



Report on Institutional Structure for Road Safety Management in Poland

FINAL

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Abbreviations

ANSV	<i>Agencia Nacional de Seguridad Vial</i> - Argentinian Road Safety Lead Agency
AIS	Abbreviated Injury Scale
ATC	Australian Transport Council
BDD	<i>Bank Danych Drogowych</i> – Road Data Bank (RDB)
BDWIK	<i>Zintegrowana Baza Danych o Transporcie Instytutu Badawczego Dróg i Mostów</i> - Roads and Bridges Research Institute’s Integrated Transport Database
BESIP	<i>Bezpečnost silničního provozu</i> - Road Safety Agency in the Czech Republic
CDV	<i>Centrum Dopravního Výzkumu, v.v.i.</i> - Transport Research Centre in the Czech Republic
CISR	<i>Comité interministérielle de la sécurité routière</i> - Interministerial Committee for Road Safety: decision making body for road safety policies in France)
CEPIK	<i>Centralna Ewidencja Pojazdów i Kierowców</i> - Central Database of Vehicles and Drivers
CZRSO	<i>Observatoř bezpečnosti silničního provozu</i> - Czech Road Safety Observatory
DGT	<i>Dirección General de Tráfico</i> - Spanish Directorate-General for Traffic
DISR	<i>Délégation Interministérielle à la Sécurité Routière</i> - Interministerial Delegation for Road Safety: one of the road safety organisations in France
DRL	Daytime Running Lights
DCSR	<i>Délégation de la Sécurité et de la Circulation Routière</i> - Road Safety and Traffic Department’’: one of the road safety organisations in France
DTI	<i>Direction des Infrastructures de Transport</i> - Directorate for Transport Infrastructure: one of the road safety organisations in France
ERSO	European Road Safety Observatory
EC	European Commission
EU	European Union
ESIF	European Structural and Investment Funds
EuroNCAP	<u>European New Car Assessment Program</u>
EuroRAP	European Road Assessment Program
FTA	Finnish Transport Agency
GDDKiA	<i>Generalna Dyrekcja Dróg Krajowych i Autostrad</i> - General Directorate of National Roads and Motorways
GITD	General Inspectorate of Road Transport
GPS	Global Positioning System
GRSF	Global Road Safety Facility
GUS	<i>Główny Urząd Statystyczny</i> -Central Statistical Office
GUS BDL	<i>Bank Danych Lokalnych GUS</i> - General Data Base held by the Central Statistical Office
ICD	International Classification of Diseases
IMiGW	<i>Instytut Meteorologii i Gospodarki Wodnej</i> - Meteorology and Water Management Institute
iRAP	International Road Assessment Program
IRTAD	International Road Traffic and Accident Database/ International Traffic Safety and Analysis Group
ISTAT	Italian National Statistical Institute holder of road safety data in Italy
ITD	<i>Inspektorat Transportu Drogowego</i> - Inspectorate of Road Transport
ITF	International Transport Forum
ITS	<i>Instytut Transportu Samochodowego</i> - Motor Transport Institute
MAIC	<i>Ministerstwo Administracji i Cyfryzacji</i> - Ministry of Administration and Digitization
MAIS	Maximum Abbreviated Injury Scale

MSW (MoI)	<i>Ministerstwo Spraw Wewnętrznych</i> - Ministry of Interior
MiIR (MID)	<i>Ministerstwo Infrastruktury i Rozwoju</i> - Ministry of Infrastructure and Development
NFZ	<i>Narodowy Fundusz Zdrowia</i> – National Health Fund
NIK	<i>Naczelną Izbą Kontroli</i> - Supreme Chamber of Control
NIZP –PZH	<i>Narodowy Instytut Zdrowia Publicznego</i> - National Institute of Public Health (former PZH – Państwowy Zakład Higieny)
NLA	National Lead Agency
NRSC	National Road Safety Council
NRSP	National Road Safety Programme: Poland’s long-term road safety strategy
NSW	New South Wales (a state of Australia)
OECD	Organization for Economic Co-operation and Development
OISEVI	<i>Observatorio Iberoamericano de Seguridad Via</i> - Ibero-American Road Safety Observatory
ONISR	<i>Observatoire national interministeriel de la sécurité routière</i> - National Interministerial Road Safety Observatory: road safety observatory in France
ONSV	<i>Observatorio Nacional de Seguridad Vial</i> - National Road Safety Observatory in Spain
PIU	<i>Polska Izba Ubezpieczycieli</i> – Polish Insurance Chamber
POBR	<i>Polskie Obserwatorium Bezpieczeństwa Ruchu</i> – Polish Road Safety Observatory
RRSC	Regional Road Safety Council
RSC	Road Safety Council
RSCR	Road Safety Capacity Review
RSIS	Road Safety Information System
RSO	Road Safety Observatory
RUM	Road User Movement
SCRAS	Standing Committee on Road Accident Statistics
SEWIK	<i>System Ewidencji Wypadków i Kolidacji</i> - Crash Injury Data Base held by Police
SEZAR	<i>System Ewidencji Zdarzeń i Analiz Ruchu</i> - Road Events Registration System and Analysis
SNRSC	<i>Sekretariat Krajowej Rady Bezpieczeństwa Ruchu Drogowego</i> - Secretariat of National Road Safety Council
SPIs	Safety Performance Indicators
STRADA	Swedish Traffic Accident Data Acquisition
SWOV	<u><i>Wetenschappelijk Onderzoek Verkeersveiligheid</i></u> - Institute for Road Safety Research, The Netherlands
TEN-T	Trans-European Networks - Transport
TERYT	<i>Krajowy Rejestr Urzędowy Podziału Terytorialnego Kraju</i> - Data Base on Administrative Units held by the Central Statistical Office
TRL	Transport Research Laboratory
Trafi	Finnish Transport Safety Agency
UKE (ERA)	<i>Urząd Komunikacji Elektronicznej</i> – Electronic Communication Authority
UKIE (ICA)	<i>Urząd Komitetu Integracji Europejskiej</i> —Office of the Committee for European Integration
UOKiK (CCPA)	<i>Urząd Ochrony Konkurencji i Konsumentów</i> - Competition and Consumer Protection Authority
URE (ERA)	<i>Urząd Regulacji Energetyki</i> —Energy Regulatory Authority
WHO	World Health Organization
WORD	<i>Wojewódzki Ośrodek Ruchu Drogowego</i> - Voivodship Traffic Training Center

EXECUTIVE SUMMARY

Introduction and Purpose

Poland's road safety performance was clearly failing to deliver the targets set in its earlier road safety strategy (GAMBIT), which is replaced by a new strategy. Despite recent improvements, Poland is not on track to deliver the agreed targets of the current strategy, the EU, or the United Nations Global Plan for the Decade of Action. Poland is paying a huge cost in human suffering, human loss, and hard economic costs for road crashes, deaths and debilitating injuries.

One key reason for this is that Poland does not have a formal, effective, empowered National Lead Agency (NLA) for Road Safety. Yet, the need for a Lead Agency for the management of road safety is a core recommendation of the World Health Organisation and the World Bank. International experience points to the success of NLAs in effectively delivering road safety in the most successful countries.

This report provides an assessment of the required features of a NLA for Poland to deliver its road safety ambitions, including the NLA's structure, powers, mechanisms of influence, resourcing and staffing, as well as its lines of reporting in Government. The report also offers an action plan for the creation of the NLA by evolution rather than revolution, and ancillary changes required for its successes.

Key Findings

The existing National Road Safety Council (NRSC) consists of Ministers from various agencies meeting on a part-time basis, which is insufficient to effectively undertake road safety management along with the demanding key roles of the NLA. The Secretariat for National Road Safety Council (SNRSC) has existed for some years. It is headed by a Director and structurally equivalent to a Ministry Department, but is not called "department". It is currently the only structure in National Government with full-time staff whose primary role and responsibility is road safety. Hence it can be understood as currently in part playing the role of the NLA for road safety in Poland.

This report provides a synthetic assessment of how well the SNRSC is performing the key features expected from a well performing NLA based on international good practice. It shows clearly that many of the key features are currently at best partly applicable to the SNRSC or not addressed at all. This reinforces the need for strengthening and better positioning of the NLA in the Polish public governance system.

Although SNRSC has been gradually expanding in size and road safety management capacity in recent years, its current size, capacity, existing legal powers, and institutional setup are insufficient to properly coordinate, monitor, and manage all the important safety issues related to the ongoing implementation of National Road Safety Program, let alone to expand its road safety related activities that is necessary at the national or subnational level.

This report also identifies the extensive and profound issues within self-government regarding road safety management, which represent a microcosm of similar issues at the national level. The issues may be exacerbated by duplication, fragmentations across regions, the multiple levels of self-government, and minimal resourcing and ownership of road safety in part due to the perception of small numbers of tragic crashes occurring on local roads because the problem has been fragmented across so many self-governments.

Finally, road safety is deeply under-funded in Poland despite the opportunity for large real economic savings arising from improved road safety.

Conclusion

Rather than creating a completely new agency from scratch, the review team considers that the NLA can be effectively and more seamlessly created by evolution of the existing SNRSC, capturing synergies of its existing roles, existing commitment to road safety, skill sets, and relationships with delivery partners.

Based on observations and World Bank direct experience in implementation of road safety investment and technical assistance projects it is clear that “voluntary” cooperation between different governmental institutions going beyond formal legal or procedural requirements faces difficulties and is rare. The power and influence the NLA should possess are fundamental to deliver road safety effectively and efficiently for Poland.

This report provides recommended vertical and horizontal coordination mechanisms to ensure the power and influence of the NLA and to influence key relationships between the stronger NLA, and lower levels of government and other non-government partners. These mechanisms include:

- Use of legislation
- Location and reporting lines of the NLA
- Organisational structure of the NLA
- Professional position descriptions and staffing of the NLA
- Road Safety Funding System
- Road Safety Information System

Key Recommendations

A. General

1. Promote and justify the priority of road safety within Government and with the public, based on the human suffering and loss, and the economic losses being paid by everyone.

B. NLA development

1. Continue the already occurring gradual expansion of the SNRSC and upgrade its power in order to ensure it becomes a fully functional NLA. This is critical for effective coordinated road safety management in Poland.
2. Legally establish the NLA as an independent entity in Government in a reporting line which places it above the other agencies it must coordinate and monitor; it should preferably be an independent government entity reporting to the Prime Minister, while a dedicated high level government position of the Prime Minister's Plenipotentiary for Road Safety can be also useful as the highest level government position to assure continuous political commitment and conduit between NLA and the Prime Minister.
3. Put in place as quickly as possible the proposed functional organisational structure of the NLA which follows the pillars of the NRSP 2013-2020.
4. Assign a strong title for public servant head of the NLA with a very senior grade reflecting the overall responsibility of the position across multiple agencies rather than just an administrative role simply in relation to managing internal staff of the NLA.
5. Review the laws and regulations for road safety so that the NLA has the power to:
 - direct the National Road Safety Strategy or Program;
 - direct the action plan implementation at the national and lower government levels;
 - direct road safety data management;
 - manage and distribute road safety funding.

C. Reform of the NRSC

1. Refocus the functions of the NRSC onto ensuring the political commitment, coordination and support of road safety primarily from within government stakeholders.
2. Restructure the NRSC to consist of high level officials representing key governmental institutions only so that it can act as a conduit for collaboration between the NLA and the key government road safety partners as well as facilitating collaboration across the partners to ensure the most effective delivery of road safety programs and strategies.

D. Creation of a community consultation group

1. Create a separate body or committee (called for example a Road Safety Community Consultation and Liaison Committee), completely independent of the NRSC and reporting to the NLA, for the Government to meet regularly with community groups.

E. Funding

1. Optimise the use of existing funds by considering GITD/CANARD as a primary source of funding (i.e. income from the fines collected using fixed speed cameras).
2. Provide a gradual direct appropriately sized increase in funding for NLA's required increase in activities and staff.
3. Gradually divert the revenue from speed cameras currently going to the National Road Fund for use in investments in national road infrastructure into a Road Safety Fund or otherwise ring-fence it as a road safety multi-annual funding mechanism.
4. NLA to take control of Road Safety Fund and expend the fund directly and by contracting it out to delivery agencies for agreed work (e.g. road safety engineering works, police enforcement activities) to ensure expenditure on genuine road safety works.
5. In the long-run for a consistent and sustainable funding system for Poland, the law should preferably define the sources, principles for distribution and allocation (percentages) of road safety dedicated funds.

