

Transparency of municipal companies in the Visegrad Group countries

Case study

Warsaw Trams Ltd

Poland

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sieć obywatelska
WATCHDOG[^]

At the end of 2016 beginning of 2017, under an international partnership project, the Citizens Network Watchdog Poland conducted the monitoring of transparency of municipal companies in selected cities in Poland. The project was coordinated by the Czech organisation Oživení, conducting anti-corruption activity. Such organisations as Transparency International Slovakia and Budapest Institute from Hungary also participated in it.

All partners had earlier experiences connected with the monitoring of municipal companies. In the project, we wanted to discuss our conclusions, find arguments to facilitate convincing decision-makers to improve transparency of companies, become inspired by experiences of other countries, and in some way also be confirmed in the rightness of thinking about the importance of problems discussed.

As regards Polish experiences, in 2015 and 2016, together with several dozen people, groups of citizens and organisations from the whole of Poland, the Citizens Network Watchdog Poland undertook a pioneering attempt at conducting the monitoring of municipal companies. This was the subject selected by persons interested in the transparency of spending public money at the local level¹. These persons accepted that municipal companies are among those more non-transparent entities which are difficult to hold to account for the way they have been managing our common money.

Thus, it was about achieving greater transparency of operation of the companies but also their supervisory bodies. In the course of the monitoring exercise, residents of communes learned the principles of operation of municipal companies and analysed how legal provisions and internal regulations in communes translated into the way companies operate. Among other things, they examined the local council's policy with regard to municipal companies, the procedure of selection and remuneration for members of governing bodies and transparency of their operation.

After the first monitoring, 9 local reports were drawn up, prepared by activists. Thanks to this work, we investigated the subject well and we found the existence of several key problems. The most acute were the issues connected with the non-transparent spending of the company's money on purposes other than those connected with the purpose of the company's operation, lack of knowledge about salaries of members of supervisory boards – particularly those who were at the same time councillors, or failing to disclose information about audits conducted in the companies. Although conclusions from the study were clear, changes in companies proved difficult to implement.

This is why we were happy to welcome the possibility of getting support from international experience. The more so that our partners approached the subject slightly differently, focusing on the preparation of the index. We decided to follow them, counting that the showing of differences would prove an additional factor motivating for changes.

Which indicators have been adopted for the study?

For the study of transparency of municipal companies our international team selected 10 indicators which are important for preventing irregularities. Thanks to the fact that the study was of international nature, the indicators adopted collected good and desired practices from four Visegrad Group states. It was important so much as in Poland we focus on achieving the change of the companies' practices with regard to the provision of public information, notification of the recruitment for offices and its results, or information on how the company's money has been used. However, there are more factors connected with the responsibility and correctness of operation of

¹ <http://siecobywatelska.pl/co-nas-bulwersuje-w-naszycch-gminach/>

the municipal company. There is no discussion about them in Poland because we have been held up by more basic issues. It seems that selected indicators enable us to build quite a full look on responsibility of companies, and the availability of information about selected subjects affects their transparency.

