDPR, is quite high and should be controlled for.

A.5 User surveys

Surveys – and to a lesser extent, polls - are a very popular method of gathering user/consumer opinions, feedback and suggestions for improving a service or a product. The starting point is always a questionnaire to be distributed on a large scale, directly in person or more often through an electronic system (be it telephony or web based). The questionnaire contains open and/or closed questions regarding e.g. the user experience of a certain service; typically opinion polls are supported by shorter questionnaires, sometimes composed of a single or very few closed questions, while survey questionnaires are normally longer and include open questions too.

Differently from user inquiries, surveys and polls are usually more impersonal, due to the absence of a researcher engaged in their administration, apart from some borderline cases where surveys are indeed distributed through phone calls or even in presence. Therefore, the previous considerations on the "distance" of the respondents from actual service experience and the possible manifestation of a Hawthorne-like effect during interviews, also apply to surveys and polls. On a positive note, the involvement of users in this experiment can be achieved on a truly massive scale at a rather limited cost per response, certainly lower than in any of the previously mentioned research methods.

Also from an ethical point of view, surveys and polls bring with them fewer risks than any other instruments, both because of the higher level of solidity of the underlying questionnaire – leaving little or no room to loose statements from the respondents – and due to the fact that the results are presented in aggregate form; therefore, no personal data is actually shared with any third party without the respondent's permission, which however has to be gathered in writing before the experiment starts, particularly if the survey was not anonymous.

The following Annex B describes a survey-based attempt to identify the consequences for service delivery of a certain composition of population among type A, B and C users. As for user diaries, this use of the survey instrument can be considered more as an exploration than the collection of systematic evidence, due to the difficulty of preselecting a statistically representative sample of respondents. However, its benefits for service providers are so important that it is worth considering this approach as a viable one to measure the degree of user empowerment resulting from a certain combination of target population / service organisation.

A.6 Randomised control trials

A Randomised Control Trial is based on the identification of two distinct user test groups, randomly drawn from a same population, so that the subjective characteristics of the group members may be assumed to be comparable if not identical. Then the first group is exposed to a change in service delivery modes while the second group continues to use the service as before. By monitoring or surveying the members of the two groups and then comparing the respective user experience (or empowerment, in our case), however measured, one can reasonably infer whether a certain intervention is bringing its expected outcomes to intended users or not. In our case, what is particularly recommended to use as metrics is the duration of service delivery. Variations of the RCT design may include multiple groups, each of them being exposed to a different change in service delivery mode.

The assignment of people to groups may be integral (ie. involving the entire served population) or partial (ie. when only a subset is considered – for example, only those who are now in the waiting list for a certain service). Random selection can also be done in more than one way. For example, all individuals being available to become part of a user test group can be listed thoroughly and then assigned to the different groups using a random number generator. Or they can first be divided in strata (such as type A, B and C users) and then randomly selected; in so doing, each group would preserve the same composition as the original population.

Once the groups have been identified, their members should be monitored during their interaction with the service provider. In particular, service usage data should be collected and attributed to each. As mentioned, one user test group – the control group – should be "left alone" in that interaction, while the

other(s) would be supported with specially designed measures to reduce observed gaps in empowerment. A comparison between the number of achievements by duration between test groups would bring to the forefront any limitation in the current service organisation and/or suggest directions for improvement.

An important remark is the need to control for variations in the number and identity of group members. For example, some of them may drop out of the experiment for any reason, or move from one group to another, making the results less reliable. Additionally, in the short run, one can safely assume that the composition of the population by strata would remain unchanged. However, across time, it is perfectly possible that some individuals could move from type A to B, or from type B to C, because of the influence of some external factors (e.g. attendance of training courses in the language of the host country).

Annex B
(informative)

Example of user empowerment measurement – Survey example

This survey was made in the framework of the easyRights project (www.easyrights.eu). Its goal is to measure the capacity of public services and related procedures to empower immigrants from the point of view of their integration in the host society.

Your experience will help us evaluate how existing services guarantee a facilitated usage by their intended users.

Three aspects will be assessed:

— **language accessibility,** referring to how easy it is for you to understand the language used to describe the services and how well the people in charge can explain difficult concepts, avoiding too technical jargon.

— **information adequacy,** referring to the quality and quantity of information the service provider supplies to enable you achieve your goals fully and efficiently.

— **actualisation of rights**, referring to the capability of the service provider to enable you access your rights completely, and especially when services and procedures are "nested" with one another.

For any question, please write to us using the contact form provided.

Consent form

Read the next few paragraphs to learn how your answers will be used before you begin the survey.