F. Data Systems

1. Commit to strict evidence base for decisions, including not just the evidence that there is a particular problem but the evidence that the solution being considered is shown to work and address the problem in a sustainable way.
2. Continue development of a crash data analysis unit, managed by and reporting to the NLA.
3. Develop a comprehensive single source Road Safety Information System (RSIS) which contains accurate, comprehensive, readily available data on final outcomes (deaths, injuries, crashes, collisions, and costs, etc.), intermediate outcomes (seat belt usage rates, speeding behaviour, roadsides with appropriate barrier protection, etc.), underlying factors (road use, attitudes, beliefs, etc.), and outputs (safe road design and standards, sound vehicle inspections, enforcement, education and promotion, etc.).
4. NLA to centrally manage and maintain the RSIS for efficiency and consistency of road safety management across Poland.

1. INTRODUCTION

The need for a Lead Agency for the management of road safety is a core recommendation of multiple international expert road safety organisations including the World Health Organisation and the World Bank's Global Road Safety Facility¹. The World Bank's earlier analysis of road safety management in Poland identified the absence of such an agency, and recommended its creation.

1.1. Poland's Road Safety Performance

A twenty year road fatality trend in Poland is shown in Figure 1. Although improved from 5,534 deaths in 2001 to 3,202 deaths in 2014, Poland's road deaths were well above the European Union (EU) targets (see yellow line in Figure 1) and improved at a slower rate than the rest of the EU (see Figure 2), leaving Poland as one of the worst performing road safety countries in the EU.

In 2005, the Council of Ministers adopted the National Road Safety Programme for 2005-2013: the GAMBIT 2005. It included a long-term vision of zero fatality on Polish roads and the strategic target to decrease the number of fatalities by 50% compared to 2003 (i.e. no more than 2800 fatalities in 2013). The GAMBIT targets for 2010 (3500 fatalities) and for 2012 (3000 fatalities) were not achieved during its term and the number of fatalities rose deviating significantly from the target in some years (see blue line in Figure 1). This was in part due to the lack of leadership and advocacy and therefore no real political commitment, little coordination, and insufficient funding. The prompt proposal for a National Lead Agency is designed to assist with these issues.

In January 2013, the National Road Safety Council adopted a draft of a new National Road Safety Programme (NRSP) for the years 2013-2020² which includes a long-term Vision Zero. This new NRSP replaced GAMBIT before its term was complete. The NRSP2013-2020 envisages that by 2020 fatalities in Poland should be reduced by 50% (i.e. no more than 2000 fatalities in 2020) and serious injuries by 40% compared to 2010. These quite ambitious targets are based on the targets of both the UN Decade of Action for Road Safety and the European Union and consistent with National Transport Policy and Transport Development Strategy³. Despite recent consistent reductions in fatalities since the introduction of a new approach to road safety the red trend line based on 2013 and 2014 road fatalities indicate Poland is behind the NRSP targets as shown by the green diamonds. This suggests that business as usual or actions close to business as usual will not be sufficient. There is a clear need for a centralised

¹Bliss, A. & Breen, J (2009). *Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects*. World Bank Global Road Safety Facility, Washington, D.C.

² http://www.krbrd.gov.pl/download/pdf/NP%20BRD%202020_przyjety_przez_KRBRD.pdf

³Adopted on 22 January 2013 by Polish Council of Ministers

management and accountability for road safety in Poland with appropriate powers and resources to ensure delivery to the downward trend required to meet the NRSP 2013-2020 targets.

Figure 1. Road fatality trend in Poland 1994-2014 compared to the EU and national targets (source: World Bank)

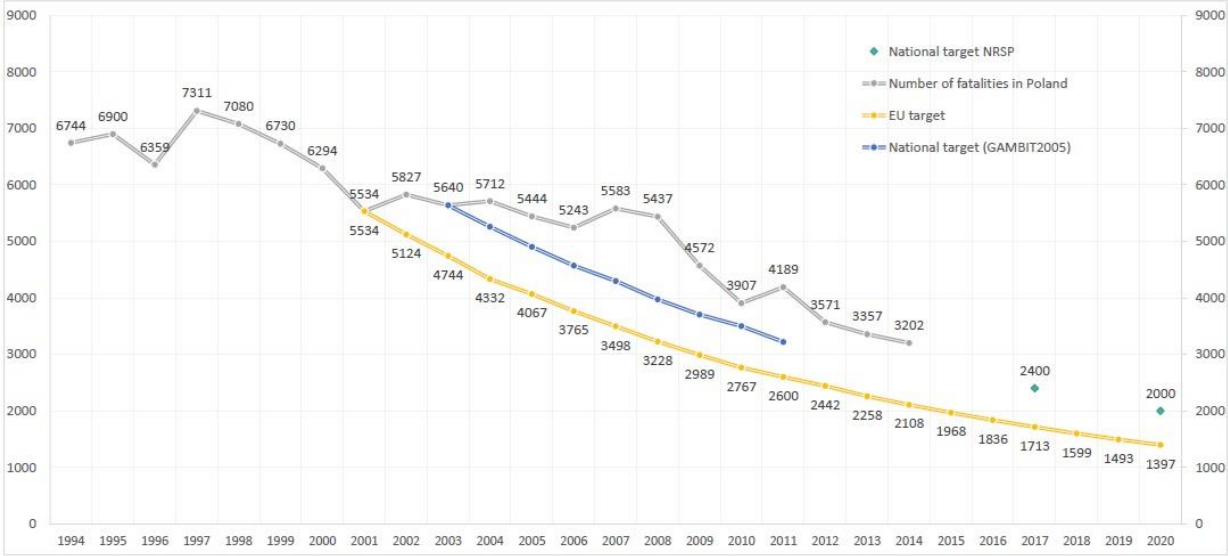
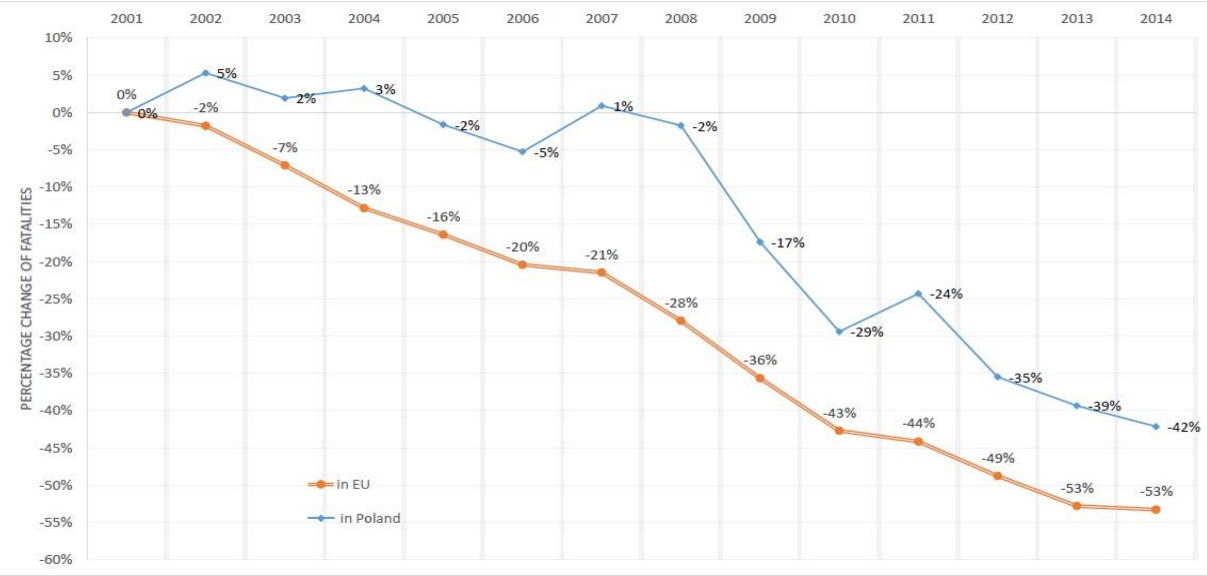


Figure 2. Cumulative percentage change in fatalities in EU and Poland 2001-2014 (source: World Bank)



Cumulative percentage change in fatalities in EU and Poland between the years of 2000 and 2014 is shown in Figure 2. This Figure shows that EU was able to sustain consistent yearly reductions in fatalities whereas Poland’s road fatalities have been more volatile and increased from one year to another in some years. This again suggests a more systemic road safety management is needed for Poland to sustain reductions in fatalities and make solid progress towards the national and EU targets.

In 2001 Poland's fatality rate was similar to those in Belgium and Estonia, and lower than the rates in Greece, Lithuania, Luxembourg and Portugal, but by 2014 all these countries had improved their road safety performance. Although Poland also improved over those years, in 2014 Poland still had the highest fatality rate in the EU at around 8.3 per 100,000 population. This is a noticeable improvement from around 9 per 100,000 in 2013, but that was an average fatality rate for EU countries in 2004, when Poland entered the EU. In 2014 the EU average fatality rate is around 5.1 per 100,000 population, which means that fatality rate in Poland is over 61% worse than EU average and around three times worse than the best EU performers. It is clear from these figures that other EU countries with comparable levels of risk noted in early 2000 have made progress that Poland has failed to achieve. This relative worsening of Poland's position in the EU and that the slowing recent downward trend in deaths and injuries highlight the need for urgent action.

The International Traffic Safety Data and Analysis Group (IRTAD) Road Safety Annual Report 2013, published by the OECD in May 2013⁴, suggest that the recent downward trend in Poland's road toll since 2011 is largely attributed to the implementation of the new speed camera system from 1 July 2012. In 2012 the Government committed to improving the operation of speed cameras in Poland with greater centralized control of their use and a stronger focus on road safety outcomes in operational decisions. The Minister's public and highly publicized commitment to strong road safety action in launching the NRSP for consultation may also have contributed⁵. The commitment to the speed camera program was reaffirmed early in 2013 with extensive media coverage of the Capacity Review team's press conferences on the irrefutable evidence for the road safety benefits of speed cameras in Warsaw at the Ministry of Infrastructure and Development and at the Parliament (Sejm)⁶.

The continuing roll out of the speed camera program and the media coverage of it with more balanced reporting (rather than the previous focus on the revenue raised by speed cameras) can be expected to further reduce the road toll⁷. However, sole reliance on expansion of speed cameras as a road safety solution can be politically challenging and may not be practically feasible. Additional changes in laws introduced in May 2015⁸ and anticipated for January 2016⁹ are expected to reinforce the positive trend in road fatality and injury rates. Further changes are being considered such as increases in the levels of fines, reinforced priority for pedestrians

⁴IRTAD (2013)

⁵Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL

⁶Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL

⁷Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL

⁸Among the key changes: compulsory suspension of driver license for speeding 50 km/h and more over the speed limit in urban areas; better regulation of child restraints at the back seats; alcohol-locks to be installed in the cars owned by drivers' fined for drink-driving.

⁹ Among key changes: suspension of novice driver licence for one serious offence (e.g. speeding)

who want to cross the road, and improved procedure for collection of fines for speeding. In order to prevent a reversal of the downward trend (e.g. a rise with improving economic confidence¹⁰) and to continue to bring large reductions in road deaths towards the national target, sustainable, larger-scale, powerful and innovative actions combined with improved road safety management are required in Poland.

1.2. The Need for a National Lead Agency

The lack of a National Lead Agency (NLA) in Poland that has significant executive powers or tools to mobilize key stakeholders to active cooperation has been one of the significant reasons for the below average road safety performance of Poland among EU countries and slowing progress in recent years. Continuous genuine political commitment and willingness of key ministers to cooperate is necessary to achieve continued and significant progress towards national and EU targets. It is however difficult to achieve in practice (without an NLA) with no clear attribution of responsibility for road safety results and lack of strong coordination mechanisms between key stakeholders.

