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### **The Role of Non-Governmental Organisations in Public Services Delivery at the Local Level – the Case of Poland**

The socio-economic and political changes in Poland after 1989, the process of reforms commenced in that period and the decentralisation of administration exerted a substantial influence on the change in the attitude to the process of public service delivery at the local level. This process owes its shape, first of all, to the essence of the reactivated local government, implementation of certain elements of the conception of new public management and Poland's integration with the European Union. The aim of this paper is to determine the actual influence of the third sector on the process of public services delivery at the local level in Poland. The attempts are made to answer the basic question if the existing legal possibilities of local government are reflected in an effective provision of public services for citizens. The literature and the results of published research show that non-profit organizations more and more often establish cooperation with public administration, especially at the level of local government. In Poland, a practical reflection of this cooperation are created joint cooperation programs of municipalities and non-governmental organizations. Due to the specificity of goals and the local nature of activities of a large number of non-governmental organizations, local government is a natural partner for cooperation in this sector. Despite the significant development of multifaceted cooperation between NGOs and the public sector in Poland, there are many different obstacles and problems hampering this cooperation, which are in part indicated in this article. Numerous conducted studies on the barriers and the development of this cooperation also formulate a number of recommendations for the system and for entities of the cooperation in order to improve this situation.

**Keywords:** non-governmental organisations, local government, public services, cooperation, standardisation of cooperation.

### **Роль неурядових організацій у наданні державних послуг на місцевому рівні – приклад Польщі**

Соціально-економічні та політичні зміни в Польщі після 1989 року, у цей період розпочався процес реформ та децентралізація управління справили істотний вплив на зміну ставлення до процесу надання державних послуг на місцевому рівні. Цей процес зобов'язаний своєю формою, насамперед, сутності відновленого місцевого самоврядування, реалізації окремих елементів концепції нового державного управління та інтеграції Польщі до Європейського Союзу. Метою даної роботи є визначення реального впливу третього сектору на процес надання державних послуг на місцевому рівні в Польщі. Зроблено спроби відповісти на основне питання, чи відображаються наявні правові можливості місцевого самоврядування в ефективному наданні державних послуг громадянам. Незважаючи на значний розвиток багатогранної співпраці між неурядовими організаціями та державним сектором у Польщі, існує багато різноманітних перешкод і проблем, які перешкоджають цій співпраці, які частково зазначені в цій статті. Численні проведені дослідження щодо бар'єрів та розвитку цього співробітництва також формулюють ряд рекомендацій для системи та для суб'єктів співробітництва з метою покращення цієї ситуації.

**Ключові слова:** неурядові організації, місцеве самоврядування, комунальні послуги, співпраця, стандартизація співпраці.

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## 1. Introduction

Non-governmental Organisations (NGO) have their origins in the processes of democratisation and decentralisation of the State. In Poland, the socio-political system changes, which started in the late eighties of the twentieth century, gave the foundation to build the basis for the development of civil society and the third sector. This process took place simultaneously with the process of the reconstruction of local government. It is argued that without the construction of a system basis for the development of civil society in Poland, it would be difficult to rebuild effective local government. These bases are reflected in Polish legislation. It creates a framework for the functioning of the partnership principle, the rules of social dialogue, or the principle of subsidiarity.

Joanna Woźniczka rightly emphasises that the ideas of social dialogue are reflected in the preamble of the Constitution and the laws and constitutional principles contained therein. The legislator points to the need for consultation and dialogue of public authority bodies with self-organizing civil society institutions. Another of constitutional principles – the principle of subsidiarity – strengthens the rights of citizens and their communities. It also specifies the sphere of relations between the State and society. In this context, it is necessary to give due importance to civil initiatives, involving the NGO sector, by creating conditions for the development of civil society institutions, civil dialogue, citizenship shaping various forms of social participation, and thus to contribute to the dynamic development of the concept of socialised formula of public services<sup>2</sup>.

It is also worth stressing that today the privileged position of the State in the democratic system is balanced by the concepts of governance (public sphere management), assuming, as in the case of the idea of social dialogue, a greater share of social factors in decision-making processes<sup>3</sup>.