Question 1: Does the company has a single and easy-to-find window to find public information (e.g. dedicated FoI / PSI menu point, public disclosure checklist with links to documents and other source of information) and does the company has a single and easy-to-find window to submit public information request to the company (e.g. information on the company contact person to turn to (mail, phone), info on the procedure how to submit request and when the company will reply)?		10%
A	a single and easy-to-find window to find dedicated FoI / PSI menu point?	2%
B	a single and easy-to-find public disclosure checklist with links to documents and other source of information?	2%
C	a single and easy-to-find information on the company contact person to turn to (mail, phone)?	2%
D	easy-to-find information on the procedure how to submit request?	2%
E	Does the company has a single and easy-to-find window to submit public information request to the company - when the company will reply?	2%
Question 2: Does the company publish the annual reports (including balance sheet and profit and loss statement) for the past three years on its website and does the company share the results of internal or external audit of company from the last three years period?		10%
A	the annual reports for the past three years on its website?	3,33%
B	the balance sheet and profit and loss statement for the past three years published on the website of the company (it can be included in the annual reports)?	3,33%
C	Does the company share the results of internal or external audit of company from the last three years period? (not internal or external audit of balance sheet)	3,33%
Question 3 Does the company publish on its website plans of performance criteria, such as revenues, profits or indicators concerning the subject of its business activity for the current period and does the company publicly evaluate the fulfilment of performance criteria, such as revenues, profits or indicators concerning the subject of its business activity also retroactively (e.g. in form of audit reports, as part/chapter of annual reports or other type of performance-related reports) ?		10%
A	plans of performance criteria, such as revenues, profits or indicators concerning the subject of its business activity for the current period?	3,33%
C	public evaluation of the fulfilment of performance criteria, such as revenues, profits also retroactively (e.g. in form of audit reports, as part/chapter of annual reports or other type of performance-related reports)?	3,33%
C	public evaluation of the fulfilment of performance criteria concerning the subject of business activity also retroactively (e.g. in form of audit reports, as part/chapter of annual reports or other type of performance-related reports)?	3,33%
Question 4: Does the company publish information regarding the salary, bonuses and other benefits of managers in the executive management, directorate and supervisory board and does the website disclose the professional CVs of managers in the executive management, directorate and supervisory board?		10%
A	salaries, bonuses and other benefits of managers in the executive management?	1,67%
B	salaries, bonuses and other benefits of managers in the directorate (executive board)?	1,67%
C	salaries, bonuses and other benefits of managers in the supervisory board?	1,67%
D	professional CVs of managers in the executive management?	1,67%

E	professional CVs of managers in the directorate (executive board)?	1,67%
F	professional CVs of managers in the supervisory board?	1,67%
Question 5: Does the company share information on the ownership structure, voting and decision-making responsibilities and rules of the company (e.g. online available statute) and does the company publish information on its website on financial assistance received from the state /from the EU funds and on any other financial commitments made on behalf of the company (e.g. grants, guarantees, subsidized loans)?		10%
A	the ownership structure, voting and decision-making responsibilities and rules of the company (e.g. online available statute)?	5%
B	information on financial assistance received from the state /from the EU funds and on any other financial commitments made on behalf of the company (e.g. grants, guarantees, subsidized loans)?	5%
Question 6: Does the company publish information on the public procurement activity (e.g. notices and the results of tenders, annual plan) on its website for the last three financial years?		10%
A	notices of tenders for the last three financial years?	3,33%
B	the results of tenders for the last three financial years?	3,33%
C	the annual plan of public procurements?	3,33%
Question 7: Does the company share information on its business integrity and/or anti-corruption policy (e.g. Code of Ethics, whistle blower regulation, ethical hot line, integrity officer, fraud prevention / investigation procedures)?		10%
A	Does the company share information on its business integrity and/or anti-corruption policy - Code of Ethics?	2,5%
B	Does the company share information on its business integrity and/or anti-corruption policy - whistle blower regulation?	2,5%
C	Does the company share information on its business integrity and/or anti-corruption policy - ethical hot line, integrity officer?	2,5%
D	Does the company share information on its business integrity and/or anti-corruption policy - fraud prevention / investigation procedures?	2,5%
Question 8: Are employees hired through selection procedures and does the company publish the results of selection procedures on its website? (point are given only if there are results of the selection procedures)		10%
Question 9: Does the company publish on its website the amounts and recipients of grants, donations or sponsoring?		10%
Question 10: Does the company publicize offers to sell or rent property and the results of the procedures on its website?		10%

How does law regulate operation of municipal companies and how does this relate to selected indicators?

In accordance with the law in force in Poland, local government bodies may conduct business activity. The main purpose of this activity should be carrying out own tasks, with particular attention paid to the fulfilment of collective needs of residents. The council of the given local government (commune

council, district council) makes decision to create or accede to municipal companies, as well as the dissolution of and withdrawal from these companies through a resolution.

The owner's supervision over municipal companies is held by the meeting of shareholders. In the case of companies with a 100% share of the commune is the commune head/town or city mayor. Their task is to check whether the municipal property delivered to the company is used in the correct manner and whether it is used to carry out the commune's own tasks indicated in the deed of incorporation.