The easyRights project is funded by EU Horizon 2020, grant number 870980. It aims at supporting and facilitating the exercise of migrants' rights, by improving their access to public services through exploiting AI technologies.

Hereby, we would like to confirm that no personal data will be collected or stored in association with your responses to this survey. This means that your personal identity will not be tracked nor made recognisable by third parties.

We comply with the provisions of the EU General Data Protection Regulation (GDPR) that you can invoke at any time using the contact form provided. This means that you can ask to review, copy, modify or delete, wholly or in part, the information provided to us at any time now and in the future.

* Obligatory question **To confirm your understanding and acceptance of the above, please flag "I consent" below**.

I consent	I do not consent (if no consent is provided, you are kindly asked to leave the survey space at once)

1. The overall experience

1.1 Think of the last public service or procedure you used (for example, an application to get health care, a visa, a job advice, etc.) and write the name of that service or procedure here:

1.2 How would you describe your overall experience with the service procedure?

I could not complete the procedure and had to abandon it.
I completed the procedure but experienced major difficulties and obstacles.
I completed the procedure but experienced minor difficulties and obstacles.
I easily completed the procedure.

2. Language accessibility

2.1 How well did you know the terms, words and jargon used to describe the service procedures?

I could only grasp the general meaning of texts and a small number of essential words and sentences associated with the service or procedure.	I was not completely familiar with all the legal and official terms and sentences written in the instructions of the service or used by the people in charge of it.	I had a good understanding of the bureaucratic jargon and knew the meaning of most technical descriptions of procedural tasks, requirements, and deadlines.

2.2 How would you describe your pronunciation skills in the local language used by the service provider?

I have a good control of a broad range of terms but have difficulties with intonation and correct spelling due to differences in my spoken language habits, so I am at risk of some misunderstandings.	I can produce clear, smoothly flowing, well-structured speech elements and phrases, however still with occasional or recurrent pronunciation errors, which are not always realised and corrected when they occur.	I can pronounce all the sounds of this local language fluently and almost effortlessly, although with residual problems in pronouncing the most difficult sounds.

2.3 How would you describe the support received from the service staff or local mediators to let you understand the meaning of some terms, clauses, and concepts in the language used by the service provider?

I was helped by someone else with the translations during most of the service procedure, otherwise I would never have started and/or accomplished it.	I received someone's assistance to grasp the meaning of some words or sentences during the procedure in order to finalise it successfully.	I did not ask for any support to translate, interpret, paraphrase, or summarize the terminology and concepts used in service description.

2.4 Would you like to describe further your experience in relation to how easy it was to understand the language used by the service provider and by the people in charge, as well as how well they could explain difficult concepts or limit the use of technical jargon?

3. Information adequacy

3.1 How would you describe the orientation received before deciding which service was best for you? (If you didn't ask for any orientation prior to choosing the service, go to the next question)

I knew whom to ask to get the information I needed but it was impossible for me to make contact/ communicate with the staff in charge of giving me orientation.	I knew whom to ask and managed to make a number of questions but I am not sure if the staff in charge of giving me orientation understood me well and gave me the right advice.	I knew whom to ask and was largely successful in communicating and interacting with the staff in charge of giving me orientation on which service would fulfil my needs.

3.2 How would you describe the instruction received on the procedural steps to follow? (If you didn't ask for any advice prior to accessing/using the service, go to the next question)

I was advised but I did not understand / remember which steps were to be followed, by which deadlines and which documents should be prepared.	I was advised and got information on the steps needed to finalise the procedure, but I am not sure I can be capable of doing it alone.	I was advised and got information on all the details of the steps needed to finalise the procedure, which I can (or did) do on my own.

3.3 How would you describe the assistance received (by any helpdesk staff or chatbot) while in trouble during service usage? If you didn't ask for any assistance during service usage, go to the next question)

I did have some trouble and asked for assistance, but I did not receive enough consideration to solve my problems or doubts.	I did have some trouble and asked for assistance, but I did not understand the received advice or it was only partially useful.	I did have some trouble and asked for assistance, which was fully effective in sovling my problems or doubts during service usage.

3.4 Would you like to describe further your experience in relation to the adequacy of information you received prior to choosing/accessing/using the service and/or in case of trouble during service usage?

4. Actualisation of Rights

4.1 Are you aware of the full range of services you are entitled to access as a foreign migrant?

I have only a vague or partial idea of the services I am entitled to access and I don't know whom to ask for more information.	I know which services are available to me, but I miss the detailed information on which procedures I should follow to access them.	I have had repeated experiences in using a range of services, I do know what I am talking about and don't need to ask around.