Non-governmental organisations, which are an essential element of development of civil society, are an essential element in supporting the activities of public administration in carrying out its functions. In support of this thesis it is worth quoting one of the authors, who claims that “... non-governmental organisations provide structures for joint action and meeting common needs, often without regard to the structure of the State. They create channels of the representation and advocacy of individual groups and mechanisms of their reconciliation. In them we learn to work together and we have the opportunity to practice democratic rules. This is where the action for the common good is possible – not by bestowing or command of power, but simply because we consider certain matters important for us and for others...”<sup>4</sup>.

As a rule, the term “non-governmental organisations” emphasises their independence from public administration (the government), but also by taking their role in the functioning of society, they are called the third sector, where the first sector is public administration, the second sector – the business sector, i.e. all institutions and organisations whose activity is profit oriented, also known as the private sector<sup>5</sup>. A feature of non-governmental organisations which distinguishes them from the others is their non-profit activity, that is the fact that their activity is not profit oriented. These organisations are also sometimes referred to as volunteering, since their activities are largely based on the action of volunteers. The term “non-profit sector” occurs in the literature under other names: “voluntary sector”, “independent sector”, “social economy sector”<sup>6</sup>.

Maria Broniewska rightly stresses that the increasing importance of the New Public Management (NPM) resulted in the significant development of the idea of cooperation in the functioning of the public sector, noticeable in Poland, especially after the accession to the European Union. The author also

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<sup>2</sup> Woźniczka, J. (b. r.). *Współpraca zamiast konkurencji, czyli partnerstwo jako narzędzie przemian gospodarczych, środowiskowych i społecznych. E-przewodnik streetworkingu*. Retrieved from: <http://www.ab.org.pl/e-przewodnik/tekst/1.pdf>. (Access: 1.03.2016).

<sup>3</sup> Rymśza, M. (2006). *Standardy współpracy administracji publicznej z sektorem pozarządowym. Ekspertyza przygotowana na zlecenie Ministerstwa Pracy i Polityki Społecznej*. Warszawa: Ministerstwo Pracy i Polityki Społecznej, p. 5.

<sup>4</sup> Sasinowski, H. (2012). Społeczeństwo obywatelskie i jego rola w budowie demokracji, *Economy and Management*, nr 1, pp. 41-42.

<sup>5</sup> See: Frączak, P., Skrzypiec, R. (2011). Organizacje pozarządowe – w poszukiwaniu kryteriów definicyjnych, *Federalista*, nr 8, pp. 67-85.

<sup>6</sup> Wójtowicz-Dawid, A. (2011). Organizacje pozarządowe i ich rola w realizacji spójności społeczno-ekonomicznej – wybrane aspekty prawne. *Nierówności społeczne a wzrost gospodarczy. Modernizacja dla spójności społeczno-ekonomicznej, zeszyt nr 18*, p. 335.

argues that in the modern public management two trends can be seen clearly. The first is the shift from repetition and duplication and executing instructions to focusing on creativity in problem solving, and the other is the creation of partnership relations not only within the public sector, but also cooperation with organisations from other sectors. Additionally, in the field of external relations, the ability to operate in a competitive environment, focusing on the customer and citizen and the reorganisation of public services are emphasised. The direction of these activities is also compatible with the Public Governance (PG) – a dynamic concept of managing public organisations, referring to the NPM and being its practical manifestation. It also realises the assumptions of CSR (Corporate Social Responsibility) implemented in public administration both in terms of relations with citizens and businesses. In particular, it is demonstrated in the treatment of citizens as clients, and in the pursuit of social profit maximisation and in the application of openness and transparency of public institutions<sup>7</sup>.

We should share the point of view Tyrakowski that in recent years there has been a significant increase in the number of non-profit institutions in Poland. One of the reasons for the dynamic growth of this sector is, among others, a large influx of social needs from various groups, such as the unemployed, as well as a loss of confidence in public institutions, which are not able to satisfy all needs<sup>8</sup>.

The research methods used in the present paper embrace in particular: the technique of systems analysis, document analysis, quantitative and qualitative analysis. Moreover, a review of official source documents, such as programmes and strategies of cooperation between local government and NGOs is conducted. The analyses performed have been made on the basis of the current literature and source documents, as well as the author's own observations.

