

1. Polish experience in decentralisation

1.1. Empowerment of local communities

The efficient functioning of local government units depends to a large extent on the dialogue and level of engagement of residents in policy-making processes. Continuous dialogue enables local communities to directly participate in decision-making process, openly declare their needs, and have a direct impact on local policy priorities. Given that, the idea of self-governance among local communities should be constantly developed, as it is the basis for increasing social welfare, strengthening mutual ties, and empowering local communities.

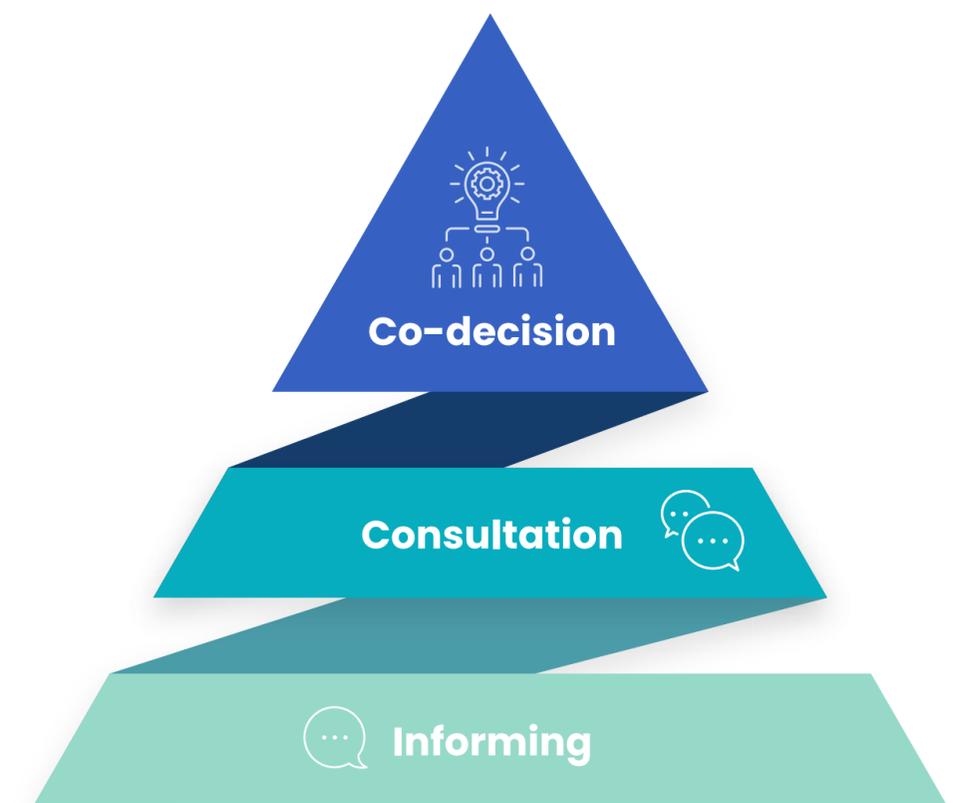
Generally speaking, successful interaction between local authorities and residents depends on three factors:

1. the functions of the local authorities'
2. potential of local people;
3. general conditions, such as the level of understanding and social communication, developed forms of cooperation, and mutual trust, among others³.

In Poland, empowerment of the local community is carried out through a 'participatory process', which means engaging local people to participate in elections, referendums, decision-making, and control activities at local, regional, and

national levels. Most frequently, self-government units act as a platform for cooperation between public authorities and residents. The participatory process can take three forms, namely informing, consultation, and co-decision. Each form is realised through a Public Information Bulletin (BIP), public consultation, or civic budget, accordingly.

GRAPH 1. Levels of participation



3. Wankiewicz, B. (2011) 'Samorządność jako wyzwanie dla rozwoju lokalnego', *Ekonomiczne Problemy Usług*, No 71, pp. 121-135.

Informing

Besides traditional communication channels (newspapers, radio, TV, leaflets), there are some tools available for the online communication of local governments with residents, namely:

- web pages;
- Public Information Bulletin;
- Electronic Client Service Office;
- ePUAP (Electronic Platform of Public Administration Services);
- tourist applications (e.g. electronic tourist maps);
- electronic newsletters;
- social networks;
- YouTube channels;
- SISMS;
- Social Consultation portals.

