

Public Management Review



ISSN: 1471-9037 (Print) 1471-9045 (Online) Journal homepage: https://www.tandfonline.com/loi/rpxm20

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To cite this article: Anna Kordasiewicz & Przemysław Sadura (2017) Clash of public administration paradigms in delegation of education and elderly care services in a post-socialist state (Poland), Public Management Review, 19:6, 785-801, DOI: 10.1080/14719037.2016.1210903

To link to this article: https://doi.org/10.1080/14719037.2016.1210903

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Clash of public administration paradigms in delegation of education and elderly care services in a post-socialist state (Poland)*

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ABSTRACT

The aim of this article is to analyse the clash of concurrent perspectives (Public Administration (PA), New Public Management (NPM) and New Public Governance (NPG)) in the area of delegating public services by local governments to nongovernmental organizations (NGOs) in education and the elderly care sector in Poland. The article is based on 22 case studies of service delegation throughout Poland, carried out at the University of Warsaw in 2013 as part of an Innovative Project within the framework of the EC Human Capital Programme.

KEYWORDS Delegation of public services; New Public Management; New Public Governance; local governments; non-governmental organizations

Introduction

Until 1989, the public administrations of CEE countries were operated under a central planning system – a socialist variety of traditional *government* or Public Administration (Österle 2010). During the post-communist transition, the inherited welfare state was dismantled (Cook 2007) but the core of the Public Administration (PA), namely hierarchical resource allocation, bureaucratic rule over policy making and reliance on rigid administrative guidelines and budgets in policy implementation (Österle 2010), persisted and continued to influence social reality.

At the same time, post-communist countries came under increasing pressure to professionalize services and improve the administration's operational effectiveness. According to the advocated patterns of New Public Management, the private sector was the key reference model for public administration, hence the focus on management, performance, evaluation and cost-effectiveness analysis that often led to the introduction of market-type mechanisms, i.e. private contractors and the delegation

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*First version of this article was presented at the Social Innovation Research Conference (SIRC) 2015, Fudan University, Shanghai, 21–22 May 2015. In this article, we use the term 'delegation of public services' in the sense of a general handing over of some of the tasks to independent entities institutionally based outside the local governments, which can take various forms, e.g. contracting out, granting, etc. While we are concerned with the third sector, i.e. non-governmental organizations, delegation in this sense is also valid for business entities (second sector) and will be touched upon briefly in the introduction. Legal forms of delegation are described in the section 'Delegation of public services to non-governmental organizations'.



of public services (Österle 2010; Pollitt and Bouckaert 2011). These new trends were visible both in the area of corporate governance (Dunn 2004) and public administration (Verdery 1996, 2003).

However, the situation has changed since the beginning of the second decade of post-communist transformation. The international milieu (e.g. the World Bank or the European Union), which previously insisted on the economic effectiveness of public services, currently tends to promote 'good governance', 'governance' (Peters and Pierre 1998; Greasley and Stoker 2008), New Public Governance (Osborne 2010), 'communitarian governance' (Tam 1998) or 'collaborative governance' (Ansell and Gash 2008). In this article, 'public governance' will be understood as a networkbased regime including various actors in policy making and implementation, which is more flexible and responsive than more rigid structures (Bellamy and Palumbo 2010), focusing on service effectiveness (Österle 2010) and operating through participatory practices (Tam 1998).

As a political paradigm, 'governance' is alive in Polish scholarly debate (see Izdebski 2007). It also served as a fulcrum in the Civic Platform government's (2007-2015) long-term strategic programme 'Poland 2030', which sought to move away from traditional administration (government) as well as its neoliberal antithesis (New Public Management, NPM), towards 'responsive management' and co-governing (governance), which was eventually found expression in the newly introduced concept of a subsidiary and participatory state (Boni 2009).²

After the 1989 transition in Poland, public services in areas, such as health (see Kozek 2011), education (see Sześciło 2014) and social care (Krzyszkowski 2011; Kaufman 2007) were progressively decentralized, i.e. the responsibility for delivering these services was delegated from central to local governments, and then partly outsourced or commercialized (services were subcontracted to private entities or delegated to be carried out by non-governmental organizations (NGOs)).

In some Western countries, there is a clear trend toward re-municipalizing public services (see Transnational Institute 2014), while in Poland delegating tasks in areas such as education or care for the elderly (which are described in more detail later in this article) has been limited in scope: the total share of NGOs in local government units' (LGUs) spending is very low (not more than 1.5% of LGU budgets is transferred to NGOs providing public services), and the services have largely remained the tasks of the LGUs' sub-units.

An in-depth examination of the increasingly complex 'archaeology' of public sector reforms in Western countries reveals a picture of different paradigms adding to, or embedded in each other (Christensen and Laegreid 2007). Technically speaking, and similarly to public-private partnerships, using the third sector to deliver public services may be a sign of an open collaborative approach to civil society inspired by participatory governance, or it may stem from economic NPM motivations (Pollitt and Bouckaert 2011). So far this phenomenon has not been thoroughly described in the case of Poland, however.