The municipal company bodies comprise the supervisory board and the company management board. The supervisory board is appointed from among persons meeting statutory requirements, i.e. having the appropriate education and relevant competences. Members of the supervisory board are appointed by the meeting of shareholders, i.e. in the case of companies we have studied – the commune head/town or city mayor. The supervisory board holds a controlling and supervisory function with regard to the company management board – permanently, in all areas of its functioning. The deed of incorporation of the company may extend the supervisory board's competences, for example to include the need for the company management board to obtain the acceptance of the supervisory board for some activities, e.g. taking out a loan or disposing the company property above a specific value. The competences of members of the supervisory board also include appointing members of the management board. The company management board runs the company and represents it outside. It is the management board who makes decisions as part of current activity.

As the law stipulates, the founding body has considerable capabilities of influencing the personnel policy. It is in the residents' interest for this policy to be based on rational decisions and accountable to the greatest possible extent. Hence our interest both in competences and in remunerations of key governing bodies in a company.

It is just as important for companies to observe the law on disclosure, i.e. the Act on Access to Public Information, arising from their public nature. It is this Act that helps hold civic control over them. This is why in our study we were interested in indicators connected to access to various types of documents – statements, audit and control reports, documents connected with finances, as well as procedures and clarity of the system for assuring openness of the company's operations. We were also interested in access to information about tenders, because they constitute one of important ways of spending money. It is also regulated by the public contract law, which gives companies clarity as to which information should be disclosed.

Indicators from the area of good practices also appeared in our study – such as codes of ethics, telephone anti-corruption lines, or protection of whistleblowers. Currently there is no law which would impose the need to consider these matters in the company's operation. However, we believed it advisable to broach this subject for the future.

Which companies did we select for the study?

In the study, at the international level we assumed only two criteria for selecting companies for the pilot phase. The companies had to be 100% owned by one local government and have at least EUR 4 million of revenue per annum. We decided to use tools for the pilot assessment of 9 companies and select the best one for an in-depth study. We were interested mainly in transport companies, water supply and sewage companies, and waste removal companies.

Initially, based on their earlier experiences, the authors wanted to select companies for the study from places in which town or city mayors were renowned for their pro-disclosure attitudes or who managed their towns or cities well. The pilot ratings, however, were very low. Therefore, the authors decided to evaluate companies in capitals of selected more affluent voivodships, which was also a non-compulsory condition for the international group as according to the experience of Hungarian and Slovak partners, companies with higher revenue may have better conditions to be transparent.

Mazowieckie Voivodship:

1. Szybka Kolej Miejska sp. z o.o.
2. Tramwaje Warszawskie sp. z o.o.
3. Miejskie Przedsiębiorstwo Wodociągów i Kanalizacji w m.st. Warszawie S.A.
4. Metro Warszawskie sp. z o.o.

Śląskie Voivodship:

1. Katowicka Infrastruktura Wodociągowo-Kanalizacyjna Sp. z o.o.

Wielkopolskie Voivodship:

1. Miejskie Przedsiębiorstwo Komunikacji sp. z o.o.

Dolnośląskie Voivodship:

1. Miejskie Przedsiębiorstwo Wodociągów i Kanalizacji S.A.
2. Miejskie Przedsiębiorstwo Komunikacji sp. z o.o.
3. Ekosystem sp. z o.o.

Results of the study

Websites of companies selected for the pilot survey were checked using the 10 previously described indicators and achieved the average rating at 24.31%. The most transparent company was rated at 40.5%, the least transparent – 9.67%.

Access to public information – 5.33% (out of 10%)

Our indicators included five scored questions connected with how easy it was to find information on the website. Questions were equivalent and asked whether it was easy to find a button, site or link leading to public information on the page, whether there was a place in which information about the data resources held was provided, whether it was easy to find a contact person or their data, whether there was a description of procedures of applying for information, whether deadlines for acquiring information were stated.

For this group of questions, you could receive 10% in the index, the average from the nine companies surveyed is 5.33%.

In most of the cases examined there was no problem with finding the place where public information was displayed (2%). This is the consequence of legal regulations. Public institutions and entities managing public property have to keep a Public Information Bulletin. The one on their website should be marked by an appropriate logotype².