The characteristics of the state of inter-sectoral cooperation has been prepared with reference to the available literature and the results of empirical research conducted by the most important centres dealing with the problems of the third sector (Klon / Jawor Association, Institute of Public Affairs, Research Centre of Local Activities, Institute of Philosophy and Sociology of the Polish Academy of Sciences, Institute of Labour and Social Affairs, and others).

### **The essence of public services with particular emphasis on the services provided by the third sector**

Legal acts governing the functioning of local government in Poland do not define the concept of public services. They show only the categories of tasks assigned to the given local government unit for implementation. Only the Act on Municipal Economy refers to the concept of municipal services. They are defined as tasks aimed at current and uninterrupted satisfaction of collective needs of the population through the provision of services commonly available<sup>9</sup>.

Following Justyna Przywojska, it should be emphasised that regardless of the multiplicity of definitions of public services, we must indicate their basic characteristics, that is the responsibility of public administration for the organisation of their provision in a way ensuring their continuity and sustainability. This means that recipients can be assured of uninterrupted fulfilment of their collective needs, regardless of economic conditions. Public services should therefore be treated as general social, intangible, non addressed services, provided free of charge or for a consideration to the general public or local communities, the subject of which is the supply of public goods. Their characteristic feature is the lack of possibility to exclude any member of the public (local community) from their consumption<sup>10</sup>.

Following B. Kożuch and A. Kożuch, public services can be defined as public goods, in the case of which it is impossible to exclude anyone from using them. These are goods which, regardless of the number of users, have a specific value which is not affected by subsequent users<sup>11</sup>.

<sup>7</sup> Broniewska, M. J. (2012). Model współpracy samorządu terytorialnego z organizacjami pozarządowymi. *Acta Universitatis Lodzianensis, Folia Oeconomica* 270, p. 256.

<sup>8</sup> Tyrakowski, M. (2007). Rola organizacji pozarządowych w rozwiązywaniu problemów społecznych. *ZNZE WSiZ* 2(4), p. 183.

<sup>9</sup> The Act of December 20, 1996, on Municipal Economy, Journal Of Laws of 2011, No. 45, item 236, of 2015, item 1045, 1890..

<sup>10</sup> Przywojska, J. (2014). *Nowe zarządzanie i governance w pracy socjalnej*, Warszawa: Centrum Rozwoju Zasobów Ludzkich, pp. 160-161.

<sup>11</sup> Kożuch, B., Kożuch, A. (2011). *Usługi publiczne. Organizacja i zarządzanie*. Kraków: Instytut Spraw Publicznych UJ, pp. 34-36.

The authors point that these are, therefore, services provided by public administration directly to the population in the frame of the public sector or by private entities providing the service. In this respect there is social agreement providing for the provision of certain social services to all, regardless of the amount of the obtained income. The need for public interest realisation through public service delivery causes the fact that the satisfaction of citizens' needs in this way is accompanied by two fundamental facts which distinguish public services from other types of services: 1) non-competitive nature of consumption, 2) the impossibility of exclusion from consumption<sup>12</sup>.

It should be noted that this definition leads to the classical division of public services provided by local government: administrative services, municipal (technical) and social services. Administrative services include the tasks carried out by public administration, linked to the implementation of administrative activities. Public services of a technical nature are related to the implementation of appropriate technical infrastructure (road networks, water supply, sewerage, power grids)<sup>13</sup>. Whereas the main subject of cooperation of local government and non-governmental organisations is the implementation of social services.

According to Richard Szarfenberg, social services have specific characteristics: 1) consist in direct dealing with human beings; 2) are mandatory in consumption; 3) are based on social rights; 4) are granted free of charge to communities or payment does not cover the full cost of services; 5) are provided by people outside the inner circle of emotional ties; 6) are financed from funds collected voluntarily and / or mandatorily from others than providers; 7) are provided by professionals; 8) have aid character.<sup>14</sup> It should be pointed out that these features to a large extent characterise the non-governmental sector<sup>15</sup>.