In terms of ideological legitimization, outsourcing solutions in Poland are increasingly being justified not on neoliberal grounds (slimming down the state or free market effectiveness), but rather as instances of governance (NGO and citizen involvement in service-provision - co-production, subsidiarity principle or 'prosumption'). At the same time the delegation of services is accompanied by a pervasive regulation of this area, maintenance of extensive state and local bureaucracy as well as



extremely elaborate and inflexible systems of supervision and control. Andrzej Zybała concludes that the dominant model of management within the administration in Poland is that of management through legislation and top-down control (after Howlet 2011), which entails a more hierarchical style of policy execution (see Zybała 2013, 42-43). It appears that the reliance on old (centralist) solutions has slowed down the pace of neoliberal reforms.

Taking the above into consideration, we decided to study cases where delegation does take place, and public and non-public sectors' logics meet. They constitute a sort of experimental testing ground of the tensions between various public administration paradigms in Poland today. We identified a common pattern in the dominance of elements of the PA and NPM covered by NPG rhetoric in different contexts, and so the aim of this article is to understand both the factors underlying the commonalities as well as conditions responsible for exceptions. To do so we confront delegation in two comparable yet different sectors: education and elderly care. The overarching research question is what tensions emerge with the delegation of public service provision to NGOs in the distinctive Polish context.

How to study paradigmatic tensions in everyday social services provision?

To shed light on this, an investigation was undertaken at the University of Warsaw within the framework of the Innovative Project 'From partnership to cooperation'.³ The research design consisted of 22 case studies of delegation of different public services to NGOs throughout Poland, as well as expert interviews with scholars, including administration law specialists, representatives of local government and key third sector organizations (20), plus extensive desk research. The study was carried out in the first half of 2013. We set out with research questions on the paradigmatic embeddedness of the delegation, in particular whether it was stimulated by an NPMlike (emphasis on cost reduction) or an NPG-like (governance) approach (emphasis on involving the different actors, including beneficiaries as partners and service effectiveness). Another question was how the references to governance translate into practice or not. To answer these questions we selected locations that seemed promising as instances of collaborative (communitarian) governance (apparent cases of long-term, stable and extensive cooperation between NGO and LGU, some of which can be found in Polish databases of best practice). In each location we conducted problem research, focusing on the delegation process for a selected service. Each case study was based on interviews conducted with a minimum of 10 people (a diversified sample including representatives of LGUs, NGOs, key informants and local residents) as well as (in most cases) a focus-group interview and 1 to 2 observations. Altogether there were 384 participants, representing 191 NGOs and public institutions (separate departments of public institutions were counted as separate institutions). There were 17 focus groups and 27 instances of participant observations of NGO activities and institutions delegated to NGOs. Information gathered throughout the research was also used for explorative assessments of how service quality was perceived by relevant stakeholders after the regulatory changes to the fields under study. The research was coordinated by Anna Kordasiewicz, Przemysław Sadura and Marta Szaranowicz-Kusz, and carried out with the help of several researchers and students of the Institute of Sociology at the University of Warsaw.⁵ To ensure the comparability of the case studies, researchers were guided by



Table 1. Comparison of the education and elderly care services.

	Education	Elderly care
Extent of obligation	Compulsory for the citizens, obligatory for the LGU to provide	No obligation ^a
Coverage	Universal in the school age group	Scarce (below 2% of the dependent elderly)
Major form of provision	In institutions; homogeneity	At home, in community and in institutions; heterogeneity

^alt should be noted that Polish law on social assistance contains no provisions guaranteeing social assistance for the elderly (Krzyszkowski 2013, 15). Also, care services delivered at home as well as institution-based care are fee-paying (for all those who pass the low income ceilings).

a detailed template that organized the gathering, analysis and presentation of data in reports.⁶

The aim of this article is therefore to analyse the complex clash of three concurrent perspectives (Public Administration, NPM, NPG) in the sensitive area of delegating public tasks by LGUs to NGOs. Despite the diverse sample of sectors covered by the research, we identified a common pattern across sectors, namely the predominance of PA and NPM elements coloured by the NPG rhetoric. We decided to focus our attention on this surprising fact to understand better the commonalities and to analyse the differences. In this article, we confront two sectors: education and care services. These sectors are comparable since they both provide services addressing the needs of human beings who are to some extent vulnerable – minors, the frail and elderly. On the other hand, the two sectors display numerous differences which help to put in focus the key issues of public administration paradigms and test the scope of common patterns. The key differences between the educational and social care sectors include: the extent of obligation, coverage and institutional setup (Table 1).

Before presenting the results of case analyses, we will outline the general transformations within these two sectors, followed by a description of public services delegation in Poland.

Education and elderly care: transformations

Changes in the education system

Poland entered the era of transformation with an obsolete and underdeveloped (but relatively egalitarian) education system, characterized by the state monopoly, an ideologically marked curriculum and limited access to secondary and tertiary education. The changes that have occurred in this system over the last 15 years are similar to the processes observed in the 1990s in Western countries (Ball 2003) and include a commercialization of education, parametrization and quantification of educational results as well as the introduction of a number of market mechanisms to the management and financing of public schools.