²Regulation of the Minister of Interior and Administration of 18 January 2007 concerning the Public Information Bulletin §9.2: *In the case where the entity mentioned in Article 4 (1) and (2) of the Act has its own website. The entity's BIP page created by that entity is separated from that page by placing a link on the main website, containing the BIP logo, allowing the direct access to the given BIP page.*



or



The score was reduced only in one case (Miejskie Przedsiębiorstwo Wodociągów i Kanalizacji z Wrocławia), where instead of the logotype a non-distinct title “Biuletyn Informacji Publicznej” appeared in the menu on the page³.

The simplicity of finding individual pieces of information was not scored as high. This is because these were not always in the place indicated, i.e. the Public Information Bulletin, and often appeared on the company’s page. A resident interested in the information must therefore devote time to searching two pages.

Also, due to the comparative nature of the international survey, the authors of the report gave up the strictly legal approach, which would demand considering whether the information has been placed on the correct page and who operates the Public Information Bulletin page. In the case of three Warsaw companies – water supply and sewage company; the underground and the fast urban railway, pages with public information were operated by the municipal authorities. Considering that the law clearly indicates responsibility for provision of information⁴, and these companies have the annual budget of between PLN 40 million and PLN 12 billion, this is a thing which definitely should change. Which is more, also the information which in this part of the study was searched for is required by law, which states that the method of provision of information which is not included in the Public Information Bulletin (BIP) should be stated⁵. Some companies also failed to fulfil this task. At the same time, however, the survey of legality of operations and analysis of the amount of funds held did not constitute the subject of evaluation. We studied transparency and publication of selected information on websites. However, we will return to the issue of having good BIPs in the activities of the Citizens Network Watchdog Poland which is dealing with the subject of municipal companies for the third year.

In our international study, the ease of finding the information was therefore rated on the basis of how easy it was to find it and whether it could be found at all, on which page – whether on the company’s page or the BIP page.

Such issues as contact for the person providing information or deadline within which such information may be received also received quite good rating, over 1% (maximum score was 2%), whereas the score for information delivery procedures was lower. The company’s information about resources held was the lowest. Only in some cases – in Warsaw – the list of registers and records held was provided – which is compliant with the Act on Access to Public Information ordering that such list

³<http://www.mpwik.wroc.pl/>

⁴Act of 6 September 2001 on Access to Public Information, §8.2 *Public information is made available in the Public Information Bulletin by entities mentioned in Article 4 (1) and (2).* [the companies are among them]

⁵Act ... , §8.4 [companies, as entities obliged to provide public information] *are obliged to provide in the Public Information Bulletin the information concerning the method of access to public information held by them and not included in the Public Information Bulletin.*

is provided together with the information about access to it⁶. Unfortunately, in none of the cases studied the data collected was provided without an application.

Financial reports and audits – 3.7% (out of 10%)

Another group of indicators concerned the provision of annual financial information on the website – both the financial report, balance sheet, profit and loss account, and information about audits and financial inspections conducted.

In most cases (6) balance sheets and profit and loss accounts were available. Although in the case of the Warsaw water supply and sewage company the last available report referred to 2014, whereas at the request for information submitted in December 2016 a member of our organisation received an answer that the report was “under development”. This answer is incomprehensible considering that a fragmentary balance sheet may be found on the BIP page⁷. It is also worth pointing out that it was a joint-stock company, turning over probably the largest amounts of money in the group covered by the study. In 2014, it was over PLN 12.5 billion, including PLN 89 million in subsidies. It is difficult however to determine on the basis of the report where this money originated from and what part had been paid by the Warsaw taxpayer.

The balance sheet and profit and loss account was not always accompanied by a descriptive part. In one case – the Warsaw underground – despite the fact that the report available on the website for 2015 was very carefully drawn up, the financial part contained only the basic tables. Another company – Miejskie Zakłady Komunikacyjne (Municipal Transport Company) in Poznań – referred to just balance sheet and profit and loss account tables as financial statements. Interesting and quite extensive financial reports were presented by Warszawska Kolej Miejska (Warsaw Urban Railway) and Wrocławskie Miejskie Przedsiębiorstwo Komunikacyjne (Wrocław Municipal Transport Company).

Companies which failed to provide any financial documents at their websites were the water supply and sewage companies from Wrocław and Katowice, and Wrocław waste removal company.