### **The legal basis for cooperation between local government and NGOs**

The key piece of legislation, which is essential from the point of view of public task outsourcing to non-governmental organisations is the Act of 24 April 2003 on Public Benefit Activity and Volunteerism (UDPP) (Journal of Laws of 2003, No. 96 item. 873). The Act was specifically designed to allow the participation of entities of the third sector in the implementation of part of public tasks. The law distinguishes two modes of involving of non-governmental actors in the execution of public tasks: 1) outsourcing of public functions, including the granting of subsidies to finance their implementation or, 2) supporting the implementation of tasks, along with granting a subsidy for their implementation. The procedure for contracting these tasks in both its forms is uniform and is based on a competitive mechanism with characteristics similar to public procurement. The procedure is based on open competition. After settling the contest, the agreement is concluded, respectively, to support the implementation of a public task or by entrusting of the public task.

The Act on Public Benefit Activity and Volunteerism determines the forms and principles according to which cooperation between the local government and NGOs should take place. We should support the thesis of Fronczak and Skrzypiec, that this act, based on the experience of previous years, in respect to inter-sectoral collaboration, was originally intended to enforce it to a greater extent than before, rather than to determine its final shape. In the end, however, the law has a dual character: it precisely determines the principles of commissioning of the implementation of public tasks to non-governmental organisations, and leaves free decision to local communities about other forms of cooperation<sup>16</sup>.

<sup>12</sup> Kożuch, B., Kożuch, A. (2011). Ibidem.

<sup>13</sup> Wańkiewicz, W. (2004). *Wskaźniki realizacji usług publicznych, Program Rozwoju Instytucjonalnego*. Warszawa: MSWiA, pp. 59-66.

<sup>14</sup> Szarfenberg, R. (2011). Polityka społeczna i usługi społeczne. (In) M. Grewiński, B. Więckowska (eds.). *Przeobrażenia sfery usług w systemie zabezpieczenia społecznego w Polsce* (pp. 66–67). Warszawa: Wyższa Szkoła Pedagogiczna TWP.

<sup>15</sup> See: Prysmakova, P. (2015). Do Public and Nonprofit Sector Employees Speak the Same Language? Public Service Motivation in Nonprofit and Public Organisations, (In) M. Sienkiewicz (ed.), *Forms and Determinants of Development of Civil Dialogue* (pp. 85-100). Lublin: Centre for Local Development Foundation, p. 85-100.

<sup>16</sup> The recommendations developed by the Council of Europe, among others, set out recommendations for forms of cooperation between public administration and non-governmental organisations, mechanisms for admission to participation in the decision-making process as well as the obligation to provide financial support through funding, tax exemption or admission of donations in the form of tax deductions: Recommendation CM/Rec(2007)14 of the

Citing Herbst, it is worth adding that establishing and maintaining cooperation with public administration results from many reasons. The subject of activities of both sectors is often convergent. Organisations deal with problems, the resolution of which is the statutory responsibility of local government. A consequence of this is the possibility of obtaining funds from public offices of various types which may delegate the realisation of public tasks to organisations. For many of them, especially those operating in rural areas it is the main source of income, and these measures determine “to be or not to be” of the organisation. The cooperation may take the form of financial or non-financial cooperation<sup>17</sup>.

The above regulations define general principles and forms of cooperation between public administration and non-governmental organisations. On the other hand, there are certain categories of tasks that can be outsourced, and the legal basis for this is contained in the legal acts pertaining directly to these tasks. The Act of 7 September 1991 on the Education System (Journal of Laws of 1991 No. 95, item 425) should be pointed first. The Act allows local government, which is generally the entity responsible for running schools, to outsource running of an educational institution to a non-state entity. According to Art. 5 paragraph 5g of this Act a local government unit (municipality, district), which is a body running a school numbering not more than 70 students, on the basis of a resolution of the regulatory organ of this unit (the municipal council, the district council) and after obtaining a favourable opinion of the Board of Education, may transfer, by means of a contract, running of such schools to legal person other than the unit of local government or a natural person. It is not, therefore, an obligatory solution but due to demographic reasons and because of the crisis of public finances (including of local government), this solution has particularly gained in popularity recently. In particular, it make it possible to avoid the liquidation of an educational institution (Journal of Laws of 1991 No. 95, item 425)<sup>18</sup>.