External exams were introduced at all levels of education, which is important from the point of view of NPM as it enables the generation of measurable indicators of the quality of educational services. By creating school performance ranking lists based on examination results, parents as consumers were given the possibility to evaluate LGU service providers. At the same time, however, it is difficult to talk about an unequivocal shift towards NPM in Polish education. Many features of central control over



the education system, reminiscent of the PA paradigm, have remained in place, such as school catchment areas (restricting the consumer's right to choose the school according to their own preferences or school performance rankings), a late selection threshold, central pedagogical supervision and The Teacher's Charter, which is a regulation limiting the competences of local authorities on employment issues or the teaching curriculum, hence a largely etatist and socially protective document (The Law of 26 January 1982).

This clash of two different paradigms of government has determined the paradoxical shape of the Polish education system today. For example, although the school catchment area system was introduced universally, a number of exceptions were provided for at the local level (Dolata 2013). While the formal operational aspects of public educational institutions and employment conditions for public school teachers are regulated by the Teacher's Charter, in practice the Ministry of Education offers training to LGU on how to legally delegate the running of schools to private entities, which 'exempts' them from the Charter. In the past 25 years, education levels (education index) of Polish society have grown significantly, as have the results measured for example by the PISA test. However, this leap has been largely financed from outside the state budget, since state spending on education and higher education has been growing very slowly. An increase in the educational aspirations of Poles has been accompanied by an increase in private spending on education.

The decentralization of the education system in Poland means that the task of running schools has been delegated to LGUs. LGUs receive a state subsidy that only partially covers the costs of running schools, while a range of centralized instruments of system management (establishing the curriculum, systems of pedagogical supervision and external evaluation as well as external examination, etc.) is in force at the same time. The decentralization has not been as radical as some authors seem to believe (Bodine 2005), and compared to other post-communist countries, Poland appears to have the most balanced division of competencies between the various levels of educational governance (Herbst and Wojciuk 2014). New types of reforms have been added, and there have been some reversals. It is therefore important to study the co-existence of hierarchy, market and network representing the different administration paradigms at local level.

Elderly care sector as part of the changing social assistance system

In terms of decentralization and privatization of costs, we can see a similar process in the area of care for the elderly and, more widely, in the care sector in Poland. After World War II elderly care was centralized but limited in scope. As in other countries, 'long-term care is a latecomer in welfare state development' (Österle 2010). In comparison to other care regimes, research has shown Poland to be a country with limited public spending on both institutional care and in-home care (including informal care), as well as lacking in care organization development ('organizational depth') (Kraus et al. 2011) and with scarcely any type of outsourcing (Bettio and Verashchagina 2010). As in the past, the dominant care model is the family (informal) care regime, with as many as 83% of dependent adults taken care of exclusively by household members, 2% relying on state-provided care, and a mere 1% using market-based solutions (Wóycicka 2009).

This model is used by public administrations to minimize their expenditure levels. It is the families and the elderly themselves who are expected to bear the costs of care. The year 2004 saw a change in the method of financing the stay of the elderly in nursing homes, whereby the regional grant was replaced with a district (lowest level of administrative organization) subsidy. The stay in nursing homes is financed by the resident (up to 70% of his or her income), the family (if the resident has one and the income per person is above PLN 361), and if this is not sufficient (in practice it often is not) the difference should be paid by the district. Districts are reluctant to incur these costs and, as a result, the costs of care have been shifted to care receivers and their families. Between 2003 and 2008, the number of nursing homes in Poland fell from 169 to 143, and the number of nursing home residents decreased from 13,000 to 10,000 (Augustyn et al. 2010, 98).

As Poland has never seen a large-scale de-familialization of care for the elderly, the current state of affairs is better described as a continuation of 'private maternalism', i.e. a situation where family members, in particular women, are responsible for arranging help for dependent family members (Glass and Fodor 2007), rather than the 're-familialization' of the social policy in the area of care (Hantrais 2004), or a movement towards 'insourcing' (Bettio and Verashchagina 2010) advanced by researchers in some countries.

It is vital to study the elderly care arrangements despite their limited scope for two reasons. First, because demographic pressure will challenge the informal family care model and force people to consider using third sector actors (see also Österle 2010 for CSEE countries); and second, it provides a reliable testing area for paradigmatic tensions, contrasting with yet comparable to the education sector.

Delegation of public services to non-governmental organizations

Public tasks are tasks whose fulfilment is in the interest of the whole community, or that aim to satisfy some of that community's particular needs (Stasikowski 2009). Public tasks fall into several categories: those connected with public security, supervision, dispute settlement, transparency of administrative operations, system maintenance and, finally, those related to the area of public services. It is the 'public services' category that is of most interest to us in this article, as it is the area offering the greatest opportunity for cooperation between the NGOs and LGUs (Stasikowski 2009; Sześciło 2014).

