

# **REPUBLIC OF POLAND**

## **Public Administration Country Profile**

Division for Public Administration and Development Management (DPADM)

Department of Economic and Social Affairs (DESA)

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# POLAND

[Click here](#) for detailed map



Source: [The World Factbook - Poland](#)

The Office of the President of the Republic of Poland was reconstituted in 1989 following the Round Table talks which initiated the basic systemic changes in Poland. In July 1989, the Parliament elected Wojciech Jaruzelski for President of the Republic of Poland.

The Polish United Workers' Party (PZPR) was dissolved in January 1990. A multi-party system was introduced, with a full spectrum of political freedoms. In the years that followed, rival parties emerged out of the Solidarity group.

Wojciech Jaruzelski held the office until December 1990 when, as a result of the first general presidential elections in the history of Poland Lech Walesa was elected President.

Source: [President of the Republic of Poland - Polish Presidents & Ministry of Foreign Affairs - Domestic Affairs](#)

## Government type

Republic

## Independence

11 November 1918  
(independent republic proclaimed)

## Constitution

16 October 1997; adopted by the National Assembly 2 April 1997; passed by national referendum 23 May 1997 ([in brief](#))

## Legal system

Mixture of Continental (Napoleonic) civil law and holdover Communist legal theory; changes being gradually introduced as part of broader democratization process; limited judicial review of legislative acts, but rulings of the Constitutional Tribunal are final; court decisions can be appealed to the European Court of Justice in Strasbourg

## Administrative divisions

16 provinces (województwo) and capital city of Warsaw

Source: [The World Factbook - Poland](#)

# 1. General Information

1.1 People	Poland	Czech Rep.	Hungary	<sup>1</sup>
<b>Population</b>				a
Total estimated population (,000), 2003	38,588	10,235	9,877	
Female estimated population (,000), 2003	19,862	5,254	5,171	
Male estimated population (,000), 2003	18,726	4,981	4,706	
Sex ratio (males per 100 females), 2003	94	95	91	
Average annual rate of change of pop. (%), 2000-2005	-0.08	-0.1	-0.46	
<b>Youth and Elderly Population</b>				b
Total population under age 15 (%), 2003	17	15	16	
Female population aged 60+ (%), 2003	19	22	24	
Male population aged 60+ (%), 2003	14	16	16	
<b>Human Settlements</b>				c
Urban population (%), 2001	63	75	65	
Rural population (%), 2001	37	25	35	
Urban average annual rate of change in pop. (%), '00-'05	0.25	-0.03	-0.06	
Rural average annual rate of change in pop/ (%), '00-'05	-0.68	-0.33	-1.34	
<b>Education</b>				d
Total school life expectancy, xxxx	14.7	13.6	13.6 <sup>i</sup>	1
Female school life expectancy, xxxx	15.1	13.7	13.8 <sup>i</sup>	1
Male school life expectancy, xxxx	14.3	13.6	13.4 <sup>i</sup>	1
Female estimated adult (15+) illiteracy rate (%), 2000	0.3	..	0.8 <sup>ii</sup>	2
Male estimated adult (15+) illiteracy rate (%), 2000	0.3	..	0.5 <sup>ii</sup>	2
<b>Employment</b>				e
Unemployment rate (15+) (%), xxxx	16.1	8.1 <sup>iii</sup>	5.7 <sup>iv</sup>	1
Female adult (+15) economic activity rate (%), xxxx	50 <sup>v</sup>	51	46 <sup>iv</sup>	2
Male adult (+15) economic activity rate (%), xxxx	64 <sup>v</sup>	69	62 <sup>iv</sup>	2

Notes: <sup>i</sup> 1999/2000; <sup>ii</sup> 2001; <sup>iii</sup> 2001, Fourth quarter of year; <sup>iv</sup> 2001, Age 15-74 years; <sup>v</sup> Excluding regular military living in barracks and conscripts

1.2 Economy	Poland	Czech Rep.	Hungary	<sup>2</sup>
<b>GDP</b>				a
GDP total (millions US\$), 2002	187,680	69,590	65,843	
GDP per capita (US\$), 2002	4,859	6,816	6,477	
PPP GDP total (millions int. US\$), 2002	393,494	154,657	133,467	
PPP GDP per capita(int. US\$), 2002	10,187	15,148	13,129	
<b>Sectors</b>				b
Value added in agriculture (% of GDP), 2003	3.1	3.8 <sup>i</sup>	4.3 <sup>i</sup>	
Value added in industry (% of GDP), 2003	30.7	39.6 <sup>i</sup>	31.2 <sup>i</sup>	
Value added in services (% of GDP), 2003	66.1	56.7 <sup>i</sup>	64.5 <sup>i</sup>	
<b>Miscellaneous</b>				c
GDP implicit price deflator (annual % growth), 2003	0.7	2.9	7.8	
Private consumption (% of GDP), 2003	70.1	52.8 <sup>i</sup>	67.0 <sup>i</sup>	
Government consumption (% of GDP), 2003	16.4	21.4 <sup>i</sup>	10.9 <sup>i</sup>	

Notes: <sup>i</sup> 2002

<sup>1</sup> United Nations Statistics Division:

<sup>a</sup> Statistics Division and Population Division of the UN Secretariat; <sup>b</sup> Statistics Division and Population Division of the UN Secretariat; <sup>c</sup> Population Division of the UN Secretariat; <sup>d1</sup> UNESCO; <sup>d2</sup> UNESCO; <sup>e1</sup> ILO; <sup>e2</sup> ILO/OECD

<sup>2</sup> World Bank - Data and Statistics:

<sup>a</sup> Quick Reference Tables; <sup>b</sup> Data Profile Tables; <sup>c</sup> Country at a Glance