For instance, the Public Information Bulletin (www.bip.gov.pl) was created to make public information available online. Each institution that is financed by public funds is obliged to report on its activities through the BIP. The bulletin provides access to official documents and shares information on the activities of public authorities and officials. Another example

is SISMS, an information and communication technology (ICT) system used by local governments, organisations, service providers, and commercial organisations to inform residents and others of local initiatives, extreme weather events, accidents, and threats by SMS-messages. Due to cooperation with cell line providers, the system allows local governments to inform residents living in specific areas or even streets. At this stage, citizens do not have any influence on actions taken by authorities and just passively receive messages and information.

Lessons learned. Based on a number reports and articles⁴, at this stage there are no channels allowing the local government to receive feedback from residents, most often just decisions already made are communicated. According to a survey conducted in 2017 in small and medium-sized towns in the Pomeranian Voivodeship, the following issues were detected: the hindered access of residents to online information on implemented/ongoing projects, public policies, and participatory processes and the lack of a dialogue platform for sharing residents' thoughts and opinions⁵.

Consultation

Consultation is another important tool that envisages the active participation of local communities in dealing with issues and challenges. The right to public consultation is derived directly from the Constitution of the Republic of Poland (Article 4). These activities are to lead to the effective and long-term maintenance of the balance between the municipal authorities and the local community and to enable the implementation of tasks for the benefit of the residents. **Given the Polish experience, the involvement of non-governmental organisations, civic initiative organisations, and business organisations in the consultation process allows for the elaboration of a more comprehensive approach in solving local problems and making key decisions concerning local development.**

Lessons learned. Public consultations take various forms, although some are limited to obtaining opinions from citizens by surveys and polls, others by emails and phone calls⁶. These forms do not always promote constructive dialogue between local authorities and residents. Moreover, sometimes there is a lack of feedback or reports on completion of consultations from authorities. Another issue is focusing attention

4. Jaskulska, M. (2019) 'Partycypacja publiczna w polskich miastach i miasteczkach na przykładzie województwa pomorskiego', *Zarządzanie Publiczne*, No 2(46), pp. 97–117.

5. *Ibidem*

6. Gurgul, A. (2020) 'Konsultacje społeczne przez internet wzbudzają protesty krakowskich aktywistów', *Wyborcza.pl*, 15 April 2020, available at <https://krakow.wyborcza.pl/krakow/7,44425,25871803,konsultacje-dot-parku-przy-karmelickiej-zielonej-starowisnej.html?disableRedirects=true>

on small investments (e.g. refinement of public spaces) and not on strategic decisions⁷. **In order to take into account the opinions of residents and avoid disagreements, consultations should be organised at the earliest possible stage of the decision-making process.**



Co-decision

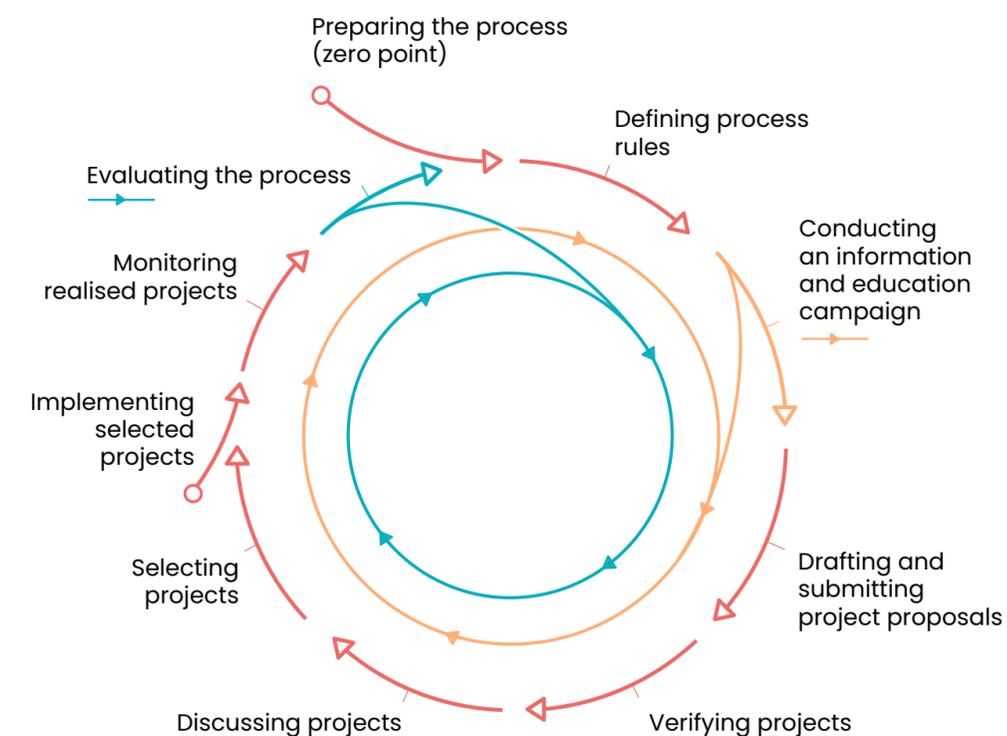
Co-decision is the highest level of civic participation due to full partnership between authorities and residents and consists of giving residents some competence (but also responsibility) in the scope of the actions and decisions undertaken. A participatory budget (also called a civic budget) is a democratic process of discussion and decision-making in which the residents of a municipality decide how to spend some share of its budget. Sopot was the first Polish city that introduced the participatory budget in 2011. The initiative was largely supported by the local community, so next year Elbląg, Poznań, Zielona Góra, and then many large cities, including Warsaw, introduced the initiative.