The state decides on the division of public tasks among the different levels of central and local administration through legislation. There are three levels of administrative organization in Poland, with the district (gmina) at the lowest level, followed by the county (powiat) at the intermediate level and the region or province at the highest level. In this text we are primarily concerned with public services arranged at the district level, which is closest to the users of these services, i.e. individual citizens (its responsibilities include running primary and lower secondary schools and providing in-home care services for the elderly).

Districts' own tasks are generally defined as those that 'meet the community's collective needs' (The Act on District LGU, art. 7.). The services can be provided by the LGU units. They can also be delegated (1) under public procurement law (by contracting the services out to both business and NGOs), (2) by means of grant tenders under NGO-specific regulations (such as an 'Act on public benefit



organizations') or under sector-specific acts regulating, for example, social care and education.⁷ Of these, the latter, NGO-specific framework will be studied in this article. It is a classic case as described in literature on federalism, whereby an LGU operating as a collective consumption unit may contract with another governmental agency or a private enterprise operating as a production unit to produce public services for its constituency (see Ostrom and Ostrom 1991, 163-198).

As in other countries, delegating tasks to organizations in Poland (cf. Smith and Smyth 2010) is often motivated by service effectiveness considerations: commentators stress the ability of NGOs to 'quickly respond to social problems on a case-by-case basis' (Skalec 2012). Such motivation may be present both within the market approach to public services and within the governance model. The dysfunctions in LGU-NGO relations are, in most cases, due to pathologies of conforming too tightly to new public management with its cost effectiveness.8

In Poland, delegating public tasks to NGOs is not a common solution but it is gradually spreading. In the whole of Poland, the delegated funds amount to 1.4% of current spending in districts (data for 2012), which is an increase from 1% in the year 2004, while the amount of funds delegated grew from PLN 600 million to 1.6 billion during that time. Funding transferred to NGOs is mostly allocated to the following areas: physical education and sport, culture, children's recreation, addiction prevention, social care, health protection, support of the disabled, tourism, education.

Delegation of public tasks in the area of education and social assistance (elderly care)

Education is the first and social assistance is the third largest spending item in district-level LGUs. In 2014, districts' spending on education and upbringing amounted to PLN49.7 billion (an increase from 31.3 billion in 2006), and spending on social assistance was PLN20.7 billion (an increase from 15.8 billion in 2006) (Ministry of Finance). The areas of education and social assistance are declared as the primary area of activity by 14% and 6% of NGOs in Poland, respectively, with tasks in these areas delegated to NGOs by over 10% of all Polish LGUs. In view of current demographic processes and, in particular, the unprecedented ageing of the Polish population, we can expect a gradual decrease in spending on younger citizens with the necessary increase in spending on older ones.

To decide which particular paradigm the given practices follow, we will take into account the motives, forms, quality of cooperation when delegating tasks and its social outcomes (perceived service effectiveness, working conditions). Regarding motives, they can be purely economic, they can focus on services effectiveness, or they can combine these motivations. In cases where the first motivation prevails, the situation would be closer to that of the NPM model, while with the second one it would tend towards NPG. When it comes to the form of cooperation, at one extreme there are occasional grants for NGOs to help them carry out activities that fall within the category of public services and, at the other end, we find instances of entrusting a certain area, services or an institution to a NGO in a systematic way and over a long period of time. In the first case, the NGO plays a marginal role, while in the second case a real partnership may emerge, approaching the governance model. Sectorrelated differences are also present: in the area of education the prevalent model is that of delegating the management of an institution (a school), while in social care



there are a variety of forms of cooperation. In terms of the quality of cooperation, NGOs can be seen as subcontractors performing tasks whose role comes to an end as soon as the task (e.g. a service) is completed, or as partners and social co-producers of a public service. Again, in the first case, this would follow the logic of NPM, while in the other case the practices would more closely resemble the NPG paradigm.

Contracting out the management of schools

Prior to the 1989 transformation, all education was organized and provided by staterun public institutions. After the transformation, non-public schools were established and, after decentralization and the schooling reform, upper secondary schools were delegated to county level governments and elementary as well as lower secondary schools to district level administration. When delegating school management to the LGUs, a special instrument to finance their educational tasks was created: the socalled educational part of the general subsidy from the central budget. It was originally designed to cover all of the LGUs' educational spending while also granting them a certain amount of freedom in planning education budgets as well as rights to seek additional financing for education from their own income. At the same time, however, the 1982 'Teacher's Charter' remained in force. The document set out very favourable rights, obligations and employment relations for teachers compared to those stipulated by the general 'Code of Labour' applying to other professions. The resulting situation was that the amount of subsidy was calculated based on the decreasing number of students (due to the demographic drop), while teachers' salaries depended on a reference amount which increased in line with inflation and new legislation. As a result, the gap between the amount of subsidy and the real sum of LGUs' educational costs steadily grew wider. It proved particularly costly to maintain a large number of small schools (for example in rural areas). In 2011 the subsidy covered on average 88% of districts' on-going expenses on primary and lower secondary schools. It should be noted at this point that education is the major cost item in districts' budgets. In the same year of 2011, it accounted for almost 34% of district spending in rural districts and 36% in city districts.