4.2 Were you aware of all the steps needed to finalise your use of the service, including if there was a possibility to repeat the procedure if the first was unsuccessful?

I had only a vague or partial idea of the steps of the procedure, which I could not fulfil alone successfully, and ignored if it could be repeated in case of failure.	I had a precise or almost precise idea of the steps of the procedure, but I could not fulfil it alone successfully without an external support or guidance. This was also in case of repetition.	I knew very well the steps needed to finalise the procedure correctly and the possibility of repeating it in case of failure, without the need for support or guidance.

4.3 Were you aware that in case of failure or delay in accessing or using the service, other services of rights might have been in jeopardy?

I had only a vague or partial idea of the connections between this and other services and ignored most of the consequences of failing or being delayed in accessing or using it.	I knew most of the consequences of a failure or delay in accessing or using this service but I didn't know how to avoid or prevent them alone nor did I get any advice on how to do that.	I knew the consequences of a failure or delay in accessing or using this service and I could find the way of avoiding or preventing them alone or with someone's support.

4.4 Would you like to describe further your experience in relation to the capability of the service provider to show you the full range of accessible rights and the consequences of not accessing them, or not in full or in the right time?

5. Final notes

Thank you for taking part in this survey. Your contribution is highly appreciated.

If you would like to further help us improve our work, please leave a comment about your experience with this survey; feel free to share your impressions about how well the answers managed to apply to your experience or any other information you would like to share with us.

Thank you for your availability and support,

The easyRights team

Annex C
(informative)

Ethical issues - Service usage data collection

The descriptions of user research methods provided in Annex A have highlighted the necessity – enforced by the GDPR, the European Union's General Regulation on Data Protection, and other similar pieces of legislation at national level in most countries worldwide – to consider the consequences for personal privacy of carrying out any tests or field studies involving human participants.

However, safeguarding the privacy and keeping the confidentiality of personal data and information gathered during the interviews, polls or surveys is not the only requirement of a well organised ethical research. In particular, the design and conduct of tests or studies should ensure that the rights and safety of individuals are protected at any time.

This includes the following, non-exhaustive, list of additional concerns:

- The personal status, feelings and attitude of every participant should be respected. This holds particularly true in case of members of the migrant population.

- Informed consent forms should be gathered, holding the signatures of each participant and leaving to them a copy, prior to the initiation of any activity. However, this legal requirement would only be partially fulfilled in case the consent forms were only drafted in the host country language that migrants don't know, or used some legal or technical jargon that would be hard to understand even for a native speaker of that language.

- Irrespective of any formalism, what really matters is that the participants in the test or study are provided upfront with sufficient information about its purposes and ways to be carried out, to be enabled to decide whether to participate or not on the basis of that information – always on a voluntary basis and never because of the effect of any sort of coercion.

- Much in the same vein, participants should be entitled to withdraw from the test or study at any stage, and ask for the permanent removal of any personal data or information previously supplied (the so-called "right to be forgotten").

- Specific permission should be withdrawn in case of audio/video recorded interview sessions. Transcripts of the responses received should be shared with the participants and modified on their simple request.

- Wherever possible, anonymisation or pseudonymisation techniques should be adopted and implemented, to avoid the storage or sharing of data or information that are unnecessarily associated with the personal identities of respondents (the so-called "principle of appropriateness" in data gathering).

- No significant harm should be generated by the participation in the test or study activities. This particularly refers to excessive levels of physiological or mental effort. Special attention should be paid to protecting the integrity of vulnerable participants, such as children, elderly, or people with disabilities.

In most countries, the above recommendations reflect the provisions of GDPR or equivalent legislation, as far as data and privacy protection is concerned. However, the ethical concerns are broader, as it is also evident from the previous list. Several good practice examples exist in addressing ethical issues: for

example, some countries worldwide have a dedicated legislation on the topic, while many others don't. Therefore, the institutions such as academia located in those countries simply follow self-defined ethical protocols and have established ethics committees to produce and enforce specific regulations. Additionally, quite a few professional organizations have published codes of practice for the ethical governance of research and experimental work. The aim of such codes of practice is to safeguard the welfare and rights of those involved, including participants and other people who could be affected by the test or field study, as well as the investigators themselves.

Annex D
(informative)

Specificities of deaf people

Deaf people are a linguistic minority with their own language, culture and customs. The tendency to classify them only from the perspective of disability, which is important when addressing their living needs, sometimes leads to neglect the linguistic aspect, which is fundamental when attending to the deaf migrant or refugee population.