1.3 Public Spending	Poland	Czech Rep.	Hungary	
<b>Public expenditures</b>				3
Education (% of GNP), 1985-1987	4.6	..	5.6	a
Education (% of GNP), 1995-1997	7.5 <sup>i</sup>	5.1 <sup>i</sup>	4.6 <sup>i</sup>	a
Health (% of GDP), 1990	4.8	4.8	..	
Health (% of GDP), 1998	4.7 <sup>ii</sup>	6.6 <sup>ii</sup>	5.2	
Military (% of GDP), 1990	2.7	..	2.5	b
Military (% of GDP), 2000	1.9	2	1.5	b
Total debt service (% of GDP), 1990	1.6	3	12.8	
Total debt service (% of GDP), 2000	6.5	9.4	17.4	

Notes: <sup>i</sup> Data may not be strictly comparable with those for earlier years as a result of methodological changes; <sup>ii</sup> 1999

1.4 Public Sector Employment and Wages						
<i>Data from the latest year available</i>		Poland 1991-1995	Poland 1996-2000	Europe & Central Asia average <sup>4</sup> 1996-2000	Central & Eastern Europe average <sup>4</sup> 1996-2000	Middle income group average <sup>4</sup> 1996-2000
<b>Employment</b>						
Civilian Central Government <sup>5</sup>	(,000)	89.0	163.5			
	(% pop.)	0.23	0.42	0.61	0.45	0.59
Sub-national Government <sup>5</sup>	(,000)	135.0	112.8			
	(% pop.)	0.35	0.29	0.61	0.45	0.59
Education employees	(,000)	601.0	451.7			
	(% pop.)	1.57	1.17	1.58	1.43	1.20
Health employees	(,000)	770.0	330.4			
	(% pop.)	2.00	0.85	1.15	1.04	0.70
Police	(,000)	..	7.0			
	(% pop.)	..	0.02	0.68	0.31	0.30
Armed forces	(,000)	..	..			
	(% pop.)	..	..	0.87	0.77	0.46
SOE Employees	(,000)	..	..			
	(% pop.)	..	51.1	20.08	8.28	3.61
Total Public Employment	(,000)	..	0.13			
	(% pop.)	..	..	..	..	6.05
<b>Wages</b>						
Total Central gov't wage bill	(% of GDP)	6.1	..	5.9	6.7	8.5
Total Central gov't wage bill	(% of exp)	14.2	7.6	13.1	14.4	21.6
Average gov't wage	(,000 LCU)	..	20			
Real ave. gov't wage ('97 price)	(,000 LCU)	..	18			
Average gov't wage to per capita GDP ratio		..	1.4	6.3	1.1	4.2

Source: [World Bank - Public Sector Employment and Wages](#)

<sup>3</sup> UNDP - [Human Development Report 2002](#)

<sup>a</sup> Data refer to total public expenditure on education, including current and capital expenditures.

<sup>b</sup> As a result of a number of limitations in the data, comparisons of military expenditure data over time and across countries should be made with caution. For detailed notes on the data see SIPRI (2001).

<sup>4</sup> Averages for regions and sub regions are only generated if data is available for at least 35% of the countries in that region or sub region.

<sup>5</sup> Excluding education, health and police – if available (view [Country Sources](#) for further explanations).

## 2. Legal Structure

Poland is governed by means of a mixed parliamentary and cabinet system. Power is divided between the legislative authority (exercised by the Sejm, Senate and, to a certain extent, the Constitutional Tribunal), the executive authority (the President, Prime Minister, and the Council of Ministers), and the judicial authority (an independent judicial system, with general, administrative, and military courts).

Source: [Ministry of Foreign Affairs - Political System & Constitution of the Republic of Poland](#)

### 2.1 Legislative Branch

Bicameral National Assembly or Zgromadzenie Narodowe consists of the Sejm (460 seats; members are elected under a complex system of proportional representation to serve four-year terms) and the Senate or Senat (100 seats; members are elected by a majority vote on a provincial basis to serve four-year terms).<sup>6</sup> *women in parliament:* 93 out of 460 seats: (20%). 23 out of 100 seats (23%).<sup>7</sup>

Legislative power is exercised by the Parliament, composed of the Sejm (*Seym*) with 460 seats and the Senate with 100 seats. Each chamber is elected to a four-year term. Elections to the Sejm are universal, equal, direct and proportional and are conducted by secret ballot. Elections to the Senate are universal, direct and are conducted by secret ballot. The Supreme Court adjudicates upon the validity of the elections to the Sejm and the Senate. [Articles 95-101 of the Constitution]

Source: [OSCE \(Legislationline\) - Poland & Constitution of the Republic of Poland](#)

The legislative competence of both Chambers is not symmetrical. The Constitution provides the Sejm with a dominant role in the legislative process. This does not apply to statutes which amend the Constitution or statutes which permit the ratification of international treaties, on the basis of which the Republic of Poland delegates certain competence of the State organs to an international organization or international body. In the case of the statutes in question, neither the opinion of the Sejm nor that of the Senate enjoys superiority guaranteed by the Constitution.

The inequality of the two Chambers of the Polish Parliament is also expressed in the fact that only the Sejm is vested with the right to control the Council of Ministers. The Sejm and the Senate, sitting jointly in the instances provided for in the Constitution, act as the National Assembly.