Road crashes are broadly predictable and preventable and reductions can be achieved if there is adequate determination and motivation which results in a road safety system aimed to prevent the number and reduce the severity of casualties. Attaching priority to the issue of road safety both by the public authorities (primarily government but also different levels of self-governments) and the public is critical to tackling this problem. Top representatives of public authorities need to give clear recognition of the problem and embark with appropriate policy, institutional and financial changes in order to revert negative road safety trends. Specific steps have been applied by other countries for a longer period of time and have proved to lead to better results in road safety. Setting up a competent and strong NLA who can effectively lead, manage and coordinate all road safety activities in Poland is a fundamental step to continue to drive deaths and serious injuries down and deliver consistent, sustainable and tangible results for roads safety in Poland.

Others within Poland have also identified the need for improved leadership and management of road safety (e.g., the Supreme Audit Office - NIK) though some have recommended integrated transport safety management systems covering the various modes of transport¹¹. The World Bank is of the opinion that at the current stage of development of safety management system such integrated transport safety institutional setup for Poland will not be appropriate for a number of reasons. First, in safety terms the numbers of deaths and serious injuries on roads dwarf the safety failure outcomes of the other transport systems and thus road safety deserves a singularly focused agency. Second, the processes by which safety can be managed differ greatly

¹⁰International experience suggests the road toll is somewhat correlated with the economy where the road toll tends to improve in economic depression and vice versa.

¹¹ Michalski, L. (2010). The concept of an integrated transport safety system ZEUS. In Krystek, R. (ed) *ZEUS An Integrated System of Transport Safety Synthesis*. Motor Transport Institute in Warsaw.

between the modes especially for open (road sector) versus closed transport systems (aviation, maritime transport). Third, the funding, target audiences, target organisations and policies are largely different for road safety compared with safety of other transport modes. Fourth, the institutional capacity and safety track record in other modes than road safety seems to be at the acceptable level so the incentives to improve them are less obvious and may result in unnecessary risk of, at least temporarily, loss of their efficiency. Thus the combined management of these in one institution would most likely add unhelpful complexity and disparate partners for management, leadership, communication, accounting, monitoring and political support processes.

Road safety NLAs are organisations whose sole responsibility is road safety and who wholly and purely lead road safety in the country. Good practice NLAs directly manage or co-ordinate with partners all the core areas of road safety. In most instances this is based on the principles of Safe System and usually includes management of safer roads, safer vehicles, safer people, and safer speeds. It is also important to note that international good practice suggests that NLAs are road safety management organisations, and are most efficient in delivering road safety impact when they are separate from road safety research organisations no matter how capable and renowned such specialized research institutions may be. The focus on safe systems is consistent with a focus on the “4Es”: engineering, enforcement, education and emergency, as already advocated and occurring in Poland. Engineering is for safer roads and safer vehicles, with the enforcement and education operating to deliver safe people, the first three Es combined leading also to safer speeds, and the final E applying to address the failures of the system.

As highlighted in the Capacity Review ¹²the key recommendations were in relation to the need for an NLA in Poland. The most relevant recommendations from that document are provided in Annex 1.

1.3.Purpose of this Report

This report provides proposed institutional road safety solutions for Poland—proposed functions, structure and power mechanisms for the NLA of Poland—based on extensive consultations with numerous road safety stakeholders, in-depth analysis of the current situation in Poland and findings of earlier reports, and in cooperation with the Ministry of Infrastructure and Development (MID).

¹²Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL.

2. APPROACH

The approach adopted is based on combining two key sources of information: (1) evidence and international best-practice in road safety leadership and management; and (2) a well-developed understanding of the particular circumstances of road safety management in Poland. On this basis, the key required functions and features of the NLA for Poland were assessed, including proposed functions, proposed location and reporting lines, mechanisms of leadership and management, and high level structure.

The review team drew evidence from a range of sources: international good practice, international manuals and guides on road safety management, safe system principles, examination of the features of many road safety lead agencies, interviews and surveys of international road safety agencies. In order to assess the particular circumstances of Poland extended interviews were undertaken with representatives of many organizations across Poland at all levels of Government as well as non-government. Many of these occurred over the last few years in the process of development of the reports listed below and additional interviews and analyses were undertaken specifically for the present task (See Annex 2 for a list of organisations and people consulted). In addition, the situation on Poland roads was considered both based on observation of the roads and on-road behaviour and in terms of the crash and other data on road safety in Poland (i.e., a review of that which must be managed). Assessment of the political situation and feasibility of various solutions was also made from World Bank observations of practical functioning of numerous road safety lead agencies or other sectoral or multi-sector government/public sector institutions¹³ and World Bank direct experience from cooperation with road safety lead agencies aligned with the situation in Poland.

Some partial and preliminary analyses and recommendations related to the proposed institutional road safety solution for Poland have been already delivered in the course of the ongoing cooperation with the MID and the World Bank, including among others:

- Country Report on Poland: Road Safety Management Capacity Review¹⁴;
- Report on Road Safety Information Systems Development for Poland: Diagnosis and High Level Action Plan¹⁵;

These reports form part of the basis of the proposals presented in this report and we will discuss and connect relevant recommendations as they arise in analyses for this report.

¹³Such as for example: coordination of climate change related activities, preparation for EU accession, coordination of preparation and implementation of EU pre-accession reforms, implementation of EU financial assistance in candidate and member countries.

¹⁴Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL.

¹⁵ Job RFS, Czapski R., Żukowska, J. & Giemza, J. (2014)*Report on Road Safety Information Systems Development for Poland. Diagnosis and High Level Action Plan*. Warsaw: World Bank

3. POLAND'S CURRENT INSTITUTIONAL CAPACITY FOR ROAD SAFETY MANAGEMENT

3.1. Poland's Unique Context

It is important to understand Poland's unique context in order to develop an NLA which is viable and effective in Poland. The unique features of Poland which need to be considered in the process of developing an NLA in Poland are:

1. The complexity of managing road safety over the four levels of government involved as managers of the road network.
2. EU funding for roads and road safety, as well as EU directives on road safety performance, are key opportunities which must be effectively addressed and captured.
3. Within Poland, mixed with some sound understanding and important positive decisions on speed management, there are particularly acute political issues including dismissive views of the real role of speed in crashes and trauma, often naive interpretations of the situation in other countries (for example in Germany), and simplistic alternative solutions. These will be an ongoing challenge for road safety leadership.
4. Several important formal institutional structures exist already in the Polish system, but will need to be carefully managed to ensure a useful contribution to strong decisions and their implementation. These include: the National Road Safety Council and its Secretariat, Regional Road Safety Councils¹⁶.
5. The General Inspectorate of Road Transport, which contains a dedicated separate entity that manages automated speed enforcement (CANARD) is unusual, but is working well in Poland.
6. There are complex legal issues arising from Poland's legal traditional and historical connections to the eastern block and the particular methods for management of the public sector arising from those times. While Poland is evolving away from this history some legal limitations still remain. In particular, the activities and functions of public organisations are set quite prescriptively in law. These legal prescriptions limit the evolution of the roles and processes of government organizations. Improved processes, technology, and evolving roles are unable to proceed without continuous revisions of

¹⁶ The structures of National Road Safety Council, its Secretariat and Regional Road Safety Councils are formal in a sense of being defined in the laws. On the Parliament side there is also an informal Road Safety Group in Sejm (lower house of the Polish Parliament) grouping Members of Parliament particularly interested in road safety issues. This Group does not have any formal role in the legislative process contrary to Parliamentary Committees. However in the current Polish Parliament there is no dedicated Road Safety Parliamentary Committee with formal role in legislative procedures. Instead most of legislative aspects related to road safety are tackled by a formal Parliamentary Infrastructure Committee and any of its subcommittees dealing with specific laws or topics

relevant law. This has important implications for the NLA in terms of its ability to direct improved processes and technologies across other organisations.

3.2.Key road safety stakeholders in the current institutional arrangements

Key road safety stakeholders may be grouped as follows:

- National Government;
- Self-Government;
- Non-Government Organisations;
- Emergency Service;
- Private sector;
- General Public and the Media;
- International Partners.

Current institutional systems and functions were reviewed in more detail in the World Bank's Road Safety Management Capacity Review¹⁷. Following a thorough review of laws and internal regulations concerning explicit functions of key road safety stakeholders in Poland, a brief overview of their road safety related characteristics was previously provided (Annex 3).

3.2.1. Main observations

National Road Safety Council (NRSC)

The already existing National Road Safety Council (NRSC) consists of representatives of Ministries¹⁸ from various agencies on a part-time basis. The Presidency of the NRSC consist of the representatives of top level ministry management, i.e. Ministers or Deputy Ministers in charge of some road safety aspects in key stakeholder ministries. Key observations of the NRSC include the following:

- The entities represented in the NRSC do not have in their statutory documents relevant explicit provisions related to road safety obligations, responsibilities nor description of specific competences regarding some types of road safety actions; Out of 13 institutional representatives only one institution has road safety aspect mentioned explicitly in their

¹⁷Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL.

¹⁸ can be directors level representatives or even lower level officials delegated by the Ministries

statutory document- see Annex 4 for more details, including also other important road safety stakeholders in Poland.

- It is apparent why some entities are included in the NRSC, but the existing description of NRSC specific stakeholder institutions are relatively high level and include for example: education, ecological knowledge, sustainable development, low-carbon economy, road traffic, road infrastructure, science and research, medical rescue system or fire-fighting—there are practically no **direct statements** in their general and internal statutory documents indicating the relationship of these with road safety issues or expanding those general functions into road safety aspects. Addressing this to ensure a more concentrated focus on road safety could be part of a legal review.
- Members of NRSC are formally represented by representatives of the respective institutions not necessarily specialized in road safety or responsible for road safety. While it is important to sustain high level representation to ensure decision making capability, road safety expert advisors to the members present being at the meetings will assist with evidence-based decision making.
- Some key road safety institutions are missing from the NRSC; e.g. General Road Safety Infrastructure Auditor (currently part of GDDKiA structure) or Ministry of Health are not a member of NRSC;
- Research units, which are not statutory members of NRSC but sometimes participate in NRSC meetings as bodies cooperating with NRSC, have in their respective legislative and internal institutional documents more detailed provisions related to the road safety than key statutory NRSC stakeholders.

Secretariat for National Road Safety Council (SNRSC)

The Secretariat for National Road Safety Council (SNRSC) has existed for some year. It is headed by a Director and structurally equivalent to a Ministry Department, but is not called “department”. It is currently the only structure in National Government with full-time staff whose primary role and responsibility is road safety, hence it can be understood as currently in part playing the role of the National Lead Agency for road safety in Poland.

Table 1 provides a synthetic assessment of how well the SNRSC is performing the key features expected from a well performing NLA¹⁹. It shows clearly that many of the key features are currently at best partly applicable to the SNRSC or not addressed at all. This reinforces the need for strengthening and better positioning of the NLA in the Polish public governance system.

¹⁹ Based on questions related to NLA performance formulated in: Bliss, A. & Breen, J (2009). Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects. World Bank Global Road Safety Facility, Washington, D.C.

Table 1. Assessment of the Polish SNRSC functions as a National Lead Agency (based on WB Guidelines²⁰)

Questions	Yes	Partial	No
Does the lead agency (or de facto lead agency/agencies) effectively contribute to the results focus management function?			
Appraising current road safety performance through high-level strategic review?			
Adopting a far-reaching road safety vision for the longer term?			
Analyzing what could be achieved in the medium term?			
Setting quantitative targets by mutual consent across the road safety partnership?			
Establishing mechanisms to ensure partner and stakeholder accountability for results?			
Does the lead agency (or de facto lead agency/agencies) effectively contribute to the coordination management function?			
Horizontal coordination across central government?			
Vertical coordination from central to regional and local levels of government?			
Specific delivery partnerships between government, non-government, community and business at the central, regional and local levels?			
Parliamentary relations at central, regional and local levels?			
Does the lead agency (or de facto lead agency/agencies) effectively contribute to the legislation management function?			
Reviewing the scope of the legislative framework?			
Developing legislation needed for the road safety strategy?			
Consolidating legislation?			
Securing legislative resources for road safety?			
Does the lead agency (or de facto lead agency/agencies) effectively contribute to the funding and resource allocation management function?			
Ensuring sustainable funding sources?			
Establishing procedures to guide the allocation of resources across safety programs?			
Does the lead agency (or de facto lead agency/agencies) effectively contribute to the promotion management function?			
Promotion of a far-reaching road safety vision or goal?			
Championing and promotion at a high level?			
Multi-sectoral promotion of effective interventions and shared responsibility?			
Leading by example with in-house road safety policies?			