LGUs found themselves under pressure. In theory, they were allowed to close down schools whose running costs exceeded the central government subsidy, but in practice every closure decision required the approval of the central education authority (until 2009⁹) and invariably gave rise to social discontent at a local level. The flexible subsidy proved to work as a grant-in-aid, covering an ever smaller fraction of the real educational expenses. The central government was very reluctant to take action on calls for a substantial increase in educational expenditure, or to repeal the Teacher's Charter. However, there was a trick to it. Under the law on the education system, LGUs were obliged to finance the public schools they ran by themselves under the 'Teacher's Charter'. They were also obliged to transfer an appropriate part of the educational subsidy (depending on the number and type of students) to nonpublic schools as well as to public schools run by non-public entities, 10 but in these cases, they were not obliged to cover all operating costs of the schools, and so they did not have to pay more than the law required. While the law did not provide for the possibility of transforming the LGU-run public schools into public schools run by non-public entities, there was a loophole. It was possible to delegate the management



of a school in two stages: first by closing down the public school and then establishing in its place a public school run by a non-public entity.

This solution was chosen by schools we researched in four locations, i.e. the ruralurban districts of Głuchołazy and Skoki and the urban districts of Jarocin and Szczecin. In Głuchołazy district, the process of 'rationalization' of the school network' (the term coined to euphemize the process of closing down the schools) began as early as in the 1990s, when a few of the smallest rural schools were closed down. 11 At the beginning of the new decade, local citizen' protests forced the vice-mayor to 'save' the rest of schools by formally closing them down and establishing new public schools run by NGOs, set up for the sole purpose of running the schools by parents and teachers. It was a planned process and the newly established schools were to continue their predecessors' work. The closure was merely a step taken in the absence of any other available legal formula. In that way, eight rural schools were 'transformed' for economic reasons between 2001 and 2012.

The creation of association-run schools was intended as a transitory stage, subject to change as soon as the state authorities created a better educational policy at state level. With time, however, this solution became fairly established. Our research showed that the users felt hardly any difference resulting from the change of the entity running the school - most of them did not even notice it. What changed radically, however, were the teachers' working conditions: according to our interviewees they were stripped of many privileges, their salaries were reduced by half and the number of teaching hours increased. The Głuchołazy LGU did not cooperate with schools run by associations, limiting itself to the transfer of the appropriate funds (the exact amount of funding as well as the district's responsibility for maintaining and renovating the school buildings has already been a subject of dispute between the NGO and the LGU). Events took a very similar turn in Skoki district, and to some extent, in a prestigious estate called Głębokie-Pilchowo in Szczecin. 12

An interesting case was that of Jarocin, a district of 45,000 residents in the Western part of Poland. 13 In 2001 the local community of a village (Bachorzew) set up an association which undertook to run a non-public school in place of the closeddown public primary school. This case inspired local authorities. Since 2002 (with a break between 2011 and 2014), the committee 'Jarocin Now' [Teraz Jarocin] has been governing Jarocin and has introduced many changes in the district; for example, they developed a plan to systematically outsource many of the district's tasks, as part of the strategy to expand collaboration with NGOs. The funds saved by reorganizing the district's economy were to be invested in soft areas, i.e. education and culture. Part of this plan was to 'delegate' schools to NGOs: between 2002 and 2008, five schools in rural areas were 'transformed' in this way. Interestingly, the programme was dubbed 'From the bureaucrats' to the citizens' school' and the process was presented as a stimulus to increase the civic activities of citizens.

What is special about Jarocin is that, apart from the question of finance, the motivation behind the transformation was to improve both the effectiveness of management in education and the quality of teaching. At the start of the new programme in 2003, the government's budget unit responsible for managing the school network was closed down. At the same time, however, the LGU offered full support to the schools that had been 'transformed': it committed itself to carrying out material investments and to 'transferring' other institutions to the associations running the schools, such as a kindergarten, day care centres, youth hostels, etc.



Table 2. Case studies of delegation of public school ru	ase studies of delegation of public scho	ol runnina.
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Cases	Motivation to delegate	Quality of cooperation	Social outcome, incl. working conditions
Głuchołazy, Skoki, Szczecin	Economic (cost reduction)	Low	Mixed, much worse
Jarocin	Mixed (better service effectiveness for the same cost)	High	Positive, slightly worse

According to educational authorities in Jarocin, all outsourced schools recorded improvements in areas such as the number of students, school performance, quality and number of non-curricular activities and equipment. Teachers' working conditions – as the workers said – do not differ from those guaranteed under the Teacher's Charter, while the schools have become centres of social life in their villages.