The dominance of the Sejm over the Senate in the legislative process is constitutionally guaranteed; the Sejm may also (by a three-fifths majority vote, in the presence of at least half of the statutory number of Deputies) reenact a statute which has been referred by the President for reconsideration

The Sejm works in accordance with the principle of permanence - there is no division of the term of office into sessions and periods between sessions; sittings of the Sejm are open to the public. The Sejm may resolve to hold a debate in secret (by an

#### Fact box:

*elections:* Sejm & Senate - last held 23 September 2001 (next to be held by September 2005)  
*election results:* Sejm - seats by party - SLD 158, PO 55, PiS 43, PSL 37, SDPL 33, Samoobrona 31, LPR 26, FKP 17, SKL 8, PBL 5, RKN 5, PP 3, ROP 3, others 32<sup>8</sup>; Senate - seats by party - SLD-UP 75, AWSP (an electoral alliance of some 36 parties) 15, PSL 4, Samoobrona 2, LPR 2, others 2<sup>9</sup>

<sup>6</sup> Source of fact boxes if nothing else stated: [The World Factbook - Poland](#)

<sup>7</sup> [Inter-Parliamentary Union - Women in National Parliaments](#)

<sup>8</sup> [The Sejm of the Republic of Poland - Deputies](#)

<sup>9</sup> [Electionworld.org - Poland](#)

absolute majority vote taken in the presence of at least half of the statutory number of Deputies), if the interest of the State so requires.

Source: [Sejm of the Republic of Poland](#)

## 2.2 Executive Branch

*cabinet:* Council of Ministers responsible to the prime minister and the Sejm; the prime minister proposes, the president appoints, and the Sejm approves the Council of Ministers

*elections:* President elected by popular vote for a five-year term; election last held 8 October 2000 (next to be held October 2005); prime minister and deputy prime ministers appointed by the president and confirmed by the Sejm.

The President is the supreme representative of the Republic of Poland and the guarantor of the continuity of State authority. The President is elected by citizens in universal, equal and direct elections, conducted by secret ballot. The President is elected for a five-year term of office and may be only re-elected for one more term.

The Council of Ministers is composed of the President of the Council of Ministers (Prime Minister) and ministers (Article 147 of the Constitution). Council of Ministers manages the government administration and performs other duties (Article 146 of the Constitution). The President of the Republic nominates a Prime Minister who then proposes the composition of a Council of Ministers. Vice-presidents of the Council of Ministers (Deputy Prime Ministers) and presidents of committees specified in statutes can also be appointed within the Council of Ministers. [Article 154 of the Constitution]

### Fact box:

#### *chief of state:*

President Aleksander KWASNIEWSKI - 53.9% (since 23 December 1995)

#### *head of government:*

Prime Minister Leszek MILLER (SLD) (since 19 October 2001), Deputy Prime Ministers Marek POL (since 19 October 2001), Jerzy HAUSNER (since 11 June 2003)

Source: [OSCE \(Legislationline\)](#) - [Poland](#) & [Constitution of the Republic of Poland](#)

## 2.3 Judiciary Branch

Supreme Court (judges are appointed by the president on the recommendation of the National Council of the Judiciary for an indefinite period); Constitutional Tribunal (judges are chosen by the Sejm for nine-year terms).

The administration of justice in the Republic of Poland is implemented by the Supreme Court, the common courts, administrative courts and military courts. The common courts in Poland are district courts (*rejon*), provincial courts (*okręg*) and the courts of appeal. They are competent to hear criminal law cases, civil law cases, family and custody law cases, labor law cases and social insurance cases. All court proceedings should have at least two stages. Judges are appointed for an indefinite period by the President of the Republic on the motion of the National Council of the Judiciary and are not removable. The military courts are the military unit courts and the military provincial courts. They have judiciary control within the Polish Army in criminal cases and other cases subscribed to them by relevant statutes.

The Supreme Court is the highest central judicial organ in the Republic of Poland. It exercises supervision over common and military courts regarding judgements and also performs other activities specified in the Constitution and the statutes. The Supreme Court is the highest court of appeal.

The Chief Administrative Court has jurisdiction over cases of administrative justice. This court operates through 10 delegated centers of the same Court. The Chief Administrative Court and other administrative courts exercise, to the extent specified

by statute, control over the performance of public/governmental administration and settle jurisdictional disputes between units of local self-government and units of government administration.

The Constitutional Tribunal is an organ of the judiciary competent to decide the conformity of the issued law with the Constitution, disputes concerning competence between the organs of central administration, the conformity of the political parties tasks with the Constitution and to hear constitutional complaints filed by citizens.

Source: [OSCE \(Legislationline\)](#) - [Poland](#)

## **2.4 Local Government**

As regulated by the Constitution, the primary unit of local government in Poland is the municipality. Its tasks are described in the Act of Local Self-government of 1990, according to which there is no formal urban and rural division of municipalities. When it comes to the tasks of the municipality, the same Act states that the jurisdiction of the local council extends to all matters falling within the terms of reference of the municipality unless stipulated otherwise by separate legislation. Two basic types of responsibilities are distinguished: obligatory functions and those delegated by the state administration. Obligatory tasks may be assigned only by parliamentary acts. The state administration may transfer some of its authority and responsibilities to a municipality by specific legislation or mutual agreement and must finance such activities in full.

In January 1999 counties were introduced as the second tier. Statutory tasks carried out by counties are regulated by the Act on County Self-government of 1998. The state administration may also entrust tasks to the county under the act, but the county may not infringe upon the scope of activities of municipalities. County is also a legal entity and may promulgate local law.

In January 1999 voivodships became the third tier of the local government system. In addition to functions stemming from local government tasks, voivodships have important state administrative responsibilities. In respect to the size (number of residents and area) they are the counterparts of regions in the countries of EU, and the government and Sejm had precisely this in mind when they demarcated and assigned tasks to voivodships.

According to the Act on Voivodship Self-government of 1998, the scope of activities of voivodships does not violate the independence of the county and the municipality. Organs of voivodship government are neither supervisory bodies of the county and municipality nor organs of a higher level in administrative proceedings. Provisions concerning elections to the voivodship assembly and referendum are similar to those for municipalities and districts.

A voivodship is a legal entity and may promulgate local law. One of the most important responsibilities of the voivodship is international cooperation. Since the voivodship has both state and local roles in Polish political system, a separate act adopted in June 1998 stipulates how the state administration is performed. The most important institution in the voivodship is the voivod, who is appointed by the Prime Minister upon nomination by the Minister of internal affairs and public administration.