²⁰Bliss, A. & Breen, J (2009). Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects. World Bank Global Road Safety Facility, Washington, D.C.

Questions	Yes	Partial	No
Developing and supporting safety rating programs and the publication of their results?			
Carrying out local advertising?			
Encouraging promotion at the local level?			
Does the lead agency (or de facto lead agency/agencies) effectively contribute to the monitoring and evaluation management function?			
Establishing and supporting data systems to set and monitor final and intermediate outcome and output targets?			
Transparent review of the local road safety strategy and its performance?			
Making any necessary adjustments to achieve the desired results?			
Does the lead agency (or de facto lead agency/agencies) effectively contribute to the research and development and knowledge transfer management function?			
Developing capacity for multi-disciplinary research and knowledge transfer?			
Training and professional exchange?			
Establishing good practice guidelines?			
Does the lead agency (or de facto lead agency/agencies) effectively contribute to the broadening of the road safety agenda to include consideration of reduced road based transport as a road safety intervention?			
Including supply, facilitation and promotion of non-road based transport alternatives (rail, water, air, metro)?			
Land use planning?			

Although SNRSC has been gradually expanding in size (staff number from four to seven currently with eleven positions allocated in total, including the director) and road safety management capacity in recent years, its current size and capacity in the existing legal and institutional setup is insufficient to properly coordinate, monitor, and manage all the important safety issues related to the ongoing implementation of National Road Safety Program, let alone to expand its road safety related activities that is necessary at the national or subnational level.

Self-Government Partners

As identified in Annex 1 extensive and profound issues exist within self-government with road safety management, which represent a microcosm of similar issues at the national level. The issues may be exacerbated by duplication, fragmentations across regions, the multiple levels of self-government, and minimal resourcing and ownership of road safety in part due to the perception of small numbers of tragic crashes occurring on local roads because the problem has been fragmented across so many self-governments:

- The absence of clear, functional empowered lead agencies;
- Dispersed and fragmented management with unclear roles of stakeholders;

- Many planning documents are developed but not delivered;
- Few agencies have transparent goals, strategies, action plans, performance measures;
- Substantial horizontal and vertical coordination issues;
- Coordination of cooperation among all key road safety stakeholders;
- Sustainable funding and resource allocation;
- Communication issues with regional and local authorities and the public;
- Inadequate evidence basis for decisions, poor selection of road safety interventions and lack of evaluation;
- Legal provisions which are not followed;
- Overlapping actions, functions and tasks in many areas while other important issues are ignored;
- Absence of transparent systemic solutions and access to tools supporting road safety management encourages unstable, non-formal relations as the basis of collaboration and solutions;
- Lack of road safety expertise in much road safety decision making;
- Reinvention of the wheel is common due to lack of exchange of experience and sharing of knowledge.

Annex 5 provides a separate analysis of road safety leadership and management issues at the level of voivodships, poviats and gminas and also offers suggestions for addressing these issues.

3.3.National Government and Self-Government relations

A section on detailed analysis of the current national and self-government relations is warranted given the delivery of the NRSP 2013-2020 and continued positive road safety performance in Poland is dependent on strong co-ordinated relations between national and self-governments.

It is highly important that local authorities take initiatives in road safety action. However, this does not yet happen in all regions of Poland and there is no global incentive programme by the national government to stimulate this welcome initiative. Moreover, no process has been set up to take regional or local programmes, goals and targets into account when designing the national road safety programme. In other words, the "bottom up approach" has been encouraged, but no means has been devoted to making it work. Moreover, there is now a missing link in the "top-

down" approach and therefore no certainty that NRSP 2013-2020 will be implemented by non-national actors.

The existing road safety management model based on Secretary Offices of RRSCs, which are typically linked to Regional Road Traffic Centers (WORDS), is not optimal and has numerous limitations. Tasks assigned to RRSC Secretary Offices imply that these units are the executive arms of RRSCs. At present operations of all 16 RRSC Secretary Offices are linked to competent WORDs designated by Voivodship Marshalls. In 15 cases RRSC Secretary Office operates within WORDs structure, except for Mazowieckie region where it operates directly within the structure of the Marshall Office. Organizational structure and close links to WORDs determine operations of those Secretary Offices in the area of road safety. Commitment of individual RRSC Secretary Offices varies and depends on a number of factors, such as the willingness and initiative of the management team, or financial condition. Given the lack of clearly defined model of operations of RRSC Secretary Offices as executive agencies, they frequently underperform tasks regarded as key from the perspective of regional road safety management system. Financing road safety related tasks performed by WORDs are a significant concern. Legal regulations are strong in this matter, which limits WORDs involvement, despite the fact that they are legally authorized to allocate budget surpluses to road safety tasks provided that expenditures are approved by WRBRD.

At the early stages of implementing NRSP 2013–2020 the SNRSC sent a letter addressed to all Voivodship Marshalls encouraging them to implement the strategy. Several Marshalls positively responded to this call and developed regional road safety strategies; others already had them. Unfortunately, attempts at coordinating all initiatives undertaken by SNRSC revealed serious gaps in systemic solutions impeding or preventing transfer of knowledge, management tools, best practice or information.

Poor cooperation and communication among central and local administration causes another problem - overlapping actions, functions and tasks in many areas while ignoring other important issues. For example, lack of coordination in the verification of data on road crashes causes the same information from the local level to be reviewed separately by different institutions (eg. Public road authorities and universities), causing unnecessary effort and costs that could otherwise be spent on road safety delivery. On the other hand, issues such as road safety staff training and enforcement of road users are ignored or not sufficiently financed. Each voivodship, powiat or gmina operates in isolation and “reinvents the wheel” rather than exchange experiences and share knowledge with each other. Databases on road crashes or methodology of measuring traffic on local roads are good examples.

Units of local government administration cooperate on the basis of less standardized rules in the area of road safety. Despite the fact that local authorities undertake many projects for road safety improvement, they typically result from individual initiatives rather than a joint, coherent and long-term strategy. In the absence of an agency clearly responsible for performance of the

regional road safety framework, the effectiveness of actions performed by a broad group of regional partners may be limited.

Absence of transparent systemic solutions and common access to tools supporting road safety management encourages creating unstable, non-formal relations and solutions on sub-national levels based on a network of contacts and mutual support between certain units or institutions, rather than system processes. For example, higher education institutions encourage local government units to implement solutions beyond their legal responsibilities and regulations. Many of those solutions have been put in place only thanks to the willingness of knowledgeable and competent officials. Such arrangements are vulnerable to staff changes and not sustainable in the long-term. There is also a risk that these isolated actions are not evidence-based (and thus ineffective) and are too small to be evaluated.

At sub-national level Poland lacks clearly prioritized tasks based on sound evidence and hard data and lacks accountability for performance. Problems faced by both NRSC and RRSCs in leading policy-making, taking accountability and coordination resulted in a situation where numerous institutions defining their own areas of action (with minimum scope), frequently selecting inadequate priorities and resulting in duplication of efforts. Higher level coordination, assignment and monitoring of tasks are needed.

3.4. Current institutional road safety management functions

This section provides an assessment of Poland's current status of road safety management based on recent fact finding visits in Poland and analysis as well as a summary from previous analysis undertaken by the World Bank ²¹. This assessment is made with respect to the seven institutional management functions (see Annex 6) set out in the *World Bank Guidelines*²², with two additions seen as important to the complete management of road safety:

- Results focus;
- Coordination;
- Legislation;
- Funding and resource allocation;
- Promotion (and Education);
- Monitoring and evaluation;

²¹Job R.F.S., Czapski R., Żukowska, J. & Giemza, J. (2014)*Report on Road Safety Information Systems Development for Poland. Diagnosis and High Level Action Plan*. Warsaw: World Bank

²² Bliss A., Breen, J. (2013) *Road Safety Management Capacity Reviews and Safe System Projects Guidelines-Updated Edition*. Washington, DC: Global Road Safety Facility.

- Research, development and knowledge transfer

The following are two additions seen as important in the context of Poland:

- Promotion and facilitation of non-road transport alternatives and their use. Reduced road usage, in broad terms, means reduced exposure to risk, and thus shifting people and goods to alternative (safe) forms of transport. This is an important but often overlooked road safety tool. However, associated safety risks must be managed (such as by providing for the safety of increased pedestrian movements associated with metro systems).
- Capacity to deliver results across planning, roads, vehicles and behaviours. In considering the roles and functions of the NLA, it is also critical to consider what elements of safety must be managed. In Poland this includes all spheres of road safety intervention:
 - Roads and road sides
 - Speeds
 - Vehicles
 - Road user behaviour.

These are considered the nine core functions of NLA.

3.4.1. Core functions of NLA

The Lead Agency role is described under each of the functions:

- Results focus;
- Coordination;
- Legislation;
- Funding and resource allocation;
- Promotion (and Education);
- Monitoring and Evaluation;
- Research, Development and Knowledge transfer;
- Promotion of Non-road Transport Alternatives.

Results Focus

The critical role of a results focus for successful management of road safety²³ is recognized in the *World Report*²⁴ issued by the World Health Organization, as well as by the *World Bank Guidelines* which identify results focus as the pivotal institutional management focus.

Consistent with a results focus, on 9 January 2013, the National Road Safety Council adopted a draft of a new National Road Safety Programme (NRSP) for the years 2013-2020²⁵ which includes a long-term Vision Zero. Developed by the Secretariat of the National Road Safety Council and road safety experts, the NRSP 2013-2020 envisages that by 2020 fatalities in Poland should be reduced by 50% (i.e. no more than 1953 fatalities in 2020) and serious injuries by 40% compared with 2010. The new NRSP 2013-2020 targets are based on the targets of both the UN Decade of Action for Road Safety and the European Union²⁶.

This NRSP is critical to facilitate results focus in partner agencies in government, self-government, and NGOs in Poland.

The World Bank reinforced its work on road safety in Poland in 2012 with a Road Safety Management Capacity Review²⁷ and assistance with development of a Road Safety Strategy and Action Plans. These technical assistance projects have been completed and highlighted the lack of systematic sound readily available data for road safety management as one of key problems hampering fact based and result focused approach to road safety in Poland. Detailed analyses of road safety information system for Poland have been provided in addition in the previous report²⁸.

Coordination

Horizontal and vertical coordination of governments (i.e. at national, voivodship, powiat, gmina levels and between them in Poland's case) is recognized as a key management function for road safety, non-government stakeholders, and parliament.²⁹ In road safety coordination is essential due to the disparate organisations required to deliver the various elements of road safety (see Annex 3 for examples in Poland). Vertical coordination between National and self-government in road safety is a key area of opportunity for improvement in Poland. Improved horizontal co-

²³ Bliss, A. & Breen, J (2009). *Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects*. World Bank Global Road Safety Facility, Washington, D.C. page 11

²⁴ Peden, M. et al. [Editor] (2004). *World report on road traffic injury prevention*. World Health Organisation, Geneva

²⁵ http://www.krbrd.gov.pl/download/pdf/NP%20BRD%202020_przyjety_przez_KRBRD.pdf

²⁶ http://www.mir.gov.pl/transport/zrownowazony_transport/srt/strony/start.aspx

²⁷ Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL.

²⁸ Job RFS, Czapski R., Żukowska, J. & Giemza, J. (2014). *Report on Road Safety Information Systems Development for Poland. Diagnosis and High Level Action Plan*. Warsaw: World Bank

²⁹ Bliss A., Breen, J. (2013) *Road Safety Management Capacity Reviews and Safe System Projects Guidelines-Updated Edition*. Washington, DC: Global Road Safety Facility.

ordination across national government department will also assist with road safety improvements in Poland. Coordination should also include NGOs and the private sector.

