

PUBLIC SAFETY MANAGEMENT IN POLAND - THE EXAMPLE OF TERRITORIAL SELF-GOVERNMENT UNITS (COMMUNITY-DISTRICT-VOIVODESHIP)

Public safety management on each level of territorial self-government performed by public administration bodies in Poland constitutes an internal part of the subsystem of national safety management system. Responsibilities concerning public safety, imposed by law on self-government administration bodies i.e. community, district, voivodeship, constitute an essential base for creating the complex system, which consists of management elements responsible for preventing all types of threats for local communities and aimed at facing these challenges. Issues concerning public safety has become a value whose meaning is appreciated by every single man as well as by the whole society.

Safety – identification

At the dawn of the 21st century the significance of a problem of safety takes on a new meaning. Despite the vast body of literature this commonly used phrase still raises a number of discussions. In normative acts there is no clear definition concerning safety. We can find a great diversity of notions which arise from the needs of various institutions rather than from social needs¹.

They include such notions as: issues of security of State (whose scope is unknown), protection of human safety, protection of safety and public order, protection of human life and property, general safety, national safety, defense, defensive capability but *there* is a separation between the meaning - defensive capability and national safety. Moreover, there also exist notions as: civil defense, civil protection of people, property, environment (in time of peace and war), natural disaster and other similar occurrences threatening general safety, crisis management which is anti-crisis management or in fact management while special and extraordinary occurrences².

Literature draws attention to various typologies of safety and distinguishes various criteria: subjective, objective, of time and source of threats. In accordance of subjective criterion we can distinguish: international safety, safety of the State, personal safety. In accordance with objective criterion we can distinguish: political safety, military safety, economic safety, ecological safety, social safety, information safety, cultural safety. The following classifier allows to focus on safety as a process that takes place in a specific place and time so it is an essential factor basing on which we can distinguish internal and external safety³.

As shown in a lot of analysis, safety is indivisible, however, due to varied reasons its different sides and scopes require detailing or more often narrowing down to a specific area⁴.

This lack of precision in defining safety is due to the complexity of this issue, its multifaceted and structurally and functionally varied character and difficulties with finding its strict definition.

While investigating the problem of internal safety, L. Chojnowski underlines the importance of different sectors of its analysis which focus mainly on ideology of the State, its institutions and physical base⁵.

In literature safety is usually defined through negation, i.e. through emphasizing contrasts (lack of threats) or underlining positive conditions (peace, security, freedom). A lot of authors

¹C. Rutkowski, *Sieć bezpieczeństwa. Domeny, relacje, dylematy, szanse*, WSZiP, Warszawa 2009, s. 170-246.

²M. Lisiecki, *Zarządzanie bezpieczeństwem publicznym*, ŁośGraf, Warszawa 2011, s. 20-21.

³W. Fehler, *Pojęcie i istota bezpieczeństwa wewnętrznego państwa*, [w:] *Zarządzanie bezpieczeństwem narodowym*, (red.) Ł. Sułkowski, A. Marjański, *Przedsiębiorczość i Zarządzanie* Tom X, Zeszyt 3, Łódź 2009, s. 31-35.

⁴www.stosunki-miedzynarodowe.pl/index.php?option=com_content&view=article&id=954:typologia-bezpieczestwa-nowe-wyzwania&catid=70:bezpieczestwo&Itemid.

⁵L. Chojnowski, *Wybrane zagadnienia ewolucji bezpieczeństwa*, w: *Bezpieczeństwo i zarządzanie kryzysowe – aktualne wyzwania. Współczesne aspekty bezpieczeństwa i zarządzania kryzysowego*, (red.) M. Włodarczyk, A. Marjański, Seria SWSPiZ w Łodzi: *Przedsiębiorczość i Zarządzanie* Tom X, Zeszyt 6/2009, s. 17–35.

indicate the need of process approach to safety – referring, on one hand, to dynamic of changes in state of security, and on the other, paying attention to the fact that the state of safety depends on many factors which can be subjective and objective, internal and external⁶.

R. Zięba gives safety a broad meaning as he writes that safety involves satisfying the needs of: existence, surviving, security, stability, totality, identity, independence, protection of standard and quality of living⁷. At the same time he underlines that "as well as being a basic need of a human and communities, safety is also a basic of countries and international systems; its lack results in anxiety and sense of danger⁷.