The practices described in our case studies have become increasingly common. The legislation has not put an end to them, but has indeed made them part of the legal system by allowing LGUs to delegate the management of district schools to natural persons and legal persons.¹⁴

To summarize, all the education cases are based on an adaptive circumvention of regulations and inventing solutions to cut costs and yet save local schools by changing the entity that runs them, where the entity is treated purely instrumentally and created in the course of the process. We may say that the cases in Głuchołazy, Skoki and Szczecin look more like a 'raw' new public management approach, focused on cutting costs and neglecting the school afterwards (Table 2). In case of Jarocin, the economic factors are accompanied by service effectiveness concerns, the savings are invested in soft sectors, the LGU further supports the NGO and the delegation of schools is part of a bigger scheme of delegating public services to NGOs. Hence the implicit model here would be an 'enlightened' NPM with elements of governance. All those top-down created NGOs performing governmental functions (running the schools) and financially supported by LGUs seem to be similar to 'quangos' (Greve, Flinders, and Van Thiel 1999). The process of setting them up should be interpreted as a technical operation within the local state rather than an expression of governance. However, these changes have actually been presented in the terms of participation and stakeholder involvement, e.g. in the important report on the condition of the Polish education sector prepared by the Institute of Educational Research. Here, the process is interpreted as 'subjecting schools to the control of local communities' which 'was accomplished not through a system of parents' councils but through the actions of LGUs' (Herbst and Herczyński 2015, 19).

Delegating public tasks in the area of elderly care

Similarly to education, it was only after 1989 that the possibilities to delegate services in social care emerged. However, as many as 63% of social support centres (SSCs, which are basic units responsible for the provision of social care) still deliver services through their own employees, 15% contract them out to NGOs, and 11% to private businesses (Krzyszkowski 2011, 166). In-home care services in particular are commonly delegated to NGOs in urban areas: this is the case with as many as 58% of SSCs located in cities; 38% are familiar with contracting out services to private businesses, while 32% perform the task through their own employees¹⁵



(Krzyszkowski 2011, 166). In rural areas the share of NGOs and private businesses in delivering care services is much lower, at 9% and 6%, respectively.

Social care is a diversified field with many areas and forms of service delivery, some of which are common, widely financed and often delegated, others are not. While care services are widely delivered (99% of districts), and it is common to finance the broadly understood residential care facilities (nursing homes; in 66% of districts), the share of funding allocated to these activities differs. Around 24% of funding for care services goes to NGOs, while the figure for nursing homes is only around 5%. Additionally, there are around 200 day care centres in Poland, and are found in 4% of all districts.¹⁶

Bearing all this in mind, the case of contracting out care services in Gdynia, 17 which we are analysing, is an example of a more commonly occurring activity and one that is delegated more often, while the case where the management of the Elderly Day Care Centre (EDCC) was entrusted to an NGO in Jaworzno¹⁸ is an example of a rather uncommon solution.

Jaworzno is a medium-sized city (95,000 inhabitants) in the South-West of Poland (Silesian Region), where several institutions and activities in the area of social assistance have been delegated to NGOs (following a decision to restructure this area). As our study found, the city's authorities displayed a planned and conscious approach to collaboration with the third sector (an advisory board consisting of NGO representatives was founded as early as in 1995), as well as to social assistance issues, borne out by the fact that already before the delegation in 2008 there was an EDCC in place, established as one of the first institutions of this kind in Poland in 1980 (the delegation of this unit is the subject of our analysis at this point) and that a new Community Self-Help Centre for disabled people was established in 2001 which, from the outset, was delegated to an NGO. When it comes to financing NGO tasks, city authorities give the social assistance area priority, both in terms of scope and forms.

Handing over an institution (a form of cooperation with NGOs which is uncommon in social care) is a sign of a partner-like approach to NGOs. The management of EDCC takes the form of entrusting the institution (i.e. 100% of costs are covered) over a 2-year period. According to interviewed users and local experts, the activities are of high quality, their scope has been expanded since the institution was delegated, and they appear to be taking full advantage of the NGO's potential. These factors speak in favour of seeing this case as a manifestation of governance. However, a closer examination of the motives and methods of delegating the task will reveal more features typical of NPM.

The basic motive behind the restructuring of social assistance arrangements in Jaworzno, including the handing over of the EDCC, was in fact to cut costs. In his presentation for the city council, SSC's director pointed to the potential savings to be made if NGOs contributed on a pro bono basis, as well as to NGOs' ability to raise external funding to support their own activities.

Within the restructuring process, the institutions were to be closed down and then handed over by tender to be run by NGOs. This was accompanied by social unease, as expressed, for example, in the local media. SSC's director inspired EDCC's employees to set up an organization, which subsequently took part in the tender and has been running the EDCC since 2008. Participants in the study, EDCC's employees - members of the association - see its formation as forced and say it was dictated by the need to save their jobs. This case is therefore very similar to the

common 'transformation' of schools by closing them down and opening new ones managed by associations, as described in the section on education. As a result of the restructuring, EDCC's employees suffered financial losses: they told us that after the two-year protection period of guaranteed working conditions, their salaries were stripped of any bonuses and extras, which makes them bitterly refer to their work as pro bono community service.