Coordination in Poland is currently limited by two key factors. First, some key stakeholders have multiple functional roles (e.g. GDDKiA has a broad responsibility for roads not just safety, and police have a broad responsibility for crime and traffic management not just safety) and thus road safety is not the focus and the organisations are not held to road safety as a core accountability by Government. Second, the fledgling lead agency (the Secretariat of the NRSC) does not have the authority to ensure the cooperation of the disparate organisations which should be delivering road safety.

Legislation

The legislative function aims to ensure that laws and regulations are appropriate and effective for the road safety circumstances of the jurisdiction. It is recognized by the World Bank as a key road safety management capacity³⁰.

The Polish system of governance is deeply rooted in management of functions and roles through prescriptive legislation setting out what each department and agency of government should do. This applies to the national and regional government departments and entities. While it is apparent from the activities of a number of organisations that these prescriptions are not closely followed, these legal prescriptions do present an issue for a National Lead Agency to direct road safety. Similar limitations of influence may exist for sub-national governments and their organisations and structures.

Funding and Resource Allocation

Sufficient funding and sound evidence-based resource allocation are critical to road safety management, and institutional management must ensure these on a sustainable basis for road safety³¹. Our analysis of the previous strategy (GAMBIT) identified insufficient funding, rather than poor strategy, as a key source of failure in delivering sustainable road safety results in the first decade of 2000. It is critical Poland does not repeat this error.

Promotion (and Education)

Promotion (sustained, effective, content and tone appropriate for communication and advertising for road safety) is a key road safety management capacity for government and non-government

³⁰ Bliss, A. & Breen, J (2009). *Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects*. World Bank Global Road Safety Facility, Washington, D.C.

³¹ Bliss, A. & Breen, J (2009). *Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects*. World Bank Global Road Safety Facility, Washington, D.C.

stakeholders. Promotion is more than road safety advertising. It should address the overall level of ambition of society and government in road safety.³²

School based education is challenging to fit into a tight curriculum. In addition, valuable road safety educational opportunities are often misspent on unhelpful activities such as training drivers or two-wheeled riders at school age which increase exposure at the highest risk ages and thus may harm road safety.

Monitoring and Evaluation

Monitoring and evaluation (the systematic ongoing measurement of road safety inputs, outputs and outcomes) is another key management function³³, without which management is blind to the effects of road safety actions. The NLA must be able to monitor road safety broadly and monitor the performances and results achieved by road safety delivery partners specifically.

As highlighted under Results Focus, previous World Bank technical assistance projects highlighted the lack of systematic sound readily available data for road safety management as one of key problems hampering sound monitoring and evaluation of road safety in Poland. Effective Monitoring and Evaluation must be applied by the NLA to itself and to all its partners.

Research, Development and Knowledge Transfer

Research, development and knowledge transfer improve the efficiency and effectiveness of road safety management, making them key management functions for the NLA³⁴. Similarly to functions 1 and 6, the lack of systematic sound readily available data for road safety management is one of key problems hampering research based policy setting and program refinement.

Large opportunities exist in Poland given the already existing high quality research capability in Polish universities and research institutes. There is a wealth of road safety research and knowledge available which Poland can utilize to deliver evidence-based road safety interventions.

Promotion of Non-road Transport Alternatives

³² Bliss, A. & Breen, J (2009). *Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects*. World Bank Global Road Safety Facility, Washington, D.C. page 12

³³ Bliss, A. & Breen, J (2009). *Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects*. World Bank Global Road Safety Facility, Washington, D.C.

³⁴ Bliss, A. & Breen, J (2009). *Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects*. World Bank Global Road Safety Facility, Washington, D.C.

In addition to the above seven functions taken from the *World Bank Guidelines*, we propose the additional key road safety management function of the NLA –to promote and facilitate of non-road transport alternatives.

There is simple logic that increased railway use for freight or metro for passenger transport reduce road risk exposure for the community. However, the development of such transport options must also ensure that associated road safety risks are managed. For example, metro transport results in greater pedestrianization, and pedestrians are a high risk group in road safety. Thus, pedestrian amenity should be improved with increased rail network. This has occurred with the expansion of the metro in Warsaw (e.g. the redevelopment of the mid-city street under which the metro passes to increase pedestrian (and bicycle) amenity and reduce vehicle traffic space (see Figure 3).

The development of (safer) non-road based transport will often involve multiple stakeholders with National Government and self-government especially cities. Such developments are also consistent with EU requirements for sustainable mobility. EU funding may be employed to assist with such projects which deliver multiple desired outcomes (sustainable mobility, improved safety, and reduced urban air pollution).

Figure 3. Improved pedestrian amenity and reduced vehicle space associated with the metro extension in downtown Warsaw in 2014 (photo by S. Job)



Capacity to deliver results across strategic planning, roads, vehicles, speeds and behaviours, and emergency services

Finally, while the capacity to deliver results across the range of policy levers in road safety is an implied function in the above list, it is added here as an explicit function to be assured in the structure, resourcing, and staffing of the NLA. Planning/strategy, vehicles, roads, speeds and behaviour are areas requiring specific expertise and a critical mass of relevant staff. The structure of the NLA must ensure this is achieved, given the challenges Poland faces particularly in relation to effective planning for road safety, speed management, and funding of all the pillars of required activity.

As discussed in 3.2, while emergency services is a focus for road safety management under the 4Es in Poland, road safety cannot be the singular focus for emergency services. Our analysis of lead agency functions internationally shows minimal management input from lead agencies to emergency services. Consistent with this, an area for management of emergency services is not recommended as part of the NLA. However, it is critically relevant for the NLA to manage good relationship with emergency services so that the NLA can have roles in relevant emergency services including planning for emergency access on roads and monitoring the KPIs of road safety related emergency services.

4. PROPOSED MODEL OF NLA FOR POLAND

No NLA can effectively undertake road safety delivery alone: the tasks are too large and too disparate. Furthermore, the multiple tasks necessary to deliver road safety require an extensive set of skills and the tasks overlap with the expertise and core roles of many other government institutions. For example road safety education requires some special skills of teachers, road safety engineering requires the expertise of the road agencies, road safety enforcement requires the skills of Police, and so on. Finally, many government organisations manage the entities and policy elements required to deliver road safety. Examples include GDDKiA's ownership of road design and management and the Ministry of Education's supervision over general education rules, programs, quality standards and ownership of schools and curricula. However, road safety is not the core business of these other players. Thus, the NLA must lead these agencies in the delivery of road safety. The structure, powers, staff skills and numbers, of the NLA must allow for the key institutional management functions identified above to be delivered effectively and efficiently.

Therefore, the proposed model considers the multiple aspects of an institutional solution—revisions of roles of existing organisations, additional organisation, and NLA's power and influence, legal framework, location and reporting lines, organizational structure, key position descriptions, staffing, road safety funding system, and road safety information system—in order to deliver the core road safety management functions and address the limitations in the current road safety management system in Poland. These are considered in turn below. In order to inform this commentary 4.1 summarises lessons from international good practices for possible application in Poland.

4.1. Lessons for Poland from international good practice

International examples of NLAs vary significantly in terms of the extent to which they are able to perform the institutional management functions described in the *World Bank Guidelines*. Limiting factors for effective road safety management included:

- Insufficient budget dedicated to road safety³⁵ (e.g. Czech Republic);
- Insufficient staff dedicated to road safety³⁶ (e.g. Czech Republic, Italy);
- Insufficient access to and analysis of crash data in the lead agency (e.g. Finland, Italy);
- Insufficient power to control key actions³⁷ (e.g. France, Finland, Czech Republic);

³⁵Mostly unknown because some countries interviewed were not able to provide a clear estimate of funding dedicated to road safety (e.g. Finland, Sweden).

³⁶Not clearly known because some countries interviewed were not able to provide a clear estimate of funding dedicated to road safety (e.g. Finland, Sweden).

- Fragmented roles, with the lead agency only having control of an inadequate subset of the key actions required to deliver road safety (e.g. France, Finland, Czech Republic, and now Sweden).

However, the review of international examples of NLAs identified that there are many paths up the mountain: success can be achieved through different models, provided the model suits the social, cultural, management, and administrative processes and strengths of the country and the government. Several common ‘success factors’ could be identified from positive international examples of NLAs. These included:

- having a central road safety organisation that provides a focus for activities, with objectives and targets(e.g. Spain, Slovenia, New South Wales in Australia);
- a strong road safety vision and the motivation to reduce crashes along with the political will required for the provision of funds (e.g. Spain, Slovenia, New South Wales,);
- following a road safety system approach focusing on fact based and result based policies and activities (e.g. New South Wales, Spain, Slovenia, and Sweden);
- legislative support to give the NLA the required power to lead, manage and co-ordinate road safety through secured funding is also an important success factor (e.g. Spain). Other funding models are less secure but have been employed successfully.

The NLA must also be able to persuade the political arm of government of the need for strong decisions. Allowing for several years for the NLA to produce beneficial effects, a decreasing trend from the years before to after the creation of NLA can be an indicator of improved management of road safety in the country/state (assuming there was no directly similar organisation undertaking the NLA role prior to the current agency). For example, in Sweden and New South Wales (NSW) there has been a visible decrease in death rates following the creation of new lead agencies in 1993 and 2006 respectively (Figures 4 & 5). That is, experiences in NSW and Sweden strongly suggest the road safety gains made from having a road safety lead agency in the country/state.

However, more recent data suggest that the distributed approach (which diffuses responsibility for road safety away from a single lead agency) adopted in recent years in Sweden may not be working well, where road safety progress has slowed. While the distributed responsibility approach may also suit (at least in the short-term) the uniquely common good focus of Sweden’s social values and the point of success already reached, this is unlikely to suit other countries, especially those which have not already reached Sweden’s level of success.

Figure 4. Road deaths per 100,000 vehicles and population 1980-2005 - Sweden

³⁷This is difficult to judge and not generally revealed by lead agencies.

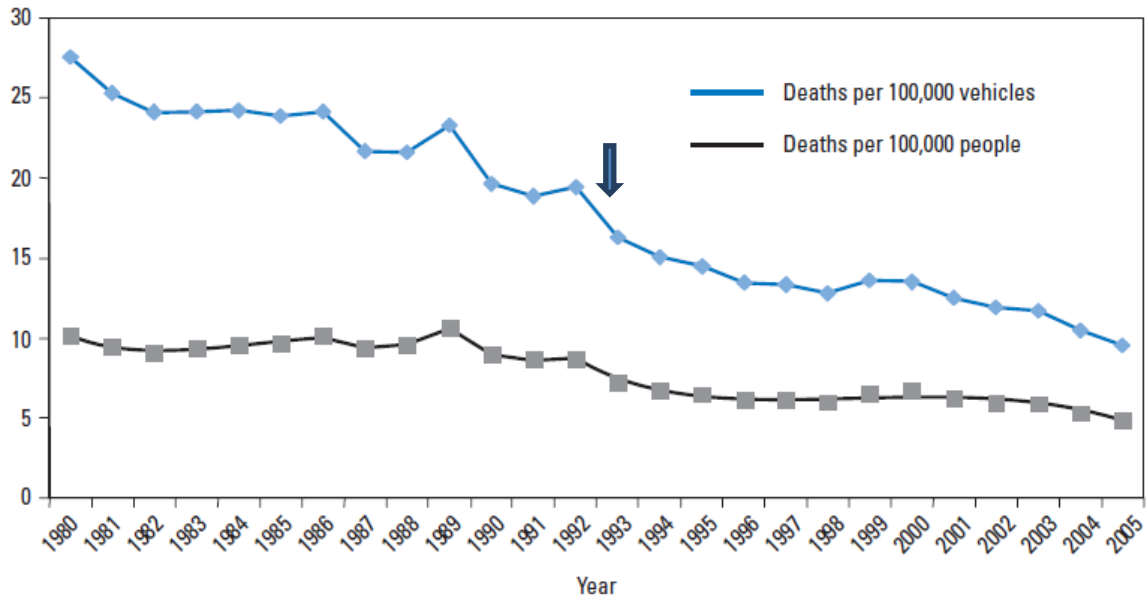
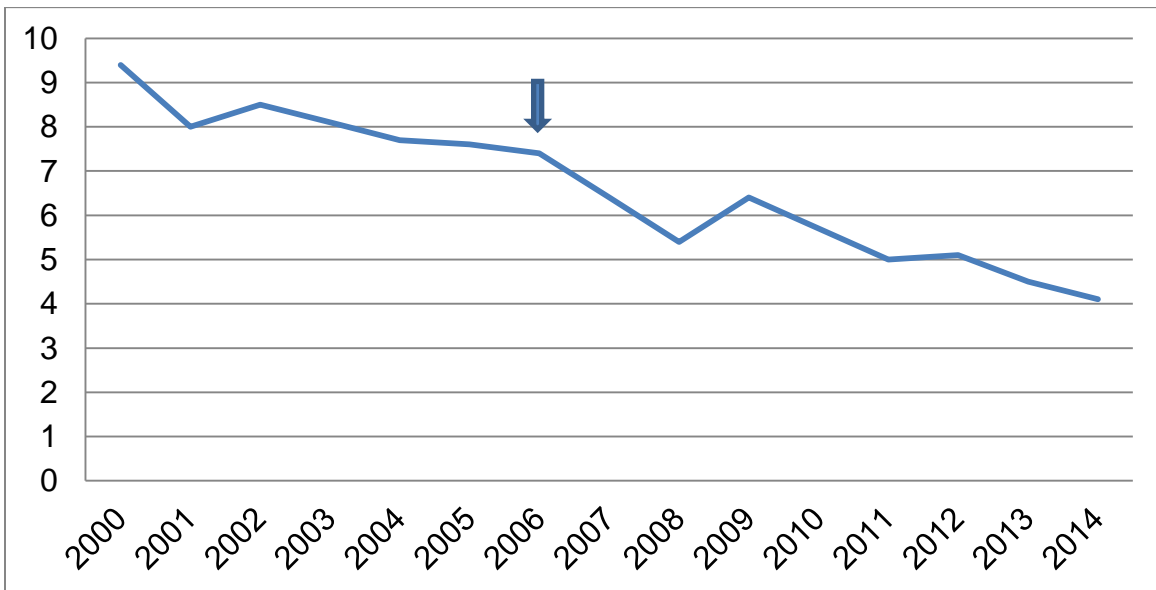