The greatest problem encountered, however, was the total lack of audit documents. It happened that compulsory reports of statutory auditors appeared. In the international methodology, however, we assumed that we would not allocate any points for the presentation of reports from the audit of financial statements, but for all other, e.g. labour inspection reports, ZUS, GIODO reports, examination of services by specialised supervisory institutions. In Poland’s case, the problem known to us from previous studies was confirmed. Despite the fact that the law requires publication of reports from audits carried out in the Public Information Bulletin⁸, we did not find them on any of the pages. On one of the websites, however (Tramwaje Warszawskie⁹) we found information that the “data [on audits conducted] may be made available at a written request”. We followed that ‘advise’ and requested. As a response we got an answer that we need to be clear which controls we mean and the answer was prolonged up to two months.

⁶Act ... §6.1.2. f, mentions the provision of information about registers, records and archives kept, and about methods and principles of providing access to data contained there.

⁷http://mpwik.bip.um.warszawa.pl/menu_przedmiotowe/Majatek/default.htm

⁸Act of 6 September 2001 on Access to Public Information, §6.1.4.a discusses the provision of access to the documentation of the process and effects of the audit, as well as statements, positions, conclusions and opinions of entities conducting the audit.

⁹<https://tw.waw.pl/dokumentacje-przebiegu-i-efektow-kontroli/>

Thus, not even half of another 10% score which Polish companies had an opportunity of gaining was acquired. The score was only 3.7%. The reduction of the score was the consequence of the absence of documents from additional audits and inspections on websites of all companies studied, and shortcomings in the provision of financial reports, balance sheets and profit and loss accounts in 3 companies, and in other two – delivery the full documentation.

Productivity study – 1.67% (out of 10%)

Another group of indicators dealt with the extent to which companies check the purposefulness of their operations and how much they share the results of measurements with the public. You could receive 10% in this category, however the topic appeared so rarely in the group surveyed that the value of the indicator was achieved only at 1.67%. Metro (the underground) and Szybka Kolej Miejska (Fast Urban Railway) in Warsaw were the only ones to share their measurements. The underground measures such indicators as the number of passengers using line M1 and line M2 on a weekday, on Saturdays and holidays, and during a year, the failure rate for the vehicles purchased over the years, and passenger streams at individual stations. Warszawska Kolej Miejska, however, measures profitability, passenger streams, number of kilometres travelled every quarter.

Managing and supervisory personnel – 0.74% (out of 10%)

The results of Polish companies are even poorer when it comes to the availability of information about competences and remunerations of persons managing and supervising the company. In none of the companies studied did the authors find CVs of members of the management board, directors and supervisory board, and only in two financial statements annual remunerations together with bonuses for the management boards and supervisory boards appeared. These were Szybka Kolej Miejska in Warsaw and Miejskie Przedsiębiorstwo Komunikacyjne in Wrocław. Also for this group of indicators you could receive a 10% score, the companies surveyed managed to acquire only 0.74%.

Ethics and preventing of corruption – 0% (out of 10%)

The only indicators that were lower than that were those concerning the presentation of codes of ethics, whistleblower protection procedures, telephone lines for notifying irregularities and corruption, or anti-fraud procedures. This area is alien to Polish companies. None of them managed to gain any points. And one of them gave the following anecdotal answer to the enquiry whether it had such procedures or codes, answering the question about whistleblower protection procedures:

“There are no people employed in the position of a Whistleblower in the company, and therefore we have no internal regulations concerning this job”. It is worth adding that it was one of the better scoring companies in the ranking, which answered the request for information in two days. The same company also does not have a code of ethics. It is apparent, therefore, that the ignorance of matters from the area referred to as “compliance” in private companies concerns even those companies which operate relatively transparently.

Transparency of employment – 0% (out of 10%)

The employment transparency indicator was just as bad. Although most of the companies have the careers or jobs section on their website and organise recruitment but provide no information about its results. Here Polish companies also achieved the score of 0%.

Considering the fact that little is known about competences of persons in management boards and supervisory boards, the issue of employment by companies constitutes a serious problem. It was

noted during our previous monitoring surveys conducted locally by activists from our organisation.