Another legal act is the act of 5 March 2004 on Social Services (Journal of Laws of 2004 No. 64, item 593). According to the art. 25 of this act, public authorities may delegate the task of social services, providing grants for financing or co-financing of the implementation of tasks commissioned to NGOs which are active in the field of social welfare. However, the regulations provide that contracting can cover service activities, such as, for example, care services, specialist counselling, conducting social welfare institutions (Legislation Overview, 2014, p. 13)<sup>19</sup>.

The commissioning in the form of outsourcing in the field of labour market services was in turn regulated by the Act of 14 December 1994 on Employment and Counteracting Unemployment (Journal of Laws of 1995 No. 1 item 1). Labour market services are outsourced after an open tender, according to the principles and procedures specified in the Act on Public Benefit and Volunteerism or by purchasing such services according to the principles and procedures set forth in the Public Procurement Act. It should be added that the tasks of the labour market are the domain of district and provincial local government<sup>20</sup>.

The formal basis for contracting a specific category of public tasks carried out by local government are contained also in other acts. For example, in the Act of 27 August 1997 on Vocational Rehabilitation and Employment of Persons with Disabilities (Journal of Laws of 1997 No. 123, item 776), which gives the possibility to entrust the task of organizing therapeutic workshops – workshops can be organised by foundations, associations, or other entities<sup>21</sup>. Then, the Act of 25 October 1991 on Organizing and Conducting Cultural Activities (Journal of Laws of 1991 No. 114, item 493). This Act, in addition to the possibilities of cooperation with entities outside the public sector, pointed to the possibil-

Council of Europe Committee of Ministers to member states on the legal status of non-governmental organisations in Europe; See: *Wdrażanie mechanizmów współpracy finansowej jednostek samorządu terytorialnego z organizacjami pozarządowymi w Polsce*. (2015). J. Bereza et al. (eds.). Kraków: MSAP, pp. 10-18.

<sup>17</sup> Herbst, J., Przewłocka, J. (2011). *Podstawowe fakty o organizacjach pozarządowych. Raport z badania aktywności obywatelskiej*. Warszawa: Stowarzyszenie Klon/Jawor, Warszawa; See: Staśkiewicz, U. (2017). Rola organizacji pozarządowych w Polsce w zaspokajaniu potrzeb społecznych. *Obronność. Zeszyty Naukowe*, nr 3, pp. 164-168.

<sup>18</sup> The Act of 7 September 1991 on the Education System (Journal of Laws of 1991 No. 95, item 425).

<sup>19</sup> The act of 5 March 2004 on Social Services (Journal of Laws of 2004 No. 64, item 593).

<sup>20</sup> The Act of 14 December 1994 on Employment and Counteracting Unemployment (Journal of Laws of 1995 No. 1 item 1).

<sup>21</sup> The Act of 27 August 1997 on Vocational Rehabilitation and Employment of Persons with Disabilities (Journal of Laws of 1997 No. 123, item 776)

ity of entrusting the management of an institution of culture, e.g. a cultural centre, museum, library, theatre to a natural or legal person (and therefore a non-governmental organisation). An entity authorised to make the decision to entrust the management of a specific cultural institution is its organiser, that is a competent body of government or local government<sup>22</sup>. The sphere of physical culture and sports is important from the point of view of the activities of local government. The Act of 25 June 2010 on Sport (Journal of Laws of 2010 No. 127, item 857) provides the possibility of financial support for the implementation of public tasks in this sphere realised by so-called sports clubs which are classified as non-governmental organisations<sup>23</sup>.

### Study results

The literature and the results of published studies shows that non-profit organisations increasingly establish cooperation relationships with public administration, especially local government administration. In Poland, a manifestation of this cooperation are the created cooperation programmes of authorities of cities, municipalities and NGOs. Due to the local nature of activities of a large part of non-governmental organisations, local government is a natural partner for cooperation; it is contacted by more than four-fifths of organisations, and the one third of them is in frequent, regular contact. Organisations cooperate much less often with marshal offices and government administration – only a few percent of organisations have frequent, regular contact with them. Nearly two-thirds do not contact voivodship offices and as many as three-quarters have no contacts with government institutions at the central level<sup>24</sup>.