Figure 5. Road deaths per 100,000 population 2000-2014 - New South Wales, Australia



From our report on International Examples of NLAs, Spain, NSW (Australia), and Slovenia appear to be closest to the ideal model for Poland. However, for example the NLA in Spain does not influence road infrastructure and this is a serious limitation. These models cannot simply be transferred to Poland, because specific features and functions are required for Poland given its unique circumstances, as described in 3.1.

Road safety management reviews^{38,39,40} all noted the variation of structures, functions and locations of successful road safety lead agencies. These variations reflect the need for lead agency features to be matched to the particular circumstances of the countries in which they operate. Within the nine core functions described in 3.3, adjustments and variations must be made to maximise the efficacy of the NLA for Poland, and to meet specific constraints on it arising from Poland's political, economic, and social circumstances. Therefore, the proposed institutional solution is described in accordance with the *World Bank Guidelines* and lessons from international practice, with additions to match Poland's particular circumstances, including administrative culture and inter-institutional cooperation mechanisms.

4.2.SWOT Analysis of NLA creation at the central administration level in Poland

The strengths, weaknesses, opportunities and threats of creating an NLA at the central administration level in Poland had been outlined below.

Strengths

- ✓ Existence of the Secretariat for National Road Safety Council (SNRSC) with full-time staff whose primary role and responsibility is road safety
- ✓ Existence of several other important road safety structures in the Polish system: the National Road Safety Council, Regional Road Safety Councils, the Plenipotentiary for Road Safety.
- ✓ High quality research capability in Polish universities and research institutes; there is a wealth of road safety research and knowledge available
- ✓ Increasing political willingness to commit to road safety improvement

³⁸Trinca GW, Johnston IR, Campbell BJ, Haight FA, Knight PR, Mackay GM, McLean AJ, & Petrucelli E (1988). *Reducing Traffic Injury – A Global Challenge*. Royal Australasian College of Surgeons, Melbourne.

³⁹Aeron-Thomas, A., Downing, AJ, Jacobs, GD., Fletcher, JP, Selby, T. & Silcock, DT. (2002). *Review of road safety management practice Final report*. GRSP, TRL, Ross Silcock, Babbie Group Ltd. TRL Report INT/216/2002.

⁴⁰Bliss, A. & Breen, J (2009). *Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects*. World Bank Global Road Safety Facility, Washington, D.C.

Weaknesses

- ✓ The activities and functions of public organisations set prescriptively in Polish law which limits the evolution of the roles and processes of government organizations
- ✓ No active cooperation between key stakeholders (neither central nor regional level) and lack of strong coordination mechanisms
- ✓ No clear attribution of responsibility for road safety results
- ✓ Reduced capacity to implement interventions that are cost-effective and evidence- due to the lack of coordination
- ✓ Lack of clear and sufficient road safety funding
- ✓ The entities represented in the National Road Safety Council have no statutory documents with relevant explicit provisions related to road safety obligations and responsibilities

Opportunities

- ✓ National Road Safety Programme (NRSP) for the years 2013-2020 which includes a long-term Vision Zero exists but will only be effectively implemented with a strong NLA
- ✓ Recommendations for a NLA from of multiple international expert road safety organisations including the World Health Organisation and the World Bank's Global Road Safety Facility identify this as a key opportunity
- ✓ Need for improved leadership and management of road safety expressed in NIK's reports (the Supreme Audit Office)
- ✓ Polish obligations (as a member of the EU) to improve road safety and follow EU specific policies (described in the document entitled Towards a European road safety area: policy orientations on road safety 2011-2020)
- ✓ The National Health Program for 2007-2015 which recognizes road accidents as one of society's health problems
- ✓ The Transport Development Strategy up to 2020 of which main goal is improvement of safety as well as to increase transport accessibility and efficiency of the transport sector
- ✓ EU funding for roads and road safety (financial perspective 2014-2020), as well as EU directives on road safety performance
- ✓ The media that have the power to disseminate road safety solutions and knowledge

- ✓ Significant cultural change to be managed by the NLA to increase coordination in the current decentralized system of government
- ✓ The Roads and Bridges Institute has strong road safety skills and a genuine interest in contributing collaboratively.
- ✓ The ITS, which holds an important though as yet under-developed crash data system, could be moved to more interest in contributing collaboratively to road safety efforts for Poland.

Threats

- ✓ Current vulnerable institutional arrangements in managing road safety and attributing responsibility for road safety results
- ✓ Unstable political will for road safety improvement which results in lack of decisions on institutional changes in road safety sector
- ✓ Lack of willingness among key partners to commit strongly to cooperation
- ✓ Insufficient access to crash data in the current institutional structure which results in lack of sophisticated analytical capacity required to effectively manage road safety
- ✓ Lack of media interest and involvement in evidence-based and "positive" road safety promotion
- ✓ Unhelpful decision making for political convenience.

4.3. Proposed establishment of NLA

Rather than creating a completely new agency from scratch, the review team considers expansion and upgrading the power of the SNRSC for it to become the new NLA the most appropriate and cost-effective option for Poland. It seems also most appropriate that the NLA includes the current function of provision of Secretariat Services to the NRSC or any high level structure into which NRSC may evolve in future. The SNRSC already interacts closely with and will be able to evolve an ongoing strong appropriate relationship with the NRSC. SNRSC has been gradually expanding in size (staff number from four to seven a few months ago and currently with eleven positions allocated in total) and road safety management capacity in recent years. It is recommended that this gradual expansion of the SNRSC continues until it has the capacity to be a fully functional NLA.

The NRSC consists of representatives of various government agencies on a part-time basis, which is insufficient to effectively undertake road safety delivery along with the demanding key roles of the NLA described herein. Therefore it is not appropriate for the NRSC to be the NLA. The NLA must lead politically, and must take an evidence based approach to the delivery of road

safety. This requires rethinking and potential change of focus for the current NRSC to avoid duality of leadership and direction by the NLA on one hand and NRSC on the other. Thus, its functions and operations should be carefully reviewed in the process of establishing an effective NLA and a workable arrangement must be developed between the stronger NLA with the executive decision making power and the NRSC.

4.4. Proposed role and structure of the revised NRSC

It is recommended that in the future system due consideration be given to refocusing the functions of the NRSC onto ensuring the political commitment, coordination and support of road safety primarily from within government stakeholders (key governmental institutions). Rather than executive decision maker, it is suggested that the NRSC become more of a conduit for collaboration between the NLA and the key government road safety partners as well as facilitating collaboration across the partners to ensure the most effective delivery of road safety programs and strategies. Therefore it is also recommended that the NRSC be consisted of high level officials representing key governmental stakeholders, including Ministers or Deputy Ministers of Infrastructure and Development, Interior, Health, Education, and also Heads or Deputies of Police, GITD, and Fire Brigade/Emergency Services.

The NRSC should for example rather consist of Government agencies only so that proper government consideration can be given to key issues without the need to constantly manage the views and pressures of different community groups, who may primarily push for decisions for the sake of the groups they represent. The Head of the NLA should be a member of the NRSC while chairmanship should be given to the government official in charge of road safety supported by the NLA, ideally the Government Plenipotentiary for Road Safety.

The NRSC should be regularly presented strategies and actions developed by the NLA and approved by the Prime Minister or the Government through the usual channels of government procedural approval for priority activities.

4.5. Proposed creation of a community consultation group

It is also very important and appropriate that Government should meet regularly with community groups. It is proposed that this role to be fulfilled by a separate body or committee (called for example a Road Safety Community Consultation and Liaison Committee). It is essential that this role and Committee be completely separate from the NRSC. The discussions of the Committee should be referred to the revised NRSC by the NLA as part of the development of a road safety management system. Such a body should not however have the right to make decisions or promote specific outcomes since it may disperse responsibility for road safety results, limit the decision making powers of the Government and the NLA and lead to uninformed decision bias from vested interest groups and waste of road safety resources (e.g. in many countries and states resources have been wasted on failed driver training due to the push of community

representatives and vested interest groups). However the responsible Government Official or the Head of the NLA should chair this Committee, and report on it to the revised NRSC with advice on its deliberations. Annex 7 provides guidance on terms of reference for this proposed committee.

4.6. Proposed power and influence

The power and influence the NLA possesses is fundamental to deliver road safety effectively and efficiently for Poland. Relationships between the stronger NLA and lower levels of government and other non-government partners must be considered carefully to ensure the power and influence of the NLA are sufficient for the purpose. Different key relationships between the NLA and other entities for road safety management in Poland are considered in turn below. The vertical and horizontal coordination mechanisms to influence these key relationships are also summarised at the end of this section.

4.6.1. NLA and Self-Government partners

Self-government is a primary road safety partner without whom the National Road Safety Program and road safety delivery in Poland have little chance of success because the self-government controls 95% of Poland's roads and over 50% of fatalities occur on these roads. Thus, major improvements in the capacity of self-governments to contribute to the achievement of the national target is imperative for Poland.

To achieve this self-governments must be galvanized for effective road safety action. This should include:

- Strengthening cooperation between NLA and RRSCs
- Facilitation of self-government to set and implement ambitious road safety targets in line with the National Program targets
- Capacity improvements for self-governments to improve skills to manage and deliver road safety (staff training; knowledge transfer through exchange of experience at conferences and meetings).

RRSC Secretary Offices should cooperate with regional partners on an ongoing basis, taking into account any national considerations. To make this happen RRSC Secretary Offices should maintain a close, effective relationship with SNRSC. The current relations between these two institutions are unsatisfactory, which partly results from the absence of transparent forms and rules of collaboration. Consequently, the regional units' involvement is weak, as their sole obligation to the NRSC is preparation of annual road safety reports and specification of tasks implemented in the region.