A participatory budget enables local communities to directly influence decisions on allocating a portion of the public budget to projects submitted by residents. It is therefore an effective way of involving residents in the planning of spending

public funds that have been put at their disposal by the authorities. The adoption of a participatory budget has a legal basis. It can be legally introduced in municipalities, districts, and other local government units. Councils may define an amount allocated from the general budget of their unit which will be spent in accordance with the will of the residents as expressed in an open vote.

Lessons learned. In 2014, Łódź became one of the first large cities to introduce a civic budget. Due to this, within five years over 700 projects worth PLN 190 million were implemented. City residents can submit applications and vote for city projects, which aim at improving the quality of infrastructure throughout the city, and local projects, primarily for residents of all five districts. A separate budget is allocated for the several project categories. Local authorities are given the possibility to choose the appropriate form of voting (traditional, online), so it has a positive affect on the engagement of young and older people in the decision-making process. In April 2020, the city authorities stated that because of the COVID-19 pandemic and the anti-crisis measures taken, there will not be a project competition within the civic budget⁸. Some local governments also resigned

GRAPH 2. Stages of participatory budget



7. Jaskulska, M., op.cit.

8. Radio Łódź, Łódzki Budżet Obywatelski jednak wystartuje, available at <https://www.radiolodz.pl/posts/61921-lodzki-budzet-obywatelski-jednak-wystartuje>

from organising public discussions in order to avoid large-scale spreading of virus. However, such decisions cannot be made by the authorities of cities above 100,000 residents for whom the civic budget and voting is a statutory obligation. The Association of Polish Cities appealed to the government to suspend the provisions on civic budgets in 2020. However, the government is not planning any legislative changes regarding exemption from the statutory obligation to organise civic budgets. Therefore, given the situation, some residents may be excluded from the decision-making process. In order to successfully manage the participatory budget this year, in some cities, the budget has been decreased. Regarding Łódź, it was reduced by half as compared to the previous year and estimated at PLN 24 million⁹.

Based on the above overview, the following is a summary of the different types of comprehensive interaction and empowerment of local communities.

The development of local democracy and modern technologies opens up new opportunities for residents to participate in the work of local government bodies. According to Article 61 of the Polish Constitution, any citizen has the right to

TABLE 1.1 **Types of interaction and empowerment of local communities**

INTERACTION TYPE	COMMUNICATION MODE	CHARACTERISTICS
 Informing	One-way communication	Easy access to information, clear and comprehensive method of narration, emphasising main ideas and priorities, possibility to receive feedback from recipients (electronic voting, using emoticons).
 Consultation	Two-way communication	Joint discussion of a long list of ideas, the main goal is to find a consensus among different views.
 Co-decision	Symmetrical communication with the active engagement of all parties	Based on opinions and information gathered in previous stages, a mutually beneficial decision should be made and shared.

obtain information about the activities of public authorities and officials. Moreover, citizens have the right to access documents and meetings of public authorities with the possibility of asking questions and recording sound or images. Due to the situation related to the spreading of the coronavirus infection in Poland, meetings of public authorities have shifted to an online mode. It should be noted that even before the pandemic, the online transmission of the meetings was mandatory based on Article

20 (1b) of the act on municipal self-government¹⁰. But often, due to technical or other problems, the meetings were limited to the in-personal participation of citizens. As the Polish experience has shown, conducting online transmission with citizen participation is the most challenging for small municipal governments and auxiliary units. A civic network Watchdog noted that there were cases when an online session was scheduled, but due to some reasons not available online or the programme supporting the

9. Zboińska, A. (2020), 'Łódź. Budżet obywatelski w czasie pandemii koronawirusa. Zmieniają się zasady, będą różne pule zadań', Dziennik Łódzki, 22 June 2020, available at <https://dzienniklodzki.pl/lodz-budzet-obywatelski-w-czasie-pandemii-koronawirusa-zmieniaja-sie-zasady-beda-rozne-pule-zadan/ar/ci-15039740>

10. Ustawa z dnia 8 marca 1990 r. o samorządzie gminnym, available at <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19900160095>

session was available only for councillors¹¹. Obviously, using new technologies and adhering to the rule of law can enhance more productive cooperation between local authorities and residents and empower all parties to engage in the policy-making process.