Safety, in narrow terms, can be considered e.g. in social and cultural aspects which determine a context in which the safety is defined, developed and evolved. Safety, as a formal concept, has not only a narrow, personal range but also a wider, environmental and social one⁸. Following the opinions of B. Wiśniewski, we may say that "internal safety of the State is a condition obtained when the State fulfills its internal function of strategic safety policy which results in the protection of: constitutional order, public safety and general safety (when it is considered in a narrow perspective) or constitutional order, life and health of citizens, national wealth from illegal actions and natural disasters and technical disasters (if it is considered in wider perspective)⁹.

Entities of a general security system carry out two types of functions. Internal functions – aiming at ensuring continuation of the system and external function which show the core mission of the whole system and allow to distinguish this system from any other systems¹⁰.

J. Ziarko points out that building of personal safety of an individual is mainly influenced by cognitive, emotional and aspiration processes that allow a person to realize his or her involvement in situations and activities, indicate person's responsibilities concerning safety, create attitudes, needs and motives and have influence on their behaviour¹¹.

Safety, from the broader perspective, i.e. environmental or social/national/global consists increasingly of activities aiming at accumulating knowledge on safety in local/national/transnational environment which allows to work out methods and patterns of desirable behaviour which can protect and safe people, property and environment as well as to codify these patterns and oblige to obey them.

W. Fehler, in his considerations, draws attention to specific values concerning safety, which are important for existence of the State. These values include: survival, territorial integrity, political independence and quality of life¹².

It seems that national safety has a holistic character as it covers the whole set of mutual connections, agreements and relations¹³.

Generally, evading disagreements in definition, we are able to admit that the internal safety of the State constitutes a specific systematic order of relations and processes inside the State. Such order creates ability of fast identification and reaction in case of threats for the State interests by ensuring effective and harmonious pursuit of mutual interests¹⁴.

⁶B.R. Kuc, *Rola systemów wczesnego ostrzegania w tworzeniu warunków bezpieczeństwa*; M. Leszczyński, *Bezpieczeństwo socjalne jako obszar zainteresowania badawczego i składnik bezpieczeństwa państwa*, [w:] *Zarządzanie bezpieczeństwem - wyzwania XXI wieku*, (red.) M. Lisiecki, WSZiP, Warszawa 2008, s. 79.

⁷R. Zięba, *Bezpieczeństwo narodowe i międzynarodowe u schyłku XX wieku*, Warszawa 1997, s.68-69.

⁸J. Ziarko, *Zarządzanie kryzysowe*, [w:] *Podstawy zarządzania kryzysowego* (red.) J. Ziarko, J. Walas-Trębacz, , Wyd. KA, Kraków 2010, s. 11-21.

⁹B. Wiśniewski, S. Zalewski, *Bezpieczeństwo wewnętrzne RP w ujęciu systemowym i zadań administracji publicznej*, Bielsko-Biała 2006, s. 26-33.

¹⁰ M. Śnierzynski, *Struktura Bezpieczeństwa Narodowego w Polsce*, [w:] *Bezpieczeństwo i zarządzanie kryzysowe – aktualne wyzwania. Współczesne aspekty bezpieczeństwa i zarządzania kryzysowego*, (red.) M. Włodarczyk, A. Marjański, Seria SWSPiZ w Łodzi: *Przedsiębiorczość i Zarządzanie* Tom X, Zeszyt 6/2009, s. 57-68.

¹¹J. Ziarko, J. Walas-Trębacz, *Podstawy zarządzania kryzysowego*, Wyd. KA, Kraków 2010, s. 11-21.

¹²W. Fehler, *Pojęcie i istota bezpieczeństwa wewnętrznego państwa*, [w:] *Zarządzanie bezpieczeństwem narodowym*, (red.) Ł. Sułkowski, A. Marjański, *Przedsiębiorczość i Zarządzanie* Tom X, Zeszyt 3, Łódź 2009, s. 31-35.

¹³W. Fehler (red), *Współczesne bezpieczeństwo*, Toruń 2005, s. 135-136.

¹⁴B. Wiśniewski, J. Kozioł, J. Fałęcki, *Podejmowanie decyzji w sytuacjach kryzysowych*, WSP, Szczecino 2017, s. 23-36.