Source: [LGI - Decentralization: Experiments and Reforms, vol. 1, chapter 5 \(2000\)](#)



## 3. The State and Civil Society

### 3.1 Ombudsperson

The [Commissioner for Civil Rights Protection](#) is the constitutional authority in charge of protecting the law. The Commissioner is independent in his activities from any state authorities. The Commissioner exercises his rights since 1988, assisted by an Office of the Commissioner for Civil Rights Protection.

The Commissioner protects the civil and human rights and freedoms against any infringements by public authorities, organizations or institutions. The Commissioner's help can be requested when public administration, by acting or failing to act, by a decision taken, or by failing to take a decision, infringes human rights or restricts human freedoms.

Article 209 of the Constitution stipulates that The Commissioner for Civil Rights Protection shall be nominated by the Sejm upon the approval of the Senate for 5 years. Also, the Commissioner shall be responsible only before the Sejm as stipulated by the Law [Article 210].

Source: [Ombudsman Information Network](#) - [Poland: Commissioner for Civil Rights Protection](#)

### 3.2 NGOs

The Second World War and the period of Communist domination that followed caused an enormous drop in social activity and organization, and a part of the NGOs were abolished and their assets confiscated by the state, while others were assimilated by ideologically-oriented institutions. Since 1989 NGOs have enjoyed a renaissance thanks to the reinstatement of the freedom of assembly and association.

Community organizations sometimes perform administrative functions, replacing government administration in some strictly defined aspects of public life.

Some NGOs have transformed into professional associations, whose autonomy is guaranteed by separate provisions. Membership of professional corporations is mandatory in some professions, e.g. for lawyers, notaries, medical doctors, or architects. These organizations are obligatory, i.e. anyone who wants to practice in a profession subject to corporate regulations must meet conditions set by these bodies. In such cases the state has devolved a part of its authority to non-governmental organizations.

International non-governmental organizations are also active in Poland. Some of them (e.g. the Konrad Adenauer Foundation, the Robert Schuman Foundation, the Education for Democracy Foundation, the Friedrich Bert Foundation, and the Polish-American Freedom Foundation) support Polish NGOs in the process of implementing social dialogue and developing a civic society in democratic Poland.

Source: [Ministry of Foreign Affairs - Non-Governmental Organizations](#)

### 3.3 Civil Society

Source: [Institution](#) - [Title](#)

## 4. Civil Service

The public administration is under the constitutional responsibility of the Prime Minister, who appoints the Head of the Civil Service, who in turn is responsible for implementing the civil service law. The Prime Minister has also at his disposal an advisory body, the Civil Service Council, composed of 16 members, half chosen by the Parliament and half by the Prime Minister himself.

In addition, the institutional framework of the Civil Service system includes the Higher Disciplinary Commission of the Civil Service and the Directors-General of offices and Civil Service corps.<sup>10</sup>

Source: [European Commission - Comprehensive monitoring report on Poland's preparations for membership \(11/2003\)](#)

[Click here](#) for Structure of the Civil Service.<sup>11</sup>

### 4.1 Legal basis

The [civil service law](#) has been in force since July 1999 and is generally in accordance with EU standards. It clearly defines the status of civil servants and other public administration employees (i.e. the civil service corps), and describes recruitment procedures, employment and remuneration conditions, and the principal responsibilities of employees. The implementation of the law has, however, proved difficult, and it has not fully addressed the problems it was intended to solve, namely politicization and lack of professionalism in the public administration. An amendment to the civil service law introduced in January 2002, allowing the appointment to senior posts in the public administration of candidates from outside the civil service corps, was judged unconstitutional by the Constitutional Tribunal.

Source: [European Commission - Comprehensive monitoring report on Poland's preparations for membership \(11/2003\)](#)

The peculiarity of the Polish situation - in comparison to the EU member states - consists in the fact that the Civil Service corps does not include employees in local self-governmental administration and those state institutions which do not report to the Prime Minister (e.g., the Chancellery of the Parliament, the President's Chancellery, the Ombudsman's Office, etc.). This exclusion is justified by different official subordination.

Source: [Civil Service in Poland - System of the Civil Service](#)

### 4.2 Recruitment

Recruitment for the Civil Service is run in a decentralized way and the leading role is played by Directors-General of particular Ministries, or central and voivodship offices. They run the recruitment for the basic category of Civil Service employees. According to the Civil service Law announcements on existing vacancies in the Civil Service should be placed in the Civil service Bulletin. Each announcement includes a detailed list of requirements for the candidates, description of the duties on a vacancy position and information which documents and which way must be delivered by a candidate. Recruitment of Civil service employees is an open and competitive process. Anyone can apply if they comply with the requirements.

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<sup>10</sup> [Civil Service in Poland - System of the Civil Service](#)

<sup>11</sup> Scroll down.

First time employees are employed on a fixed term contract, which can be for a maximum period of 3 years. During that time they go through the preparatory service, which is a form of introductory training. Preparatory service ends with an interview with the examining committee. If the result is positive the candidate gets a permanent contract, otherwise the contract is terminated.<sup>12</sup>

Exams held to staff the senior and privileged category of civil servants, on the other hand, are held centrally. Access to those positions is limited to those employees in governmental administration who meet the requirements of at least two years' duration of employment with the Civil Service, university level education and a good command of at least one foreign language.

Source: [Civil Service in Poland - System of the Civil Service](#)

Given the fact that competitive recruitment procedures are mandatory only for a relatively limited number of positions, the several recruitment schemes seen as a whole, do not guarantee the professionalism of the civil service and do not sufficiently reduce the risks of patronage and politicization. This is true not only in the case of local self-governments and voivodships, but also for the central State Administration.

Competitive recruitment based on merit is not guaranteed for civil servants in ministries either. Standards vary from one ministry to another, and the Civil Service Office lacks legal power to effectively redress breaches of legislation. Where it has jurisdiction, the Office has adopted a tolerant stance in many cases that were not in full compliance with legal requirements.