A completely different case of the delegation of public tasks concerned the inhome elderly care services in Gdynia. Gdynia is a large city of 250,000 inhabitants, forming part of the tri-city agglomeration on the Polish coast. Innovative activities in the city are coordinated by the Centre for Innovation in Gdynia, which also deals with social assistance tasks (other areas include, for example, the process of involving the local community in social revitalization and organizing the local community in Gdynia's Chylonia district, which is commonly referred to as a benchmark in this field in Poland¹⁹). Gdynia has also organized iterative 'silver citizens' panels' for senior citizens and has established the Senior Citizens' Activity Centre.

Gdynia was one of the leading actors in the process of care services standardization in Poland. The process in Gdynia was carried out in a participatory mode, where, for example, senior citizens surveyed their peers about their satisfaction levels. Contracting out tasks, including the management of social assistance institutions, goes back to 2004 and care has been contracted out by tender since 2005.

According to our research, the decision to delegate the elderly care services to NGOs was motivated by a desire to improve their service effectiveness rather than cut costs (Table 3). It was pointed out by the participating representatives of the LGU that there are opportunities for NGOs to raise additional funding, but again, this is relevant from the point of view of potentially developing the range of services offered and improving their quality, rather than being a purely financial consideration. Since the local SSC noticed that care workers' rates were too low, it introduced a contractual clause fixing the proportion between salary-related costs and administrative costs which translated into an increase in the real salary for carers. To quote one of the contractors: Gdynia pays most and the quality of services is the highest (gd5_NGO_uo).

Our interviewees: - those performing the services, those who contract them out and the beneficiaries - are all satisfied with the final outcome, which includes a better, more effective service level. They also appreciate the chance to further improve this service effectiveness through synergic cooperation, when, for example, all these actors are involved in developing common standards of care. This approach to cooperation is well summarized by the author of the report, Katarzyna Kalinowska: 'our common workers perform our common tasks for the benefit of our common beneficiaries according to our common standards'. In Gdynia, thanks to an openminded approach and long-term cooperation, the boundaries between different institutions have become blurred, and they have been able to concentrate on performing their tasks to the highest possible standard. Gdynia's case is the best example

Table 3. Case studies of delegation in elderly care.

Motivation to Cases delegate Form of delegation		Quality of cooperation	Social outcome, incl. working conditions	
Jaworzno Gdynia	Economic Service effectiveness	Institutional Long-term and large scope service delegation	High High	Mixed, worse Positive, better



in Poland of approaching the NPG model, where the different entities cooperate as partners to achieve synergy benefits.

Discussion

To summarize, in a field as diversified as social care, we presented one case of NPMlike delegation (Jaworzno), similar to educational cases, and one clear case of governance, or even collaborative-like delegation (Gdynia). The practice of delegating public services to NGOs can stem from a governance approach as well as be embedded in NPM. Comparing the two sectors that deal with people's needs (education and care), we see more paradigmatic commonalities than differences, despite the sectoral diversity. In most cases, we found mainly economic motivations and an instrumental use of NGOs to circumvent the rigid PA constraints (Głuchołazy, Skoki, Jaworzno). But sometimes even these situations were presented as governance, and this strategic, discursive construction of governance can be dubbed 'pragmatic governance' (with a de facto strong NPM component and bureaucratic core) (Jaworzno, Jarocin).

On the other hand, we also found public tasks delegated as in Gdynia, i.e. a situation of long-lasting contracts, network-orientation, a focus on service effectiveness, close and partner-like cooperation within a network of stakeholders - all in all resembling communitarian governance. This is a rather exceptional case, however, and the outcome of a steady approach by local government over the years and positive feedback from third sector.

Conclusions

Both the practices described here and the resultant regulations may be seen as instances of contracting out public services. These regulations do not oblige LGUs to assess and verify the actual usefulness of contracting before making a decision, and hence do not comply with OECD standards (1997, 7-11). LGUs have not ensured a competitive selection procedure, nor have they secured the involvement of all stakeholders throughout the procedure (i.e. through social consultations). What is more, they reduce the scope of employment protection granted to teachers or lead to the deterioration of working conditions in a social assistance institution (the case of Jaworzno). The whole system that emerges from this reform begins to resemble a PA with instances of NPM in the form that has been subject to criticism for many years now.²⁰

While the changes in dominant paradigms slowly and unevenly translate into policy change in the West, countries such as Poland have seen a clash of three different paradigms entailing different rationalities. The real model of delivering public services resembles a Russian 'matryoshka' doll, where the outer ideological layer of governance masks the underlying contradictory attitudes: while tasks are indeed outsourced (in accordance with the NPM model), public administration monopolizes resources and exerts hierarchical control in a style typical of the traditional model of government.²¹ Moreover, this structure prevails not only at the macro level but can also be found at the micro level, in the current operating partnerships of administration and NGOs.