One of the basic instruments of cooperation between local government and NGOs are the above mentioned cooperation programmes. They define the form and objectives of cooperation for the given year. It is worth adding that the aims of the cooperation, on the one hand, vary widely in scope. On the other hand, local governments are primarily focused on fulfilling the needs of residents and the creation of mechanisms of social participation. This is confirmed by the research carried out in one of the provinces in 2010. On the basis of the analysis of the cooperation programmes the following groups of cooperation objectives were distinguished. Supporting and promoting physical exercise – 89.47% of municipalities, and culture, art, protection of cultural and national heritage – 78.95% are these spheres of public tasks which are identified in the cooperation programmes as a priority for the municipality. Highly ranked are also the areas of: social aid, including help for families and individuals in a difficult situation, ensuring equal opportunities for such families and individuals – 52.63%, counteracting social pathologies and addiction – 52.63%, science, higher education, coaching and training – 47.37%, health care and promotion – 42.11%, activities for people with disabilities – 42.11%, activities supporting development of local communities (mainly promotional activities) – 42.11%. The following spheres are less frequently chosen by local governments: tourism and sightseeing (36.84%), holidays for children and young people (31.58%), ecology and animal welfare and protection of natural heritage (26.32%), rescue and protection of residents (15.79%), activities for non-governmental organisations (15.79%)<sup>25</sup>.

It is worthwhile to point to the data on financial expenditures of local government budgets on cooperation with non-governmental organisations. Studies of the structure of local government budgets show that expenditures on individual tasks vary depending on the type of urban and rural municipalities. It depends on the specifics and characteristics of tasks which organisations most frequently realise. The below table shows the types of public activities carried out by NGOs and financed from the budgets of local government, depending on the type of municipality<sup>26</sup>.

<sup>22</sup> The Act of 25 October 1991 on Organizing and Conducting Cultural Activities (Journal of Laws of 1991 No. 114, item 493)

<sup>23</sup> The Act of 25 June 2010 on Sport (Journal of Laws of 2010 No. 127, item 857); See: Adamiak, J., Czupich, M., Ignasiak-Szulc, A. (2013). Wybrane aspekty współpracy samorządu terytorialnego z organizacjami pozarządowymi w realizacji zadań publicznych. *Prawo Budżetowe Państwa i Samorządu*, nr 2, pp. 21-37..

<sup>24</sup> Przewłocka, J. (2011). *Polskie Organizacje Pozarządowe. Najważniejsze pytania. Podstawowe fakty*. Warszawa: Stowarzyszenie Klon/Jawor, p. 22.

<sup>25</sup> Kobus, P., Zrobek, J. (2012). Partnerstwo organizacji pozarządowych i samorządów słabo rozwiniętych gmin z niespójnych gospodarczo podregionów. *Nierówności Społeczne a Wzrost Gospodarczy*, nr 25, p. 222.

<sup>26</sup> Kluczyńska, J., Guć, M., Gosk, I., Sienicka, A. (b. r). *Prawne uwarunkowania współpracy samorządów i organizacji pozarządowych*. Retrieved from: [http://partnerstwo-zrot.pl/images/pliki/prawne\\_uwarunkowania\\_wspolpracy.pdf](http://partnerstwo-zrot.pl/images/pliki/prawne_uwarunkowania_wspolpracy.pdf). [access: 15.04.2020].

Table 1.

**The percentage of expenditures of local government units on the activities of NGOs**

The scope of tasks	Urban municipalities	Rural municipalities
Social services	35.5%	7.6%
Physical culture and sport	29.6%	62.9%
Healthcare	15.6%	7.3%
Culture and national heritage protection	10.2%	3.5%
Public security and fire protection	0.4%	8.1%

Source: J. Kluczyńska, M. Guć, I. Gosk, A. Sienicka, Prawne uwarunkowania współpracy samorządów i organizacji pozarządowych, p. 4, [www.ekonomiaspoleczna.pl/x/674371](http://www.ekonomiaspoleczna.pl/x/674371) [access: 15.04.2020].