Source: [SIGMA \(OECD\) - Public Service and the Administrative Framework \(2002\)](#)

[Click here](#) for chart regarding Recruitment to the Civil Service (scroll down).

### **4.3 Promotion**

The Civil Service Act imposes the requirement of periodical assessments to be carried out by in-line managers no less frequently than once in every two years for the civil servants. Assessment results are supposed to prove decisive for a given employee's promotion to a senior grade [or service level] and have an influence on their personal development scheme.

Selection (promotion) to senior civil service positions is in law clearly based on transparent competition and merit.<sup>13</sup>

Source: [Civil Service in Poland - System of the Civil Service](#)

### **4.4 Remuneration**

The salaries in Civil Service are determined individually by Director-General or the manager of an office starting with a basic amount and calculating it with so called multiplier. It exists also a performance-related allowance twice a year for all Civil Service corps members. There is no seniority system in remuneration.

A Civil Service employee's pay comprises the basic salary envisaged for a given job and a premium for years' duration of employment with the Civil Service.

Civil servants receive in addition a Civil Service premium based on the grade held. For particular achievements in professional work the Civil Service corps members can be granted an award from a Reward Fund within Civil Service. This fund, amounting

<sup>12</sup> [Civil Service in Poland - Path Career in the Civil Service](#)

<sup>13</sup> [SIGMA \(OECD\) - Public Service and the Administrative Framework \(2002\)](#)

to 3% of planned individual remuneration, remains at the disposal of Directors-General of offices.

Civil Service corps members are granted bonuses for long-term employment to the amount of 5% of basic monthly remuneration after 5 years of work. That addition is raised by 1% for each subsequent year in employment up to the level of 20% of basic monthly remuneration. Period of employment do not include employment with the communist party (the Polish Workers' Party and the Polish United Workers' Party), as well as in state security units in years 1945-1990.

Source: [Civil Service in Poland](#) - [System of the Civil Service](#)

Though the Civil Service Office is attempting to design a performance appraisal scheme, no such a scheme exists for the time being, which makes the system uncertain and dependent on the managers' discretion. They enjoy wide discretion in determining individual salaries within certain limits determined by the job category. Objective job evaluations have not been established.

Source: [SIGMA \(OECD\)](#) - [Public Service and the Administrative Framework \(2002\)](#)

#### **4.5 Training**

General training for the public administration (except for EU-specific training) is supervised by the Office for the Civil Service. The majority of training is planned, organized and financed in a decentralized manner and depends mainly on the commitment of directors-general in individual ministries and central offices, as well as on the budget available for the institution. At the request of the Civil Service Council, the Office for the Civil Service is elaborating a "Strategy on training for the public administration in 2004-2007".

Source: [European Commission](#) - [Comprehensive monitoring report on Poland's preparations for membership \(11/2003\)](#)

The Civil Service Act pays a lot of attention to raising professional qualifications. Training opportunities are open to all members of civil service corps and cover a wide range of topics from various disciplines, such as administration, law, organization and management, interpersonal skills. All the Civil Service corps members have right to training. The training is compulsory if an official is ordered to pass it by his/her superior, in other cases is voluntary. The trainees have right to a training leave with retention of salary.

Training in the Civil Service includes central training, general training, civil servants' individual professional development training program, strategic management study, specialist training and a specific kind – preparatory service.

Source: [Civil Service in Poland](#) - [System of the Civil Service](#)

#### **4.6 Gender**

Source: [Institution](#) - [Title](#)

## 5. Ethics and Civil Service

### 5.1 Corruption

2003 CPI Score relates to perceptions of the degree of corruption as seen by business people and country analysts and ranges between 10 (highly clean) and 0 (highly corrupt).

Corruption Perceptions Index							
		2003 CPI Score	Surveys Used	Standard Deviation	High-Low Range	Number Inst.	90 percent confidence range
Rank	Country						
1	Highly clean	9.7	8	0.3	9.2 - 10.0	4	9.5 - 9.9
36	Poland	3.6	14	1.1	2.4 - 5.6	10	3.2 - 4.2
133	Highly corrupt	1.3	8	0.7	0.3 - 2.2	6	0.9 - 1.7

Source: [Transparency International - Corruption Perceptions Index 2003](#)

**Surveys Used:** Refers to the number of surveys that were used to assess a country's performance. 17 surveys were used and at least 3 surveys were required for a country to be included in the CPI.

**Standard Deviation:** Indicates differences in the values of the sources. Values below 0.5 indicate agreement, values between 0.5 and c. 0.9 indicate some agreement, while values equal or larger than 1 indicate disagreement.

**High-Low Range:** Provides the highest and lowest values of the sources.

**Number Institutions:** Refers to the number of independent institutions that assessed a country's performance. Since some institutions provided more than one survey.

**90 percent confidence range:** Provides a range of possible values of the CPI score. With 5 percent probability the score is above this range and with another 5 percent it is below.

In its 2002 report on accession, the European Commission noted that "corruption remains a source of serious concern" in Poland. According to public opinion polls conducted by specialized institutions more than half of the Polish population thinks that high ranking State officials obtain illicit earnings from the exercise of public functions. The said polls further show that, according to a widespread opinion, corruption often flourishes within the State administration, among the highest State authorities and in the judiciary, followed by the health care services, the police, political parties, the trade and service sector and the banks.

In order to ensure that the State administration and the self-governing bodies perform their duties properly, a special anticorruption law was enacted in 1992. This Law named "Reducing opportunities to do business for persons performing public functions" includes a prohibition for persons occupying key public positions.<sup>14</sup>

On May 15 2000 the Economic Committee of Poland's Council of Ministers appointed a working group with a view to analyzing which measures could be undertaken in order to improve the prevention of corruption and the efficiency of counter-measures. In July 2000 the working group produced a report named "Tasks in combating the sources of corruption". According to the Polish authorities this report constitutes one of the most important attempts by the Government to formulate a comprehensive anti-corruption strategy, including organizational and legal aspects.