If we take into account subject of activity, bodies on each level of public administration (government and self-government), economic administration, military and service headquarters are in charge of safety. Their functioning is ensured by legal and normative provisions in force as well as by the potential of staff employed in administrative and executive institutions, their skills and intellectual and material assets.

However, national safety is perceived and interpreted differently by politicians, lawyers, economists, civil servants, officers in institutions responsible for safety and citizens and taxpayers¹⁵.

It can be said that nowadays safety management provides the basis for crisis management and it is one of the most important activities of the State. Taking into consideration legitimacy the State authorities possess, we may say that they play a key role in constitution of organization and methods of crisis management.

Safety system must undergo further developed due to the constant changes to the environment as well as systematic changes of political and social conditions¹⁶.

Literature clearly defines the system of general safety, pointing out that it constitutes mainly a set of legal regulations and guarantees and is a type of organization of the State authorities, public administration and other legal persons which allows to create formal and operational conditions for protection of citizens. The protection mentioned above generally concerns health-threatening incidents and phenomena that cause environmental pollution. Additionally, there is an emphasis on the need to focus on material injuries and ways of their minimization by creating an environment that encourages harmonious and sustainable development of a society¹⁷.

Tasks and bodies of self-government administration concerning safety management.

The Constitution of the Republic of Poland adopted on 2 April 1997 is the supreme law which regulates the basis of the social-economic order of the State, structure and competencies of the most important state bodies, as well as basic rights, freedoms and responsibilities of a citizen. Key importance of a role of the State concerning lives of its citizens is regulated in Article 5 of the Constitution of the Republic of Poland, in accordance with this Article the Republic of Poland shall safeguard the independence and integrity of its territory and ensure freedoms and rights of persons and citizens, the security of the citizens.

Freedoms and rights of persons and citizens are subject to strong protection by acts of both international and national law. Constitution clearly states that they are inherent, inalienable and inviolable¹⁸. However, tasks of territorial self-governments concerning safety and public order were adopted in the Law on commune local government, district government and voivodeship government.

In the Polish legal order a **community** (gmina) constitutes a basic local community in charge of fulfilling citizens needs. Community carries out its duties through constitutional and executive bodies¹⁹. **Community bodies include:**

1. Community Council – constitutional body
2. Mayor (wójt, head of a community) – executive body

Community Council is a constitutional and control body in a community. It is a representative body of community self-government and consists of local councilors. The Community Council as a constitutional body is elected in general elections and it is entitled to

¹⁵K. Sienkiewicz-Małyjurek, F. R. Krynojewski *Zarządzanie kryzysowe w administracji publicznej: zarządzanie bezpieczeństwem*, Difin, Warszawa 2010, s. 11-12.

¹⁶S. Kwiatkowski S., Kwiatkowska-Drózd, *O bezpieczeństwie obywateli i zarządzaniu kryzysowym*, Tycyn 2005, s. 26-27.

¹⁷M. Śnierzyński, *Struktura ...*, op.cit., s. 57-68.

¹⁸T. Serafin, S. Parszawski, *Bezpieczeństwo społeczności lokalnych. Programy prewencyjne w systemie bezpieczeństwa*, Difin SA, Warszawa 2011, s. 23.

¹⁹ Konstytucja Rzeczypospolitej Polskiej z 2 kwietnia 1997 r. (Dz. U. 1997 Nr 7, poz. 483 ze zm.) art. 169 ust. 1.

resolve all the cases which remain in the scope of its activities. Mayor (wójt) is an executive body of a community and is elected by ballot in general, equal and direct elections by community inhabitants who have an active right to participate in the elections.

Mayor (mere - burmistrz, president of a city) carries out his/her duties assisted by a community office. Community office is an assisting body of mayor (mere, president of a city) which means that it may be defined as a set of material and human resources designed to carry out competencies and tasks of bodies. Community office, de facto, helps community council and its bodies as the law on local commune government does not give the possibility to create a separate community office²⁰.

Employees in a community office do not have their own competencies and they only act on behalf of and under the authority of mayor.

The issue of community office has been regulated in a particular manner by Article 33 of the Law on community local government.