On the basis of the results of research on development of cross-sectoral cooperation, and especially the effects of the entry into force of the Act on Public Benefit Activity and Volunteerism, we can conclude that there are still many important problems which have not been solved yet. This situation is influenced, among other things, by the following conditions:

- The constant lack of standardised systems of cooperation based on well prepared and implemented development strategies. Diversity and non-complementarity of various forms of cooperation also pertains to the distribution of funds.
- The constant lack of authentic, developed principles of cooperation, which would not simply duplicate records, but would correspond to the actual local needs. Still too many activities are carried out in a new form, but in fact, according the existing rules.
- The financing system still falls short of expectations. Practically, the delegation of tasks – as defined in the Act – does not happen.
- Frequently the amount of the subsidy is lowered in relation to the demands submitted by organisations. In addition, the procedure for adopting “Annual cooperation programmes” still makes it impossible in many cases to fund cooperation in the first months of the budget year.
- Poor access to information and participation and mutual communication is visible. The voice of NGOs is often not taken into account in decision-making;
- The study of the effectiveness of non-governmental organisations is still limited and it generally boils down primarily to checking the correctness of the use of funds, rather than of actual changes resulting from the organisation’s activities<sup>27</sup>.

**Standardisation of cooperation**

One of the solutions to the above problems and barriers to effective collaboration is the implementation of standardisation of cooperation between NGOs and local government. Standardisation of cooperation is understood as a prepared and adopted common approach to undertaking cooperation of local government units and non-governmental organisations, adapted to legal regulations, as well as the unification of the process, the adoption of best practices, the development of a common language of description and modelling and building and updating of common databases<sup>28</sup>.

Standardisation is a process answering the question of what, in what quantity and at what level can be offered within the given service for certain individuals and groups adequately to their identified needs and in accordance with the requirements of their rational fulfilment. The aim of standardisation is to perform certain functions. Citing Wejman, we can include the following to them:

- the standard creating function: standards formally and organisationally condition the model regulation of relationships between technical-organisational and qualitative criteria of provision of services and the needs in this respect;
- the stimulating function: standards as a set of factors affecting the shape and rules of function-

<sup>27</sup> Frączak, P., Skrzypiec, R. (2006). *Standardy współpracy administracji publicznej z sektorem pozarządowym. Ekspertyza przygotowana na zlecenie Ministerstwa Pracy i Polityki Społecznej*. Warszawa: Ministerstwo Pracy i Polityki Społecznej.

<sup>28</sup> Batko, R. (2009). Standaryzacja procesów jako podstawa doskonalenia administracji publicznej (In) K. Lisiecka, T. Papaj (eds.), *Kierunki doskonalenia usług świadczonych przez administrację publiczną* (p. 129). Katowice: Śląskie Centrum Społeczeństwa Informacyjnego.

ing of the social service market;

- the economic function: by the criteria of costs, including the unit cost, standards define the rationality of the rendered service;
- the social function – standards regulate the relationship between the way of functioning of social service infrastructure and the level of satisfaction of social needs<sup>29</sup>.

Following R. Skrzypiec, P. Frączak, T. Schimanek, it should be assumed that at the organisational and implementation plane, standards define an extensive catalogue of conditions of service provision, which includes, among others: 1) the standard of service provision: quality (reliability), range (basket) of services; 2) human resources necessary to provide the service, well qualified staff in terms of the scope and level of knowledge and adequate to the scale of the number of provided services; 3) financing principles<sup>30</sup>.

### Cooperation model

An example of an attempt to standardise cooperation between NGOs and LG was the development of a “Model of Cooperation of Public Administration and Non-Governmental Organisations” (Model). It focuses on the key forms of cooperation between NGOs and local authorities in the framework of the law in this regard. The model was developed for the needs of both cooperation partners – both NGOs and local government units, understood as a legislative, executive body and its subordinate organisational units<sup>31</sup>. In author’s opinion, these tools should not, however, be applied randomly, but an attempt should be made to build a coherent system of cooperation based on the outlined principles, well-considered forms and tools and systematically monitored and improved as an instrument of long-term cooperation<sup>32</sup>.

### Conclusion

Social and economic changes in Poland after 1989 have determined the development of local government, the third sector and cooperation between these entities. NGOs have become the main partner of local government. In the process of subsequent administrative reforms the scope of cooperation between government administration and non-governmental organisations has changed, but it is still important, both during the planning of activities and funding of the public task realisation by organisations<sup>33</sup>.