<sup>14</sup> There has, however, been no progress in the processing of the draft amendment to this law (limiting business activity by people in public office), which was submitted to the Sejm in autumn 2001. Neither has there been any follow-up to a draft law providing for the establishment of an anti-corruption office, which was submitted to the Sejm at the end of 2001 ([European Commission - Comprehensive monitoring report on Poland's preparations for membership \(11/2003\)](#))

The report identifies three main areas of action: prevention at central and local authorities` level through the adoption of appropriate legislation; education of citizenship through the promotion of ethical standards; law-enforcement through an increased efficiency of the different agencies and the judicial system. Besides, the report singles out certain areas, which are considered to be particularly vulnerable to corruption, such as the fiscal administration, the customs authorities, the health service, the traffic police and the judiciary.

Source: [Council of Europe \(GRECO\) - Evaluation Report on Poland \(2002\)](#)

In September 2002, the Council of Ministers adopted a programme for combating corruption entitled the "Anti-Corruption Strategy". The document states that the government is fully aware of the threat posed by corruption to Poland's development and considers that fighting it is a priority. The strategy is aimed at amending regulations conducive to corruption in areas of public activity that are perceived as most susceptible. The document lists legislation that should be adopted in each of these areas in order to curb corrupt practices, names the institutions responsible for preparing the relevant legislation and sets deadlines for the changes to be accomplished. The strategy does, in itself, not really deal with high-level corruption, with the exception of those issues related to the civil service and financial disclosure by public functionaries.

An official implementation report of July 2003 indicates that while progress in implementing the strategy has been made in a number of areas, the actual impact has been rather limited. One explanation is that the strategy has been overseen by an inter-ministerial team without sufficient administrative and political back-up. Another is the failure to secure broad support for the strategy, which was one of the major assumptions for ensuring its effectiveness.

The number of public officials found guilty of corruption has remained fairly stable. Over two thirds of these offenders were sentenced for giving bribes to public officials (active corruption). Nevertheless, an improvement can be noted with regard to political accountability for corruption offences. Recently several corrupt politicians were dismissed immediately after the media revealed their offences, while similar events in the past went unsanctioned.

Amendments to the Act on Political Parties and the Election Law passed in 2001 and 2002 were aimed at regulating the financing of political parties with a view to curbing high-level corruption. For the most part they are being well implemented, leading to greater transparency in party funding and severe financial penalties for parties which violate the law. However, the new legislation contains some built-in loopholes that may expose the system to abuse. In particular, a provision allowing the creation of foundations that can employ party personnel and be sponsored by private companies makes it possible to create an alternative and non-transparent financial construction that is not subject to control.

The enforcement of another important law aimed at counteracting high-level corruption, the Act on the Execution of Duties of Deputies and Senators of August 2001, which provides for public disclosure of parliamentarians' asset declarations, is being conducted properly, as far as the submission of declarations and transparency of declared assets is concerned.

Source: [European Commission - Comprehensive monitoring report on Poland's preparations for membership \(11/2003\)](#)

## **5.2 Ethics**

In October 2002, the Civil Service Code of Ethics was enacted. According to [Annex 3](#) of Order 114 of the Prime Minister, the Head of the Civil Service has been charged

with disseminating the code among civil servants and civil service employees, with examining its usage in practice and clarifying and interpreting the resolutions of the code in light of actual practice

Source: [Civil Service in Poland - Annex 3, Order 114 of the 11th October 2002](#)

[Click here](#) for Discussion Paper on Ethical Codes of Polish Public Officials (1999).

## 6. e-Government

### e-Government Readiness Index:

The index refers to the generic capacity or aptitude of the public sector to use ICT for encapsulating in public services and deploying to the public, high quality information (explicit knowledge) and effective communication tools that support human development.

The index is comprised of three sub-indices: Web Measure Index, Telecommunications Infrastructure Index and Human Capital Index.

### Web Measure Index:

A scale based on progressively sophisticated web services present. Coverage and sophistication of state-provided e-service and e-product availability correspond to a numerical classification.

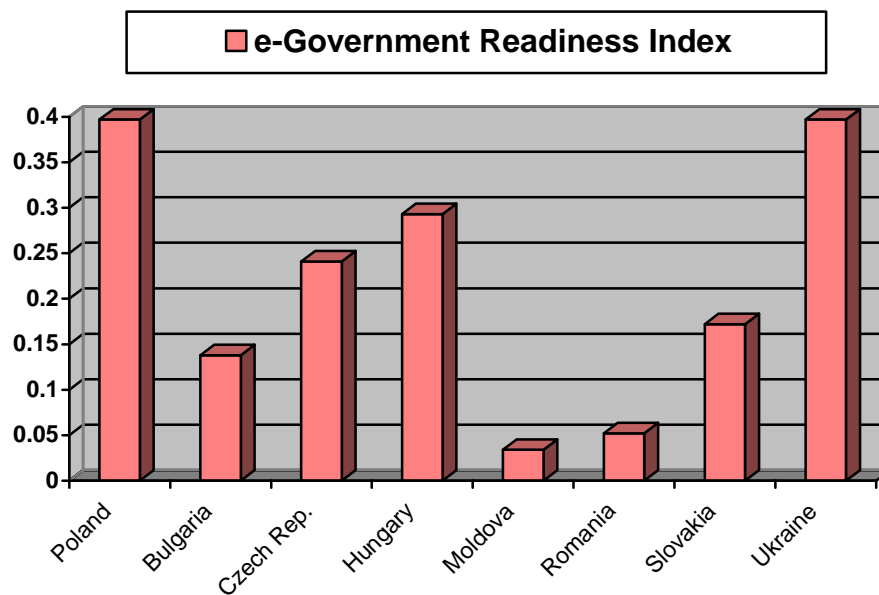
### Telecommunications Infrastructure Index:

A composite, weighted average index of six primary indices, based on basic infrastructural indicators that define a country's ICT infrastructure capacity.