Community office is an organizational unit of a commune that ensures administrative, organizational and technical service for mayor and often for community council and its bodies, i.e. for: head of a community council and deputies, community council commission, clubs of local councilors and councilors as well. Therefore, a community office may be called an assisting body for community units²¹. Community office is also a place where mayor exercises all his/her rights and obligations concerning public administration. The office is also in charge of serving a community council. While carrying out its duties community office co-operates with other organizational units of a community.

Organizational structure (number, status, names, and scope of activity of organizational units, their employment, number and names of posts, etc.) as well as office activities (division of competences, terms of co-operations between units, circulation and storing of documents, opening hours, etc.) are defined by organizational regulation of an office²², granted by the order of mayor. It is appropriate to point out that the Law of 8 March 1990 on community local government (u.s.g.)²³ does not specify margin of discretion in shaping internal structure of a community office by mayor. It is only limited when the provisions require existence of specific posts or organizational units in an office.

Mayor right to grant the regulation of a community office also includes the right to change or abolish this regulation.

Mayor is also a head of an office in a community which does not have a town status and mere or president of city is a head of a city office. Therefore, mayor or a president of city, on behalf of an office, acts as an employer and is in charge of all cases concerning labour law and possesses all the powers of professional superior, including the rights to employ and dismiss of towards employees in office and heads of communities organizational units.

Regulation of an Articles 33 of the Law on community local government does not concern functioning of a community office as an employer but can also have a larger scope.

A key importance has *an organizational regulation as [...] a document which sets structure and functioning principles of a community office. Entrusting community affairs – on behalf of a mayor – to deputy or secretary means, on one hand, that the number of persons responsible for these affairs is settled and, on the other hand, that the entrusting itself should be reflected in so*

²⁰B. Dolnicki, *Samorząd terytorialny*, 4 wydane, Wolters Kluwer Business, Warszawa 2009, s. 93.

²¹Cz. Martysz, *Urząd gminy i jego organizacja*, Wydawnictwo Uniwersytetu Śląskiego, Katowice 1994, s. 214 i nast.

²²The regulation should determine the list of organizational units and post and scope of their activity. In accordance with the Article 40 (2) of the Law on commune local government regulation is included in a set of provisions of community. It does not have a generally applicable character as is a document of a community and is its internal legal act. Each community may shape its internal structure independently. It reflects the so called organizational power of self-government. It is obvious, however, that a specific shape of organizational solutions will be adjusted to tasks carried out by communities. Information taken from: B. Dolnicki: *Struktura organizacyjna gminy [w:] Samorząd, Samorząd terytorialny*. 4 wydane, Wolters Kluwer business, Warszawa 2009 r., s.91-92.

²³Ustawa o samorządzie gminnym z 8 marca 1990 r. (tj. Dz. U. z 2017 r. poz. 1875, 2232.).

called scope of duties of a deputy or a secretary of a commune as persons who conduct (supervise) specific cases of a commune.

While discussing issues concerning community office we should underline the fact that, in order to carry out its tasks, a commune may set up other organizational units (Article 9 (1) of the Law on community local government)²⁴.

Basic field of activity of a commune comprises fulfilling the needs of a local community which are the community's own tasks i.e. tasks carried out by the commune on its own behalf and on its own responsibility and using own financial resources.

The category of commune's own tasks includes:

- public order
- safety of citizens
- fire protection
- flood protection including providing equipment and maintaining an anti-flood warehouse in a commune (Article 7 (1) (14) u.s.g)

As a consequence it has to be stated that one of the basic tasks of self-government of a commune is ensuring safety for its members, i.e. inhabitants in a commune. As self-government does not possess such measures like government administration bodies, such as e.g. Police forces, some basic importance is gained by preventive measures which prevent infringement in a community or give guarantees of safety of inhabitants²⁵.

To protect life and health of citizens and to ensure order, peace and public safety, community council may pass in way of resolution, order regulations of it is necessary to protect life and health of citizens and to ensure order, peace and public safety. Community council constitutes directions of mayor's activities. It means that the community council can adopt resolutions that mayor (mere, presidents of city) must obey which concern maintaining public order within the community competencies.

Mayor is an executive body in a community and implements resolution of a council and community tasks directly. Mayor was entitled to manage current affairs of a community which also include safety and public order protection and give the possibility to issue specific orders directed to community self-government units.