Donations, subsidies, sponsoring – 0.56% (out of 10%)

The indicator concerning the transparency of the companies awarding money to external entities in the form of subsidies, donations or sponsoring. Companies readily boast support given to social initiatives, however they rarely provide information about specific amounts. Such information could be found in the report of Szybka Kolej Miejska. However, although in the case of donations specific amounts were given, in the case of sponsoring only names of entities were stated. Thus, we could not provide a full score. While appreciating this positive example, we cannot disregard the fact that money spent by companies is very non-transparent and this indicator amounted to 0.56% instead of 10%.

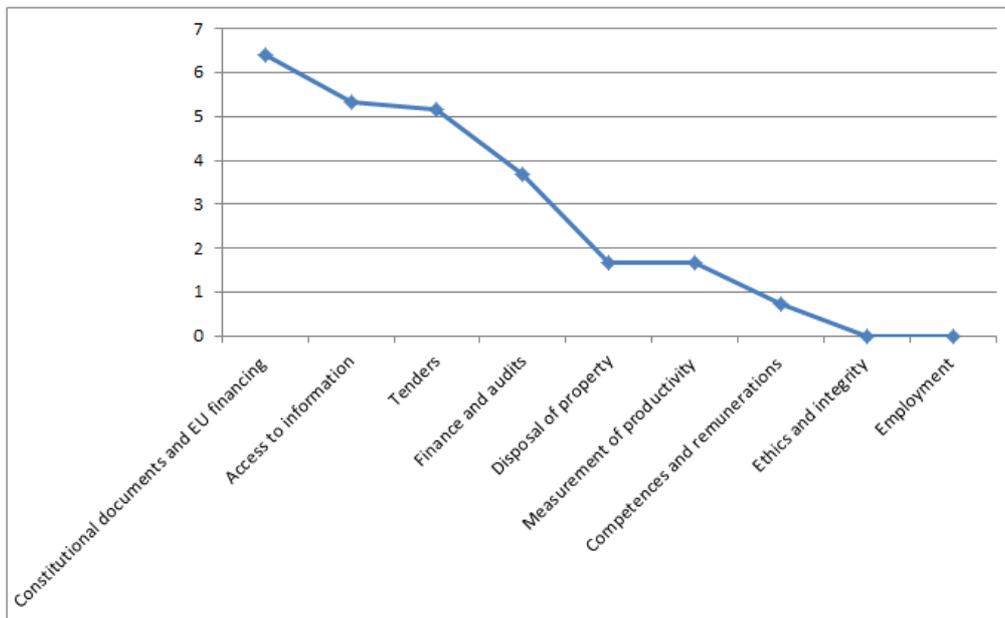
Disposal of property – 1.67% (out of 10%)

The indicator concerning the disposal of property was slightly higher, at 1.67% out of 10%. Some companies had such information on their pages during the study. It is not certain, however whether this is permanent information. The analysis of financial statements and answers to enquiries indicates that companies disposed of property but the authors failed to find this information on their websites. There is also no knowledge about how and when information on this is planned or from whom they may be found. And in principle this procedural information is of greatest importance.

Company documents and European Union financing – 6.39% (out of 10%) and tenders 5.18% (out of 10%)

The best results have been achieved, however, by indicators connected with availability of the companies' constitutional documents to recipients and information about the financing received from the European Union funds (6.39 out of 10%). Issues connected with access to information about tenders and their results received only a slightly lower score – at 5.18 out of 10%¹⁰. The result in this last area would be much better if the companies created annual plans of tenders.

¹⁰ This is the result of public contract law regulations which in many provisions concerning individual procedures orders that information about contracts awarded and their results is published in the Public Information Bulletin.



In almost each of the 10 criteria adopted for the assessment of openness and transparency of municipal companies' websites Poland comes last or last but one among the Visegrad Group states. In seven of them we are last, in two – third. Even being aware that the sample is in no way representative, after reviewing websites of a larger number of companies and experience from previous monitoring, we know that we probably managed to identify leaders. Our leaders - Szybka Kolej Miejska from Warsaw – with its score of 40,50% - comes 11th in the ranking of 36 companies from Hungary, Czech Republic, Slovakia and Poland, and Tramwaje Warszawskie are 20th. As you can see, not only objectively on the basis of indicators, that there is a lot left for us to do, but this is also apparent in comparison with other countries. We managed to achieve a higher level of transparency there, but still far from ideal.