An executive secretariat and a research unit should support the RRSCs. Self-governments should

commit to the same management processes and leadership as the partner delivery agencies within national government allowing the Lead Agency (in consultation with self-government) to provide leadership and management of the self-government agencies for road safety, by:

- Assigning clear roles to the partner agencies, which avoid duplication and ensure that all activities required are explicitly within the responsibilities of an agency
- Balancing the degree of independence of self-government against the need for unified, effective, efficient action for road safety across all road authorities
- Assigning accountability and responsibility for delivery
- Providing valid precise key performance indicators, by which road safety delivery by each agency will be measured
- Setting performance targets and monitoring achievement of these targets
- Providing public reports to Parliament on the results of the monitoring, along with recommendations for any corrective actions necessary to ensure delivery of the National Road Safety Program.

The power and influence of the NLA over self-governments are also considered later in this section and in the proposed legal framework. It is expected that the proposed detailed legal review will inform further on ways to effectively manage this key relationship for the delivery of road safety in Poland.

4.6.2. NLA and other key National Government partners

A close working relationship between the NLA and Police, MOI, GITD/CANARD on enforcement is critical because the NLA needs to coordinate closely the traffic rule enforcement by Police/MOI, speed camera enforcement by GITD/CANARD and advertising associated with enforcement programs by NLA.

Road safety advertising and communication are known to be most effective in changing road user behaviour when combined with relevant reminders of enforcement or information about changes of law or penalties because they increase the perceived level of enforcement activity and/or the perceived risk of being caught (i.e. increase general deterrence). See Annex 8 for a brief review of the evidence.

Close alignment of Police and NLA in message delivery is also crucial so that both agencies are sending consistent messages to the community. It is helpful to involve Police in the launch of road safety advertising. Changes of law (on on-road behaviour) should be jointly owned by the NLA and Police/MOI. It is critical to allow laws to evolve to strategic road safety directions yet ensure that they are enforceable for Police.

The required role of the NLA in education in Poland is identifiably broad given the unsystematic, fragmented delivery of road safety education in schools with unbalanced focus on young children.⁴¹The NLA should possess processes to influence systematic education for road safety in partnership with the Ministry of Education or self-government education institutions.

4.6.3. NLA and the NGOs and private sector

It is important that the NLA collaborates, consults with, and engages NGOs (though inevitably this must be balanced against the need for confidentiality in sensitive government deliberations), appropriately supports advocacy by facilitating appropriate data access, and other support without effectively compromising the independence of advocacy organisations. However, any NGOs' plans for advocacy in road safety are very often closely connected to the views and promotional needs of the companies and other sponsors, which provide support for their activities. Supportive advice and partnership from the NLA may be of assistance to NGOs, but close working collaboration with the NLA must be balanced with the NGOs' focus on the directions of interest to their private sector or other supporters. Challenges such as these in managing aligned approaches to road safety will continue to be faced by the NLA, which will require staff to manage and facilitate these relationships.

It is important for the NLA to collaborate with, consult with, and engage the private sector in road safety, and regulate it for improved road safety. Companies can assist road safety as part of their corporate social responsibility strategies and action plans as well as for the benefit of workplace health and safety when road transport is part of work. Road safety will be improved through the NLA facilitating the safety focus and contributions of these organisations. This will also require the NLA to have sufficient staff to manage this.

4.6.4. NLA and the general public and media

Promotion of road safety to the community, and engagement with the citizens especially on local road safety issues is important to generate community support for road safety. However, the NLA must also move community views with sound evidence of what works and what does not.

The required role of the NLA in promotion in Poland is identifiably broad given the need for increased advertising and promotion of road safety. The NLA should possess the ability and funding to facilitate road safety advocacy, and the staff for direct leadership and delivery of promotion, communications and advertising for road safety. This power to influence the community may be enhanced with good working relationship with the media. A communications area of the NLA who both proactively and reactively work with media is important to the success of the NLA in this area.

⁴¹Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL.

4.6.5. NLA and international partners

The NLA must be positioned to take full advantage of any possible funds for roads and/or road safety from the EU, the World Bank or other donor banks. This should include having influence over the road building of GDDKiA with such funds, to ensure road safety is seriously managed, including extensive use of safety barriers and the adoption of safe system principles. EU directives on road safety performance are key opportunities which must be effectively captured and delivered. Monitoring of Poland's compliance with these may be led by the NLA.

4.6.6. NLA's vertical and horizontal coordination mechanisms

In addition to the NLA directly delivering the program or project itself, five broad options for coordination mechanisms were considered for the NLA to influence road safety stakeholders as part of ensuring NLA's power and influence. They are summarised below:

Option 1:

The NLA controls the budgets for road safety works of other agencies and distributes these by law, by contractual arrangements or other legal tools that may be applicable for what road safety related actions will be delivered.

Option 2:

The NLA has only its own internal budget and exercises control over other agencies through sign-off approvals of the works they do. The limitation of this option is not being in control of how much effort or funding is spent on road safety, but the NLA can force this to some extent in its approval conditions.

Option 3:

The NLA has only its own internal budget and attempts to exercise control over other agencies through influence and input or negotiations on the works they do. The major limitation of this approach is that road safety is really dependent on the final decisions of other agencies which are not directly responsible or accountable for road safety but are accountable for other delivery elements. Inevitably these elements will dominate their decisions, as their core measures of success and failure. There is also a strong victim blaming culture encouraged by this model with road safety usually seen as someone else's responsibility.

Option 4:

Activity for road safety is forced by legal regulation or standards, so that the delivery of a road safety activity or product to a specified degree or standard is legally determined.

Option 5:

Mixed models of partial direct control of funding and partial approval process, which are in reality mostly used by NLAs, i.e. there are different types of NLA relationships with different institutions.

The practical leadership models applied in different countries usually combine the above methods of control (i.e., Option 5). For example, in the State of New South Wales in Australia the state equivalent of NLA directly held the budgets for road safety blackspot treatments but had sign off approval for all new road designs and building. Within Option 5 the control/influence component can be via Option 2 and/or Option 3 and/or 4 arrangements.

Option 3 arrangements (directly or even as part of the mixed models: Option 5) often fail. This is because the other agencies who are required to deliver their segments of road safety do not have road safety as their core objective, and thus will generally choose to spend their resources on the activities on which they are measured and held accountable. Thus, unless the NLA can hold them accountable for their activities in road safety (with real consequences) the NLA is unlikely to have sufficient genuine influence.

A number of countries and independent states are employing this type of attempted influence over road building and maintenance policy, with minimal success. Examples include various states of Brazil, most states of Australia, and Kuwait. On the other hand, this type of model has been highly successful for many years in Sweden. However, in this context Sweden’s entrenched ‘common good’ culture makes it a special case. The failing experience of other countries with this option is a better guide for Poland.

The mixed model (**Option 5**) reflects the importance of considering the risks and value in more direct control and budget allocation versus sign-off approval versus influence. Examples of the mixed approaches, including use of all the above options for control, are provided in Table 2.

Table 2. Examples of types of control and influence in a mixed model

Road Safety Partner Agency being influenced	Activity being influenced	Type of control/influence adopted
Vehicle manufacturers, importers, and modifiers	Minimum vehicle safety standards	Option 5: set by National Design Standards and by State regulations
Department of Education; Catholic Schools Commission; Independent Private Schools	Teaching of Road Safety in schools	Mix of regulation (Option 5: road safety must be taught according to the school curriculum) and direct payment to the education systems for training of teachers (Option1)
Police	Road safety enforcement	Mix of Option 1 (payment for overtime spend on road safety enforcement, with contracted performance arrangements) and Option 3 (discussions and influence in a collaborative environment)
Road Agency	Design and construction of new	Option 2: NLA has sign-off approval for new roads.

Road Safety Partner Agency being influenced	Activity being influenced	Type of control/influence adopted _s
	roads	
Communications team of the roads agency	Road safety advertising	Option 1: NLA directly funds the development of advertising and managed content and outputs
Roads Agency	Retrofitting of road safety to roads	Option 1: NLA holds the budget for blackspot treatments and directly funds the works
Road law and regulation	Legislation and penalties	NLA directly delivers recommendations for change to parliament, and the policy owner of the legislation
New Car Assessment Program	Testing, policy and promotion for safer vehicles	Although the NLA may fund the program, many other state agencies may also provide funding and so influence is by Option 3: discussions

For Poland, the directives of the EU add to options for influence by the NLA. EU directives and guidelines⁴² on road standards for safety, road safety performance targets and vehicle safety all provide guidelines which assist the NLA to manage relevant issues.

There are opportunities for effective use of a range of the above options for the NLA in Poland, and thus a mixed model is likely to be both the most viable and the most politically acceptable. There will be limits on the extent to which the NLA will be able to manage the large budgets and contracts for delivery required to operate Option 1. Nonetheless Option 1 is a critical and powerful mechanism of control which should be judiciously employed. As the NLA grows its capacity to undertake this form of control it will become a viable mechanism for addressing other ministries and departments which are not performing as required to meet road safety improvement targets.

4.6.7. NLA's non-financial incentive scheme

Ideally, the NLA would be able to influence the delivery of road safety by self-governments (and others) through mechanisms other than financial incentives. An additional way for the NLA to influence and facilitate road safety activities in self-government is an annual Road Safety Award Scheme based on criteria of clearly defined key performance indicators (KPIs) set by the NLA. The KPIs and awards can have multiple streams based on the four pillars of safe system: roads, speeds, vehicles, and people, and possibly at each level of self-government: voivodship, powiat, gmina. The NLA can announce and distribute to self-government the KPIs at the beginning of the year (calendar, financial, road safety funding cycle, or other appropriate cycles). The NLA can also set up a yearly award application process where at the end of the year the applicants are

⁴² Examples in road safety include: European Commission (2010) Towards a European road safety area: policy orientations on road safety 2011-2020. SEC (2010) 903; European Transport Safety Council (2008) Road Safety as a right and responsibility for all. A Blueprint for the EU's 4th Road Safety Action Programme 2010-2020. Brussels:ETSC.

required to nominate themselves for a specific award and demonstrate how they have achieved the relevant KPIs including supporting data. The NLA must have the capacity to assess all the applications and determine the winners. An annual national road safety conference may be held where nominees from each pillar at each level of self-government are invited. This could be held in collaboration with the NGO awards ceremony held by GRSP. Media may also be invited to reward those genuinely delivering road safety. Awards may be given out by a high level Government official such as Plenipotentiary for Road Safety or the Minister.

This incentivised scheme has key advantages:

1. It gives NLA influence in the delivery of road safety in accordance with priorities set by the NRSP and Action Plan, including the opportunity to attract resources to areas which are lacking dedicated funding;
2. It incentivises self-governments to learn and practise safe system;
3. The award criteria of KPIs makes it a results driven incentive scheme which would encourage delivery of road safety results without the NLA having to provide funding or prescribe processes to achieve them (though the NLA may provide appropriate guidance and technical support), allowing self-government continued appropriate autonomy;
4. It incentivises self-governments to take greater responsibility and accountability for road trauma suffered on their roads and to have greater ownership and coordination of action, and this would be reinforced by good media coverage;
5. It has the potential to facilitate improvement of road safety information collection and distribution mechanisms on self-government roads;
6. It gives public recognition to those who do well in road safety delivery, facilitating healthy competition to deliver road safety for Poland;
7. Winners can become best practice models for their region and other self-governments, acting as a practical knowledge transfer process;
8. It generates commitment to road safety across self-government;
9. The conference can provide for a staff professional development and networking opportunity, which will in turn facilitate collaborations between all levels of government. Part of the reward for winning an award may be presenting the winning project at a conference allowing others to learn from successful projects;
10. With the support of media the community can be engaged in safe system thinking and road safety broadly and this may engender and increase community support for government interventions in road safety.

The funding to support this Road Safety Award Scheme may be sought from sponsors (private partners) who are given the opportunity to advertise themselves at the conference with possible media presence.

4.7. Proposed legal framework

The creation of a new NLA (whether via revising an existing entity or from scratch) is likely to require a review of the current legislation and development of a new legislative framework.

Use of legislation is one of the key mechanisms of influence the NLA can use in managing self-government and national government agencies in Poland. In order for the laws and regulations to be appropriate and effective for the road safety circumstances of Poland, they must assure that the NLA has the power to:

- direct the National Road Safety Strategy or Program;
- direct the action plan implementation at the national and lower government levels;
- direct road safety data management;
- manage and distribute road safety funding.