Moreover, mayor carries out his duties by:

- issuing administrative decisions
- adopting acts of local law in emergency situations, i.e. in emergency cases mayor may on behalf of community council, adopt order provisions in the same scope as a council, but these provisions should be presented to a council during the nearest meeting
- preparing operational plan of flood protection
- raising and recalling state of emergency and flood alarm
- ordering evacuation form areas which are at risk if there is no other possibility to get rid of a direct threat for life, health or property²⁶.

Moreover, the law imposes on mayor an obligation to send order regulations to mayors in neighbouring communities and to a governor of district where the community is located. Detailed rules and procedures of announcement of acts of local law are defined in a law on promulgation of normative acts and certain other legal acts²⁷.

Not only systematic bodies of a community may carry out tasks of a community self-government. Apart from community bodies, which are in charge of protection of public order in a community, self-government may appoint organizational units of a commune (financed from

²⁴B. Dolnicki, *Samorząd terytorialny...*, op. cit., s. 93.

²⁵S. Sulowski, M. Brzeziński, *Bezpieczeństwo wewnętrzne państwa*, w: A. Mirska „*Gminna administracja bezpieczeństwa*”, Elipsa, Warszawa 2009, s. 198.

²⁶Ibidem, s. 199.

²⁷Ustawa z dnia 20 lipca 2000 r. o ogłaszaniu aktów normatywnych i niektórych innych aktów prawnych (tj. Dz.U. 2017 poz. 1523).

community budget) under the name of community guards (municipal guards - in municipal communities). It is a self-government uniform unit entitled to protect public order which acts in accordance with the provisions of law on community services and plays an auxiliary role for local community²⁸.

Article 9 (1a) of the law on community guards, which stipulates that “guards, while exercising the tasks assigned to them, co-operate with the Police”, constitutes an important regulation and may serve as a guideline for defining the tasks of guards. According to S. Pieprzny, despite the fact that the law does not identify tasks of guards concerning public safety (the law only mentions protection of public order), we may admit that community guard is an assisting unit for Police forces in cases concerning public safety²⁹ as a community carries out tasks included in a field of basic tasks of the Police (excluding operational and exploratory, investigation activities as well as activities concerning prosecution of offenses and issuing individual administrative acts – in cases defined by laws). In this are there were introduced a number of provisions aimed at regulating co-operation between community bodies responsible for local community and the Police forces – a basic State formation in charge of citizens safety.

Local safety management in a community is mainly a responsibility of executive body and its co-operation with other units. The safety of the whole community depends on the competencies of executive body and its effective actions in case of threats that occur on the territory of a community.

District self-government

District has a legal personality which is protected by court. System of a district is regulated by a statute. Exemplary statute is settled by a competent minister in charge of public administration. District, as a basic unit of territorial division of the State, comprises the area of neighbouring communities or the area of a town with rights of a district. While creating, abolishing and consolidating towns (by the regulation of the Council of Ministers) the authorities have to conciser various factors, which are: homogeneity of settlement and spacial system, social bonds which ensure the capacity to carry out public tasks³⁰. As a second part of local systematic segment, district constitutes a peculiar supplement to a community, so the scope of tasks and competencies of a district mostly results from tasks and competencies of a community.

District carries out its duties through legislative and executive bodies. The district bodies include:

1. District Council – constitutional body
2. District Board – executive body

District Council elects a District Governor (Starosta) and on the District Governor recommendation, 3 to 5 board members including vice-governor (vice-starosta). District Council has numerous competencies concerning systematic, organizational, economic, property, financial, administrative, control and supervising issues, as well as issues of local order, local legislation and international co-operation.

District Board is an executive body of a district, which means that the Board is directly responsible for managing self-government interests by fulfilling the council orders. District Board is also dependent on the district council. Moreover, the district board possesses its proper competencies, which are: preparation of resolution drafts, execution of council resolutions, managing district property, implementation of a district budget, employing and dismissing of managers of district organizational units³¹.

However, not all the competencies are listed above and more detailed competencies are defined by specific Acts. Therefore, we can divide the board competencies as follows: executive

²⁸Ustawa z dnia 29 sierpnia 1997 r. o strażach gminnych (tj. Dz. U. z 2016 r. poz. 706, z 2017 r. poz. 60, 2405.).

²⁹S. Pieprzny, *Ochrona bezpieczeństwa i porządku publicznego w prawie administracyjnym*, Rzeszów 2007, s. 203.