In this Annex, a few guidelines are proposed in order for the staff in charge of providing services to migrants and refugees to become aware of the specificities of the deaf community and able to attend to this linguistic minority group in the most effective way.

First step in fact is always to become aware of what the service task entails. The consequences of the diversity of served population are to be addressed in the best possible way. This includes improving the training of service provider's staff to get them ready, at least in a basic way, to deal with different human realities, such as disability and, more specifically, deaf people.

Taking into account the specificities of deaf people is key to provide them with understandable information in their own sign language or in IS (International Sign Language) that are the means of communication of deaf people. This also entails ensuring:

1. Knowledge of basic vocabulary, to understand technical/administrative keywords or short phrases associated with instructions on how to access a particular service, when reading texts provided to them on paper or as online content and when using a sign language interpreter and a deaf mediator for deaf people.

2. Intelligibility of pronunciation, to be able to interact verbally with the attendant at the service desk (either a human being or a virtual bot), ensuring that a different pronunciation of certain words is not an impediment to good communication; especially important with deaf people who use Sign Language.

3. Linguistic and cultural mediation to request and receive, if and when necessary, individual support from competent personnel (from public sector organizations and/or NGOs) in the absence of specific measures to fill the above-mentioned gaps, i.e. sign language interpreters and deaf mediators for deaf people.

Access to basic services

This CWA aims to achieve an extension of the non-discrimination principle to all basic public services that regular immigrants have the right to access and take benefit from, irrespective of their port of disembarkment, on the territory of any EU Member State, because of their acknowledged legal status (therefore, ignoring the case of irregular migrants), which puts them in a position of equality of treatment with respect to the nationals of the Member State concerned. Examples of such basic services include: application for a certificate of residence or a disability certificate, request for a tax identification number, renewal of a work permit etc., up to applying for the gateways to access the host country's education, health and social care systems.

For deaf people and people with disabilities this is a very important step in order to gain access to various grants, generic and specific services.

Scope

As it is indicated in the CWA, three dimensions are identified as key and presenting most challenges when service delivery is in place: Language accessibility, Information adequacy and Actualisation of rights.

Keeping in mind the specificity of deaf migrants, the following recommendations apply:

- **Language accessibility:** Deaf people's basic vocabulary knowledge, pronunciation intelligibility and linguistic and cultural mediation can definitely be improved with the use of Sign Language interpreters and Deaf Mediators, fundamental when it comes to ensure deaf migrants, expats or refugees are understood in their own sign language and understand the whole process.

Information adequacy and actualisation of rights: Deaf people also share the need to receive adequate and usable information to access available services in full. Again, having the right professional figures involved (sign language interpreters and deaf mediators) is key to ensure that provided information can actually and fully be understood

Table D.1 — How service can be improved under the perspective of language accessibility

Dimension	Subdimension	Evidence	Interpretation	Action
Language accesibility	**Basic vocabulary knowledge**	Front-line staff members are not trained to deal with the specificities of deaf people, and they also have difficulty in recognising them or in making an estimate of their sheer number within the migrant population. A deaf refugee/migrant can also be perceived as too aggressive when using sign language or a very loud voice to try and communicate.	It is key to be able to identify deaf migrants so they can be properly guided through the whole process ahead of them. Example: if a deaf migrant doesn't understand a written text in the nationally spoken language, the active presence of a Deaf Mediator would be essential for them to access that information properly.	When a deaf migrant goes to the front desk to ask for information, that would be the first (and best) place to identify them and thus offer dedicated support with SL Interpreters and Deaf Mediators. Additional ways to display and communicate relevant news and information to deaf people can include using IS (international signing language) in dedicated videos.
	Pronunciation Intelligibility	The log files of a new voice bot – supported by best of breed AI – have revealed a good number of interrupted calls.	Deaf people are tremendously heterogenous when it comes to the use of an oral language. Many can be able to speak in their national oral language but may not be able to do it in a foreign oral language.	Have a real person providing the service to deaf people so they can use different communication techniques: SL Interpreters and Deaf Mediators, pictures, short sentences, visual information etc.
	Linguistic and cultural mediation	A new digital service portal supports a wide range of services procedures and their related application forms, but people continue to prefer face to face interaction with desk staff.	Deaf migrants are keen to fulfil any service procedure face to face if they don't have a deaf/signing person who could help them with the online version of the service and for the same reason they would rather avoid telephone delivered services.	Setup both online and offline training sessions, accessible to deaf migrants (with SLI and Deaf M), have some of the contents already prepared in sign language (IS) and ensure that face to face interaction with service staff is ensured.

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