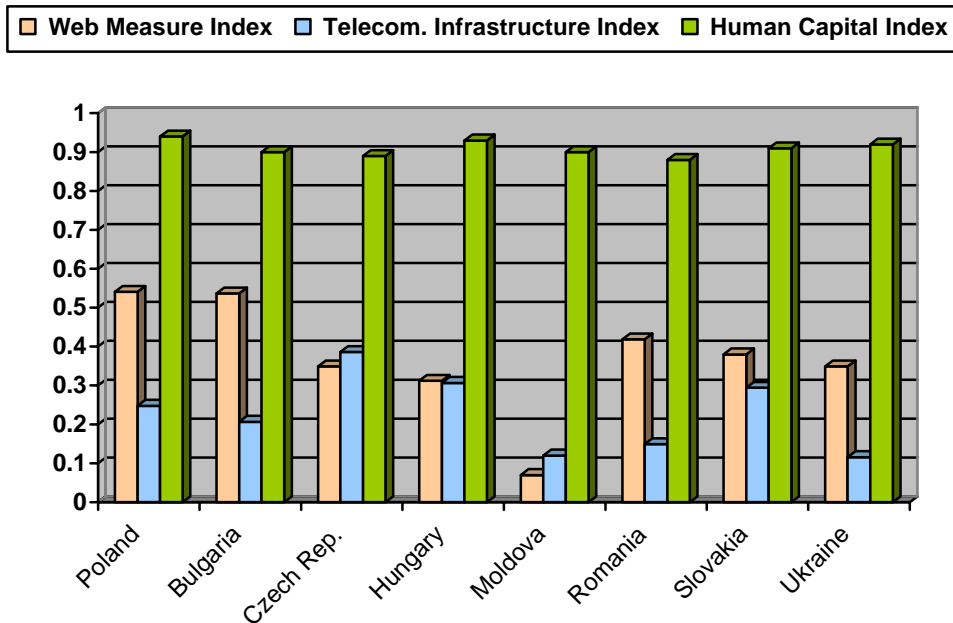
Primary indicators are: PC's, Internet users, online population and Mobile phones. Secondary indicators are TVs and telephone lines.

### Human Capital Index:

A composite of the adult literacy rate and the combined primary, secondary and tertiary gross enrolment ratio, with two thirds of the weight given to adult literacy and one third to the gross enrolment ratio.



Source: United Nations – World Public Sector Report 2003



Source: United Nations – World Public Sector Report 2003



**e-Participation Index:**

Refers to the willingness, on the part of the government, to use ICT to provide high quality information (explicit knowledge) and effective communication tools for the specific purpose of empowering people for able participation in consultations and decision-making both in their capacity as consumers of public services and as citizens.

**e-information:**

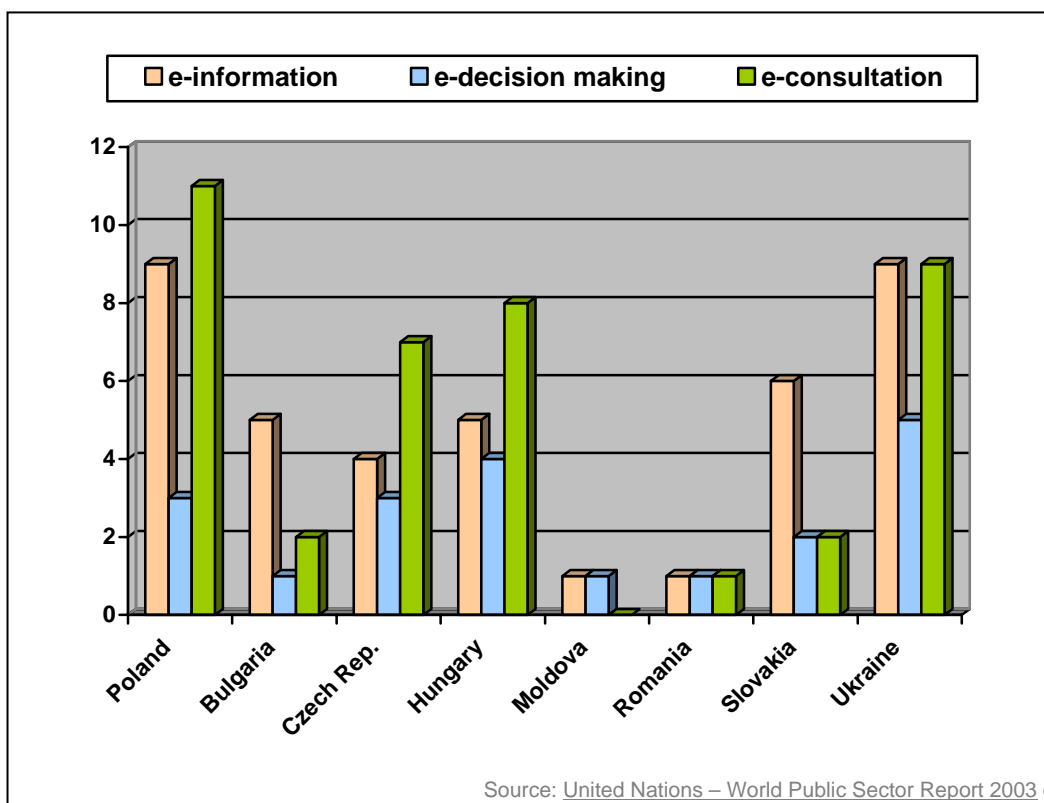
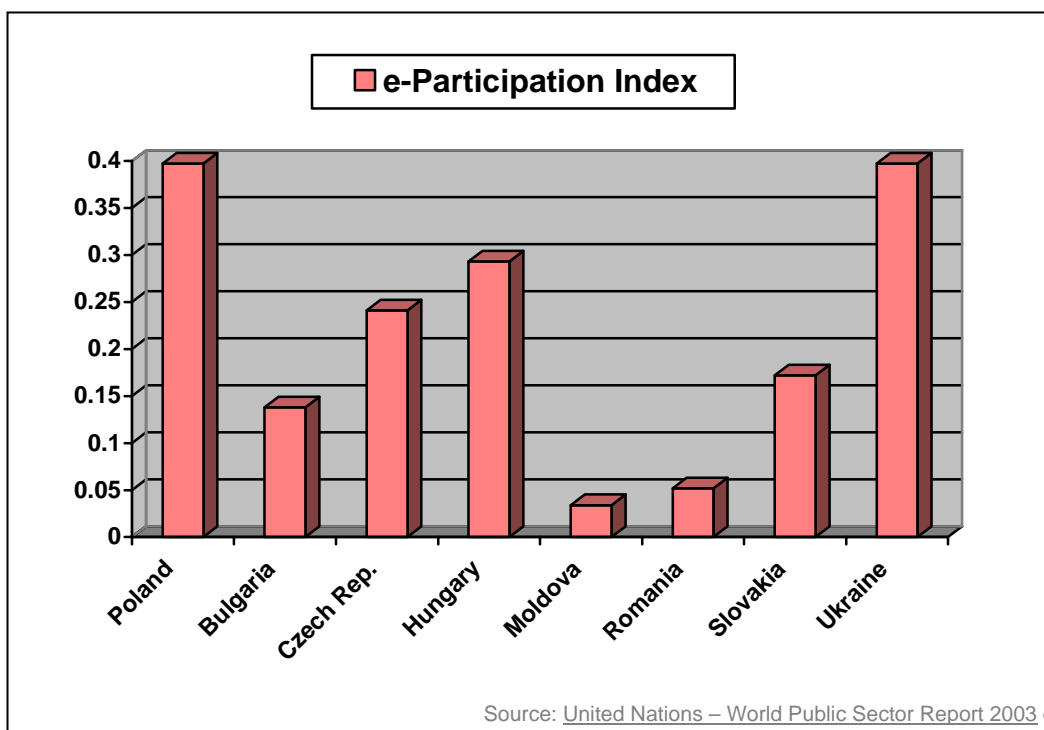
The government websites offer information on policies and programs, budgets, laws and regulations, and other briefs of key public interest. Tools for disseminating of information exist for timely access and use of public information, including web forums, e-mail lists, newsgroups and chat rooms.