Warsaw Trams – the best practice

The interview with the Warsaw Trams' representatives was made on 19 January 2017. The detailed evaluations along with recommendation was submitted to the company on January 24th. The company was open for feedback and promised to send its remarks till February 1st., 2017.

Conclusions from the study

The analysis of 10 indicators leads to the following conclusions.

Polish companies are the strongest in the area of access to information about tenders, notification of the grounds for their activities, provision of information about the financing from the European Union and keeping a separate location for public information. The advantage of these indicators is natural because they arise from legal regulations or obligations imposed in subsidy agreements. It can therefore be said that the method for regulation of transparency in companies are hard instruments.

At the same time it is impossible not to notice that some companies do not yield to legal requirements, and all companies in the study have ignored the requirement for publishing audit and inspection documentation. This is probably the consequence of sensitivity of issues discussed in

them, however does not constitute any justification for breaking the law.

Companies vary significantly in terms of transparency, and their sense of responsibility in this matter does not depend either on the company founding authority – there were significant differences in one city, nor on the company's budget. Thus, it must depend on individual decisions and convictions of persons managing the company.

Issues connected with personnel matters, both competences of the management personnel and their remunerations, as well as the method and accountability for hiring employees, constitute the subjects which require transparency, are obvious and do not constitute an intellectual challenge. Scoring in these areas, however, is very low – near zero.

There are important areas which do not constitute the subject of reflection in municipal companies in Poland. These are issues connected with ethics, protection of whistleblowers. These matters are difficult to explain, disregarded or causing resistance.

Recommendations

Our recommendations are presented to two groups. On the one hand – to citizens who may encourage companies to be more transparent, and on the other hand – to companies.

We recommend that the companies observe legal regulations on keeping a separate website of the Public Information Bulletin, and using it to publish audit reports, a list of records and registers kept, as well as instructions for accessing information which has not been placed in the Public Information Bulletin.

We would also like to encourage companies to place CVs of the management and supervision personnel on websites and to publish remunerations of persons holding those functions.

It would be advisable to create pages concerning recruitment for a position in the manner referring to public contract browsers, with the publication of both the announcement and the result of the given recruitment – archived and constantly available.

It would also be good to describe principles of disposal of property and state the company's plans in this respect, possibly where information may be acquired on an ongoing basis with regard to this matter.

It is important that principles of awarding subsidies, grants, promotions, contacts with competent persons are stated, and that all agreements concluded in this respect, together with amounts, are listed.

It is worth considering which activities in the company are particularly exposed to abuse and think on creating an interdisciplinary "compliance" department in the company, dealing with integrity, prevention of abuse, ethics. This department could combine public contracts, persons responsible for publication of information in the Public Information Bulletin and persons checking contracts concluded and making decisions concerning them, as well as authors of reports. It could be obliged to submit six-monthly reports to the supervisory board and to present identified points which are susceptible to abuse in monthly reports for the management board.

At the same time, and here exceptionally, we want to point out the recommendation addressed to the government – to speed up their work on the Act concerning whistleblower protection, which would help accelerating companies' interest in creating an abuse prevention system.

As regards citizens, we would encourage them to ask questions about matters which have the subject of the study. All matters concerning the documentation available on line, principles of awarding money, recruitment, remunerations constitute public information. If citizens ask about it, there is a chance that it will appear on line. If companies do not want to provide access to documentation, it is worth taking them to court. The Citizens Network Watchdog Poland provides assistance and guidance¹¹.

Another recommended path is to undertake the subject of owner's supervision over companies and turning it into one of the subjects of the campaign in the 2018 local government elections. Social organisations often prepare questions for the electoral campaign. Question on how candidates imagine increasing the owner's supervision over companies with regard to transparency or what they think about the presence of local councillors in supervisory committees, are very good questions addressed to candidates for commune heads, town and city mayors, but also councillors who hold executive bodies accountable.

We are also encouraging the media to take up the subject of municipal companies. These are huge public funds without public control. And what is a journalist's work if not a form of such control?

¹¹ <https://porady.siecobywatelska.pl/>