³⁰E. Zieliński, *Samorząd terytorialny w Polsce*, Dom Wydawniczy Elipsa, Warszawa 2004, s.20.

³¹Art.32 ust.2 Ustawy z dnia 5 czerwca 1998 r., o samorządzie powiatowym, (tj. Dz. U. z 2017 r. poz. 1868, z 2018 r. poz. 130.).

competencies, constitutional competencies (a possibility to adopt resolutions of an organizational nature in case of emergency situation), economic and property, financial, control, administrative-procedural³². To fulfill all above mentioned duties, legislator placed district office and other organizational units of a district at a disposal of the board (Article 33 of the Law on districts). Board of District adopts resolutions following the same provisions that councils, that is, by simple majority of votes in the presence of at least 50% of members. The District Governor (Starosta) is a Head of the Board.

The District Governor (Starosta) has full personal liability for organizing and functioning of a district office. The headquarters of The District Governor (Starosta) is a district office. As a head of a district office, governor has a broad range of responsibilities that go beyond a simple coordination. Therefore, the Law on district self-government Article 38 (2) allows a governor to delegate a part of responsibilities, concerning individual decisions, to persons entitled, who are: vice-governor, members of a board, district employees (including treasurer and secretary) and employees of other bodies and organizational units in the territory of a district. As it is governor himself who appoints persons responsible for delegated tasks, district structures may vary.

Governor is a supervisor of stated-integrated administration in a district, so the governor approves action plan for the Police forces, agrees joint activities in a district, manages joint activities of organizational units in specific situations. In justified cases, governor may arrange control measures and demand of a chief of district police to restore legal order or to undertake measures aiming at preventing infringement as well as removing threats to safety and public order³³.

The District Governor (Starosta) is entitled to undertake ad hoc measures in emergency situations such as: threat to public interests, risk for human health and life or danger of serious material injuries. However, District Governor (Starosta) is not entitled to adopt resolutions of an organizational nature which is reserved to district bodies.

District office is an administrative office and assists district board and district governor. District office also implements the decisions of district council, so a district office plays an executive role. Since the district office manages various organizational units, it bears the responsibility for fulfilling the most important tasks entrusted to a district. Various organizational units have their headquarters in a district office as it makes easier for a governor to coordinate their activities. It is not always possible and does not concern all district services, e.g. Police forces that, apart from some cases specified by Law, operate independently from a governor.

All issues concerning structure and functioning of district offices are determined independently by districts. Upon a motion of district board, district council adopts an organizational regulation of a district office, it leads to a situation where a lot of districts have a different use different terminology for units which fulfill similar statutory tasks. Units are established according to fields that they deal with. There are, therefore, various offices, departments, teams or independent posts in district offices.

One of fields of activity of district self-government concerning safety is a process of making local laws on protection of safety and public order. Fulfillment of all tasks of a district office aims at ensuring a proper level of safety and reducing the feeling of fear. Properly directed activity of self-governments may constitute an important factor in the process of dealing with social problems³⁴. Regulation of principles of operating and co-operation between self-government units on a local level aiming at ensuring public safety is a complicated process but its effectiveness, together with adequate control and supervision, should result in proper quality of performance what is expected to determine our safety.

³² E.Zieliński, *Samorząd terytorialny w Polsce*, op.cit., s. 213-214.

³³ art. 11 Ustawy z dnia 6 kwietnia 1990 r., o Policji (tj. Dz. U. z 2017 r. poz. 2067, 2405, z 2018 r. poz. 106, 416, 650).

³⁴ R.Głowacki, K.Łojek, A.Tyburska, A.Urban, *Poradnik dla członków komisji bezpieczeństwa i porządku*, wyd. Wyższej Szkoły Policji w Szczytnie, Szczytno 2007, s.38.

Among territorial self-government bodies, district self-government is in charge of the largest, and lately enlarged number of tasks concerning safety, which include not only flood, fire and environmental protection, defensive capability, but also safety of citizens, counteracting other extraordinary occurrences threatening human life and health. The Law on district self-government of 27 July 2001 introduces a new institution in charge of safety and public order i.e. commission for safety and public order.

Competent government administration units may impose on a district obligation to perform specific actions, included in competencies of a district, concerning removing threats for safety and public order³⁵.