Whereas the Anglo-Saxon narrative of governance following NPM and statecentred government does not fully fit the history of continental Europe (Pollitt and Bouckaert 2011) or even the UK itself (Milbourne and Cushman 2013), Poland is, in



a sense, unique. Elsewhere in the world, the discourse coloured by ideas of communitarian governance can be considered 'an ideological layer' of a persisting NPM approach. In the case of Poland, as shown by recent events, behind a facade of a hybrid model using NPG ideology as its legitimation, we find a hidden NPM approach by LGUs and a traditional authoritarian approach (not the Neo-Weberian one) among central authorities. It is reflected not only in the recent turn in the approach to the rule of law but also in a brand new education law limiting the powers of local governments.

Notes

- 1. There are numerous competing approaches and analyses stressing the internal diversity of each model and the need for other models, such as the Neo-Weberian state in the Pollit and Bouchaert book (2011). We choose to stick to the three models outlined as these are the most pronounced 'ideal types' of public administration and have proved useful for the analysis of the complex hybrids of models in Poland.
- 2. Before the 'Poland 2030' programme had a chance to be implemented, however, its author ceased to be the chief advisor to the prime minister.
- 3. Funded within the framework of European Commission Human Capital National Cohesion Strategy, Innovative project 'From partnership to cooperation', carried out by the CIO Słupsk, UM Ustka and the University of Warsaw, from 1 November 2012 to 30 June 2015, number DWF_5.4.2 8_2011, priority V 'Good governance'. As far as elderly care system is concerned, we have also benefitted greatly from the proceedings of the MIG/ AGEING 'Unfinished migration transition' project, financed by the Polish National Science Centre, project number 2013/08/A/HS4/00602, in which one of the authors is employed.
- 4. Two were monographic in character, i.e. they referred to all the forms of LGU-NGO cooperation within a specific district (Jarocin and Słupsk).
- 5. We have greatly benefited from the analysis of local governments' expenses data which Jan Herbst carried out in the course of the project.
- 6. Key interviews were transcribed. Seminars to discuss the results were held on a weekly or biweekly basis.
- 7. Act on Public Procurement, Act on Public Benefit Organizations, Act on Social Care, Act on Education.
- 8. Various researchers point to the commercialization of NGOs, the governmentalization (over-formalization) of NGOs, as well as the NGOs' dependence on public funds. They also report on NGOs' demanding attitudes, oligarchization of the third sector and the bureaucratization of cooperation accompanied by a lack of cooperation standards (for references, see Makowski 2011).
- 9. And according to the recently proposed new act on education.
- 10. The Act of 7.09.1991 on the system of education (consolidated text: Journal of Laws, 2004, No 256, item 329 with subsequent changes).
- 11. Jakub Rozenbaum, Sonia Szostak and Zofia Włodarczyk were researchers and authors of the report on the Głuchołazy delegation case.
- 12. Michał Chełmiński and Julia Legat were researchers and authors of the report on the Skoki delegation case, and these two authors together with Tomasz Piątek were authors of the report on the Głębokie-Pilchowo delegation case.
- 13. Research in Jarocin was carried out by the whole seminar group from the University of Warsaw including the authors and Marta Szaranowicz-Kusz, as a monographic case study, encompassing all sectors of delegation of public services. The authors of the report on the education sector delegation were Dorota Olko, Michał Chełmiński, Julia Legat, Mikołaj Mierzejewski, Tomasz Piątek, Jakub Rozenbaum, Sonia Szostak and Zofia Włodarczyk.
- 14. The Act of 19.03.2009 on changes to the act on the system of education and some other acts (consolidated text: Journal of Laws, 2008, No 56, item 458).
- 15. The percentages do not add up to 100% as these solutions may be combined in various ways.



- 16. There are attempts to modernize the elderly care in Poland, for instance by establishing a curriculum for elderly caregivers (2008) and a Senior-WIGOR programme established in 2015, according to which each district will have an elderly day care centre. However, the future funding of Senior-WIGOR is uncertain under the new government.
- 17. Katarzyna Kalinowska was the researcher and author of the report on the delegation of Gdynia elderly in-home care services.
- 18. Katarzyna Murawska and Zofia Włodarczyk were researchers and authors of the report on the Jaworzno case.
- 19. Also studied within the framework of this research, the author of the report was again Katarzyna Kalinowska.
- 20. Although there are important studies indicating that NPM in Central and Eastern Europe 'can work' (Dan and Pollitt 2015), they do not include sectors of our interest (except the case of vocational education in Lithuania).
- 21. Whereas some scholars suggest that top-down control is common in NPM as well (e.g. Budd 2007), we share the dominant view (e.g. Pollitt and Bouckaert 2011) and link this to pre-NPM public administration. This connotation is even stronger in the case of post-socialist countries, where a more hierarchical approach is the legacy of the former communist state.

Acknowledgments

We express our gratitude for the comments of the SIRC participants and we thank professors Beryl Radin and Henry Tam who commented on the first draft, as well as anonymous reviewers who helped greatly in developing this article.

Disclosure statement

No potential conflict of interest was reported by the authors.

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