In regard to the realisation of public services by non-governmental organisations, it is clear that the application of the model, when the contractors of contracts are non-governmental organisations, reduces the risk of some specific threats, contrary to the cooperation with business. Generally, it is connected with the fact that the goals of the third sector are often consistent with the objectives of public administration, while the private sector is guided by the sole aim associated with the achievement of profit. Additionally, in the process of commissioning public tasks to NGOs, public administration gains additional, professional knowledge in the given field.

However, in this area there are also certain risks and threats. Firstly, non-governmental organisations do not always act in a professional manner or have the relevant condition and the necessary resources. Secondly, the dependence of NGOs on public authorities and the politicisation of the organisation’s management is often visible. In addition, in many cases, the so-called process of dehumanisation of non-governmental organisations is indicated, whose activities sometimes resemble the functioning of business corporations, which of course implies the risk of the occurrence of hazards typical in connection with the performance of public duties by the private sector<sup>34</sup>.

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<sup>29</sup> Wejman, Z. (2006). *Standardy współpracy administracji publicznej z sektorem pozarządowym Ekspertyza przygotowana na zlecenie Ministerstwa Pracy i Polityki Społecznej*. Warszawa: Ministerstwo Pracy i Polityki Społecznej, p. 22.

<sup>30</sup> Skrzypiec, R., Frączak, P., Schimanek, T. (2009). *Cena jakości działania organizacji pozarządowych. Ekspertyza na zlecenie Departamentu Pożytku Publicznego Ministerstwa Pracy i polityki Społecznej*, p. 55. Retrieved from: [www.pozYTEK.gov.pl](http://www.pozYTEK.gov.pl). [access: 3.03.2016].

<sup>31</sup> Broniewska, M. J. (2012). Op. cit.

<sup>32</sup> Ibidem.

<sup>33</sup> Oliński, M. (2013). Współpraca administracji publicznej z organizacjami pozarządowymi w opinii badanych organizacji. *Optimum, Studia Ekonomiczne*, nr 3 (63), p. 142-143.

<sup>34</sup> Sienkiewicz, M. W. (2015). Outsourcing as an element of management of Local government in Poland. Benefits, Weaknesses and challenges of development. (In) P. Kaplánová, U. Pinterič (eds.). *Selected topics in change management* (pp. 137-165). Novo Mesto: Faculty of Organisation Studies.



Moreover, Ziębicki rightly states that the assessment of the effectiveness of public utility service provision requires the construction of an individual assessment model adapted to the specificity of the analyzed type of services. Such a model should consist of three planes of evaluation. The first plane should cover general dimensions of the assessment of organisational effectiveness, relating to the evaluation of services. The second should identify groups of criteria relevant for the assessment of services related to particular dimensions. The third plane should consist of detailed assessment criteria directly related to the analyzed types of services. The assessment should use both quantitative criteria (measures), as well as specific descriptive (evaluative) phenomena<sup>35</sup>.

The constantly growing number of NGOs in Poland is the result of the development of civil society. Despite this trend, the total number of third sector organisations in Poland is still relatively low compared to the number of these organisations in other Western countries. In addition, the huge potential of the third sector is still not fully utilised. The results of conducted studies indicate that cooperation of third sector organisations with business and public administration is insufficient<sup>36</sup>. This cooperation is characterised by certain passivity, revealing mainly on the planes of economic activity, particularly in relation to innovative development, as well as a relatively small scale and limited range of issues<sup>37</sup>.

It should be also noted that the quality of cooperation between NGOs and local authorities is significantly affected by legal conditions. The existing legal solutions are sufficient, but they are used incompetently or not used at all.

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<sup>35</sup>Ziębicki, B. (2007). Uwarunkowania oceny efektywności świadczenia usług użyteczności publicznej. *Zeszyty Naukowe Wyższej Szkoły Ekonomicznej w Bochni*, nr 6, pp. 163.

<sup>36</sup> Czyż-Gwiazda, E. (2013). Organizacje pozarządowe i ich znaczenie w kształtowaniu sprawnie działającej administracji publicznej. *Studia Ekonomiczne, Tom 141*, p. 119.

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