Voivodeship self-government

Voivodeship self-government is in charge of development policy of the voivodeship which consist in maintaining and development of infrastructure, acquisition of funds for execution of public tasks, undertaking measures aiming at improving education of citizens, improving the labour market, supporting science, promoting voivodeship³⁶.

Voivodeship self-government is also responsible for public safety, defensive capability and counteracting unemployment, promotion of sport and tourism, social assistance, promotion and protection of health, development of culture and protection of monuments, local zoning, public transport and roads, family-friendly policy, consumer rights protection, rural areas and their development³⁷. Responsibilities and tasks of the Voivodeship self-government are set out in the *Law of 5 June 1998 on Voivodship Self-government*.

Voivodship carries out its duties through legislative and executive bodies. Voivodeship bodies include:

1. Regional Council – constitutional and control body
2. Board of Voivodeship – executive body

The most important tasks of the voivodeship are, among others: local legislation, planning development strategy of a voivodeship, planning local zoning, establishing budget, appointing and dismissing a treasurer, specifying regulations of paying grants. According to the Law, Regional Council elects from the councilors a chairman and 3 vice-chairmen. The voting is held by secret ballot and the chairmen are elected by an absolute majority. The Regional Council meets at sessions convened by Chairman who controls activity of a Board and organizational units through an appointed review board.

The Board of Voivodeship is a second executive body of voivodeship. It is composed by 5 persons who have to hold Polish citizenship. The Board of Voivodeship is elected by the Regional Council, marshal and vice-marshals of the voivodeship. The Board carries out duties on behalf of voivodeship self-government provided by Regional Council, i.e. implementation of resolutions, managing assets of a voivodeship, preparation of projects, control and analysis of development processes in a voivodeship, control, co-coordinating and managing organizational units.

Marshal of a voivodeship, who is a head of the marshal's office, also plays an important role. Marshal has an important function always when there is a threat for public interest and emergency cases that can result in material injuries. Marshal can entitle vice-marshals and other employees in marshal's office to issue a decision on his behalf. It is also important to recall the voivodeship treasurer, who is appointed and dismissed by the Regional Council. The treasurer holds an advisory vote during meetings and works of voivodeship board.

Marshal Office is an organizational unit that operates as a budgetary unit and it enables the voivodeship board and marshal to carry out their tasks on behalf of the regional council. The Marshal Office was established on 1st of January 1999 under the Article 27 of the Law of 13

³⁵J. Czapska, *Bezpieczeństwo obywateli, studium z zakresu polityki prawa*, Wydawnictwo Polpress, Kraków 2004, s.93.

³⁶Art. 11 ust. 2 ustawy o samorządzie województwa, (tj. Dz. U. z 2017 r. poz. 2096, z 2018 r. poz. 130.).

³⁷ Art. 14 ustawy o samorządzie województwa,

October 1998 on the Law on implementation of the law on the public administration reform³⁸.. Marshal Office is responsible for ensuring effective realization and the highest quality of tasks assigned to marshal, voivodeship board and regional council. Tasks carried out by Marshal Office concern: public safety, defensive capability, public education, environment protection, health, water management, culture and heritage protection, transport, tourism and sport. Moreover, Marshal Office is responsible for such important issues as: promotion of voivodeship, international co-operation, development, ensuring safety and financial control.

Marshal Office is governed by marshal of voivodeship and with the help of voivodeship secretary.

Marshal Office is regulated by "Organizational Regulation of the Marshal Office" which specifies conditions for carrying out tasks and for managing the institution, organizational structure and procedure of examining cases.

The Voivod (Voivodeship Governor) requires a particular attention. The Law of 23 January 2009³⁹ on Voivod and government administration in the Voivodeship sets out bodies in charge of execution of tasks of government administration. The Voivod fulfills the most important role in a structure of this administration and acts as a representation of The Prime Minister in a region.

Moreover, voivod is a head of stated-integrated government administration in voivodeship, supervisory authority over territorial self-government units and their basis in terms of legality. Voivod is also a body of higher instance.

Summary

Public safety (and order) management by self-government units is a complicated process due to three-tier structure of territorial self-government units i.e. Community-district-voivodeship. Territorial self-government units not only have a statutory obligation but also carry great responsibility for safety of local community whether on community, district or voivodeship level.

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³⁸ Art.27 Ustawy Przepisy wprowadzające ustawy reformujące administrację publiczną

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