Another instrument that allows local citizens to impact the policy-making process at the local, regional, or central level is a petition. It can also be considered as a control tool over authorities and organisations fulfilling public tasks. Each citizen aged eighteen years or older has the right to submit petitions under Article 63 of the Polish Constitution. **In Poland, authorities cannot leave a petition unanswered, which makes it a tool for influencing authorities' activities via a grassroots initiative. The petition should be considered without undue delay, but not later than within three months from the date of its submission.** Communication between the petitioner/s and recipient is part of a wider dialogue between authorities and citizens. As Polish practice shows, for various reasons – often justified – most petitions are not considered positively. But if a petition meets all formal and procedural conditions and includes an efficient solution to considered issues, it will without a doubt be considered positively. According to the annual reports of the Petitions Committee, for the period 2015–2019, only 39 (5.2%) petitions to the Sejm were positively considered.¹²

It should be noted that local government seen as a self-governing community makes sense only with respect for the principle of subsidiarity. According to this principle, socio-economic issues should be resolved at the lowest, smallest, or most remote from the centre level at which these solutions would be possible and effective. Whereas the central government should play a subsidiary role in solving only those tasks that cannot be effectively performed at the local and/or regional level.



SUMMARY

In summary, the empowerment of local communities promotes:

- economic efficiency;
- independence of the local community;
- strong ties between an individual and the community;
- participation of residents in managing local affairs.

Poland has succeeded in building effective communication between local authorities and residents, but in any case the level should be steadily improved and maintained. The lack of cooperation of local authorities with the local community may lead to the distortion of the idea of decentralisation in itself and, consequently, to depriving communities of the ability to decide on their living needs. This, in turn, may hamper the sustainable development of local communities.

11. Kłucinska, P. (2020), 'Sesje online – czy są zgodne z prawem?', *Sieć obywatelska Watchdog*, 1 July 2020, available at <https://siecobywatelska.pl/sesje-online-czy-sa-zgodne-z-prawem/>

12. Sieczkowska, G. (2020), 'Efekt społeczeństwa obywatelskiego: rośnie liczba petycji kierowanych do Sejmu', *Konkret24*, 23 July 2020, available at <https://konkret24.tvn24.pl/polska,108/efekt-spoleczenstwa-obywatelskiego-rosnie-liczba-petycji-kierowanych-do-sejmu,1023625.html>

Public consultation process in self-government units in Poland

CASE STUDY

Public consultations conducted under the project entitled **The concept of solving bicycle traffic in the Żoliborz District** within projects submitted to the participatory budget of the Capital City of Warsaw, carried out on January 25 - February 19, 2016.

01 INITIATING

Żoliborz District Office initiated consultations on solutions to bicycle and pedestrian traffic in the Żoliborz District (Warsaw).

02 PREPARING

In cooperation with the Road and Communication Office, it was analysed traffic flows and made first assumptions.

03 INFORMING

The District Office defined communication channels (traditional and virtual), informed residents on the subject of consultations, and advised of meeting locations and dates.

04 CONSULTING

Residents participated in the consultations during two organized public discussions and separate meetings with contractors.

05 GATHERING OPINIONS

Based on the collected opinions, 53% of comments were taken into account, 18% - were partly considered, 29% - were rejected.

06 SHARING INFORMATION ON DECISIONS TAKEN

Upon consultations completion, all participants and stakeholders received a summary of the results of consultations.

IMPLEMENTATION

The project has been implemented based on collected residents opinions by a contractor selected through a public procurement procedure.

07 EVALUATION

Żoliborz District Office evaluated the consultation process - whether the assumed goal of the process has been achieved, what methods of operation have worked and what have not.

EVALUATION

INITIATING

PREPARING

INFORMING

CONSULTING

GATHERING
OPINIONS

SHARING
INFORMATION
on decisions taken

IMPLEMENTATION