**e-decision making:**

The government indicates that it will take citizens input into account in decision making and provides actual feedback on the outcome of specific issues.

**e-consultation:**

The government website explains e-consultation mechanisms and tools. It offers a choice of public policy topics online for discussion with real time and archived access to audios and videos of public meetings. The government encourages citizens to participate in discussions.



## 7. Links

7.1 National sites	
Authority	Topic
President	<a href="http://www.prezydent.pl/">http://www.prezydent.pl/</a>
Chancellery of the Prime Minister	<a href="http://www.kprm.gov.pl/">http://www.kprm.gov.pl/</a>
Sejm	<a href="http://www.sejm.gov.pl/">http://www.sejm.gov.pl/</a>
Senate	<a href="http://www.senat.gov.pl/">http://www.senat.gov.pl/</a>
Ministries	<a href="http://www.kprm.gov.pl/english/112.htm">http://www.kprm.gov.pl/english/112.htm</a>
Central Offices	<a href="http://www.kprm.gov.pl/english/122.htm">http://www.kprm.gov.pl/english/122.htm</a>
Voivodships	<a href="http://www.kprm.gov.pl/english/130.htm">http://www.kprm.gov.pl/english/130.htm</a>
Civil Service in Poland	<a href="http://www.usc.gov.pl">http://www.usc.gov.pl</a>
Office of Public Procurement	<a href="http://www.uzp.gov.pl/">http://www.uzp.gov.pl/</a>
Constitutional Tribunal	<a href="http://www.trybunal.gov.pl/">http://www.trybunal.gov.pl/</a>
Supreme Court	<a href="http://www.sn.pl/">http://www.sn.pl/</a>
Commissioner for Civil Rights Protection	<a href="http://www.brpo.gov.pl/">http://www.brpo.gov.pl/</a>
Polish Official Statistics	<a href="http://www.stat.gov.pl/">http://www.stat.gov.pl/</a>

7.2 Miscellaneous sites	
Institution	Topic
Council of Europe (COE)	<a href="http://www.coe.int">http://www.coe.int</a>
European Union (EU)	<a href="http://europa.eu.int/comm/enlargement/poland/index.htm">http://europa.eu.int/comm/enlargement/poland/index.htm</a>
EU - Polish Links	<a href="http://europa.eu.int/comm/enlargement/poland/...">http://europa.eu.int/comm/enlargement/poland/...</a>
International Labour Organization (ILO)	<a href="http://www.ilo.org/dyn/natlex/natlex_browse.home">http://www.ilo.org/dyn/natlex/natlex_browse.home</a>
Organisation for Economic Co-operation and Development (OECD)	<a href="http://www.oecd.org/infobycountry/...">http://www.oecd.org/infobycountry/...</a>
Organization for Security and Co-operation in Europe (OSCE)	<a href="http://www.legislationline.org">http://www.legislationline.org</a>
SIGMA (EU & OECD)	<a href="http://www.sigmaweb.org/countries/polooverview.htm">http://www.sigmaweb.org/countries/polooverview.htm</a>
World Bank (WB)	<a href="http://www.worldbank.org.pl/">http://www.worldbank.org.pl/</a>