The prescription of the roles and manner of delivery of the roles of various agencies in legislation may limit the freedom of that organisation to respond to new ways of delivering road safety, and thus may limit the ability of the organisation to respond to influence or direction from the NLA. The alternative approach is to set directions for organisations without limiting how the objectives are achieved, allowing the methods of achievement to evolve with available improvements.

However, some road safety actions may require works that are inconsistent with the competence of partner organisations to deliver improved road safety. This may prove to be a key impediment and may even be employed by organisations to resist influence or direction from the NLA in the delivery of road safety, in order to sustain the convenient and well known existing processes of business as usual or to avoid any need to spend additional funds on road safety delivery. Without expert input on relevant law, the extent to which this presents a problem is not fully known. However, in such cases revisions of the competence set in the law may be required.

Detailed examination of the competence of each partner organization to identify the extent to which the existing competence limits the NLA actions and changing them are beyond the scope of this review. Such detailed review may need to be undertaken as part of the preparation of the respective legislation in addition to preparation of detailed regulations on implementation of the new NLA structure. So this is identified as one of the key recommended tasks for the new NLA as it commences its operations.

Without a clear picture of the extent of this issue, the following steps may assist to determine the issue and identify solutions:

1. Obtain expert legal opinion on the extent of the issue in strict legal terms and in organisational culture terms, for national government and sub-national government organisations;
2. To the extent required consider the feasibility of two legal remedies: legally setting powers of influence of the NLA which over-ride the laws determining the roles and methods of partner organisations, or, changing the relevant legal prescription pertaining to various organisations to allow for the influence of the NLA in road safety.

One of the forms to be considered for stimulating road safety activities of key stakeholder institutions is through contracting and financial support. If the road safety activities which are broadly in line with the competence of the partner institution, but beyond what is explicitly stated in the competence of such institution, the NLA and the partner may create a contractual arrangement that sets out the works to be delivered with funding support from the NLA. The NLA may provide 100% or partial funding (e.g. 70% of the funding required to deliver the works or 50%) where the partner is required to provide the rest of the funding (e.g. 30% or 50%). This type of funding model currently exists in Poland where the self-government applies for central government funding for specific road infrastructure works.

The contract may also include ways in which the delivery is monitored. The monitoring may be conducted via public procurement process or by including specific output and/or outcome measures (e.g. 10% reduction in deaths; installation of barriers on 1km section of specific road). It is understood that the Police may be also using this type of monitoring model to secure funding.

Another option is for the NLA to exercise influence via guidelines/standards. The law must set out the role the NLA has in guidelines/standards and what communications are required for monitoring and reporting purposes. This may however also require a change in law.

If changes in law are required for the NLA to have sufficient power to effectively and efficiently deliver road safety for Poland, it would be most beneficial to complete this work as early as possible, preferably no later than within the next calendar year.

It is also recommended that the NLA be the organisation responsible for revisions of all legislation on road use and road user behaviour (in partnership with Police). This has produced better road safety results in many countries (including New Zealand, USA and Australia) than sole Police ownership. This is because Police ownership tends to be cultured to the status quo and a focus on specific deterrence⁴³ rather than general deterrence⁴⁴. Responsibility for review of

⁴³Specific deterrence is the extent to which a person is deterred from doing a certain action (such as speeding, running a red light) because they have been caught and penalised for that behaviour before.

the legislation at the strategic level (i.e. the NLA) not the operational enforcement level is also critical. As a single example, the development of an extensive graduated licensing system in Poland (as recommended in the Country Road Safety Management Capacity Report⁴⁵) requires legislative change which is unlikely to be undertaken by the enforcement agency but is in the purview and expertise range of the NLA.

4.8. Proposed location and reporting lines

The location and reporting lines of the NLA must engender the powers required to co-ordinate and monitor the activities of the other relevant agencies. Based on observations and World Bank direct experience in implementation of road safety investment and technical assistance projects it is clear that “voluntary” cooperation between different governmental institutions going beyond formal legal or procedural requirements faces difficulties and is rare. Governmental institutions usually focus on their core functions and this results in difficulties in sustainable inter-institutional coordination at all necessary levels. There is a tendency by government organizations to limit activities primarily to the core ones, within their narrowly defined responsibility (usually based on strict legal definitions and functions), which are fully controlled and funded by this specific institution, and on which their performance is measured. Consequently those organisations usually tend to avoid being involved de jure or de facto in any setups with “shared responsibility” with other institutions, and even basic communication between them quite difficult. These additional roles are seen as absorbing resources which thus makes the delivery of core accountabilities more difficult.

There are however some successful examples of administrative structures implemented by the Polish government for specific priority areas such as Office of the Committee for European Integration (UKIE). They played a crucial role in preparation for EU accession and negotiations process thereof. This structure existed in the Polish government legal system from mid-90s until Polish accession to EU, and sustained its operations in spite of several changes in government political setup. Formally it was an executive office structure equivalent to the ministry, but not called the Ministry with horizontal responsibilities across whole of government structure, supporting a dedicated European Integration Committee chaired by Prime Minister and supported by a strong executive office called Integration Committee Authority (Urząd Komitetu Integracji Europejskiej). It was in charge of complex and multi-sectoral coordination of EU pre-accession processes. The process involved planning, coordinating delivery and close monitoring of progress as well as reporting back to the Prime Minister and to the Parliament (Sejm). More detailed description of the key features of the Committee for European Integration and its Office is provided in Annex 12.

⁴⁴General deterrence is the extent to which people are deterred from doing a certain action, not because they have been caught, but because they believe they may be caught and the consequences of being caught are undesirable. General deterrence is more important to road safety because it has the potential to influence more road users.

⁴⁵Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL.

To some extent specialized regulatory agencies existing currently in the Polish government structure such as Energy Regulatory Authority (URE – Urząd Regulacji Energetyki), Electronic Communication Authority (UKE – Urząd Komunikacji Elektronicznej) or Competition and Consumer Protection Authority UOKiK – Urząd Ochrony Konkurencji i Konsumentów), can also be inspiring examples for the NLA. The applicable features of these structures as a model for the NLA include their technical competence, political independence and institutional sustainability based on dedicated laws clearly describing their mandate, role and responsibilities, assuring fixed term-based top management appointments and assuring their stable financing. Some other considerations based on Polish legal and administrative practices reinforcing the proposed NLA features are attached in Annex 13.

In addition to these functions and powers of an Authority, the road safety NLA also needs direct delivery elements, such as mass media advertising, communications, and the management of road laws. The location and reporting lines must therefore also ensure that the NLA possesses these specific delivery functions. These are recommended as functions of the NLA because: there is particular expertise in road safety required for these and thus there is no suitable alternative agency to undertake these functions. In addition, the performance of these functions must be closely aligned with other programs of road safety work (such as aligning advertising with enforcement efforts). Moreover it is essential to provide the NLA with direct initiative in policy-making process on governmental level in order to ensure its best positioning among other institutions involved.

The opposite of these effective examples of structures with the appropriate political independence and sustainable power could be the current structure of NRSC and SNRSC. It does not have significant executive powers or tools which can be used to mobilize key stakeholders to active cooperation under joint leadership. The individual willingness of key departments and ministers to cooperate is necessary to achieve progress rather than sustainable institutional relationships at all necessary levels. The assignment of accountability for road safety is necessary for its management but this must be accompanied by the powers to deliver on that accountability.

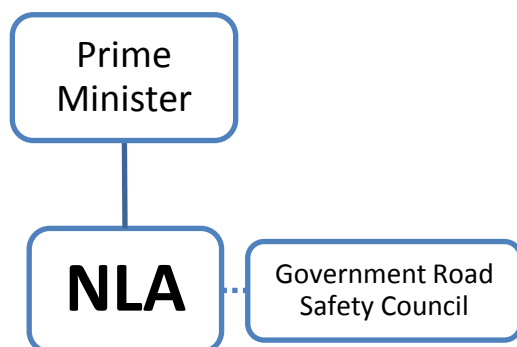
The Polish legal system is a classic example of continental solution for administration, more conservative than innovative, and giving priority to status quo roles over effectiveness. In accordance with this system which is grounded on specific and strictly observed hierarchy of legal acts, it is essential to provide the NLA with dedicated and well-structured legislation at the parliamentary level. It is not an overstatement to say that the key to future success of every administrative initiative (regardless of whether it is of political or non-political nature) is dedicated legislation, regarded as its „own”, combined with the executive power to monitor, initiate changes and propose executive acts (government orders).

For these reasons the NLA should not simply be a part of any single sectoral delivery agency or ministry, and must sit in a reporting line which preferably places it above the other agencies it will coordinate and monitor. Its location within the Prime Minister’s sphere of reference with

reporting line direct to the Prime Minister was considered but in the course of our cooperation with the Polish government it has become apparent that in Poland the Prime Minister's office does not have the appropriate operational sectoral power and has to rely on specialized line ministries. This could be a significant limitation for the NLA to direct the delivery of road safety, which cuts across many sectors. In addition, the Prime Minister's Office, unlike many sectoral governmental institutions, may change completely with a change of government.

Thus the recommended location for NLA is a completely independent non-political entity in Government headed by the NLA Head who is a high level professional with road safety expertise and significant executive powers over the line ministries in relation to road safety as presented below on Figure 6. It should preferably be established by a dedicated law which legally prevents the NLA to be vulnerable to political changes in the Cabinet of Ministers (as an example reasonable minimum fixed office term for the NLA Head based on merits and job performance), assuring genuine road safety focus and delivery. This can be achieved using legal mechanisms similar to the ones governing other specialized government entities in Poland such as the Energy Regulatory Authority (URE – Urząd Regulacji Energetyki).

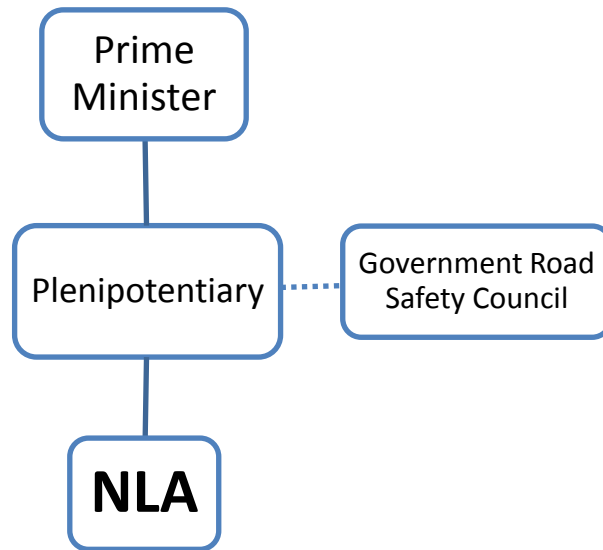
Figure 6. Recommended NLA location and reporting lines within whole of Government



Alternatively, the NLA could be an executive government entity reporting to a dedicated Plenipotentiary for Road Safety, with a Head of NLA granted by law significant coordination and executive powers – see Figure 7 below. Equivalent of Plenipotentiary may be a dedicated Road Safety Minister. Although a Road Safety Minister exists in some countries, introduction of such a Minister in the Polish legal system may be extremely difficult, as it would most likely require changes in the basic laws regulating central government structures⁴⁶.

Figure 7. Alternative NLA location and reporting lines within whole of Government

⁴⁶ It may require in particular changes in the law on administrative governance sectors (*pol. działy*), which will most likely be very difficult to introduce due to the risk of strong opposition from many administrative sectors that may be afraid of their position being weakened.



The social and economic magnitude of the road safety problem in Poland, along with the critical success factor of sufficient power to undertake the role with strong partner organisations, requires this level of organisation. This independent location and reporting line should give the NLA sufficiently high profile within the whole of government reflecting the importance of road safety and is needed to effectively coordinate and oversee other key government and self-government stakeholders in delivering measurable road safety results.

Whatever location is selected for implementation, a comprehensive review of such location, reporting lines and structure after some time of full NLA operation, for example after three to five years of operation, will be useful to capture the value of lessons learned during actual operation. This would allow refinements in legal and institutional frameworks to further improve efficiency of the NLA in delivering road safety results and reflect the evolving road safety situation in Poland and challenges ahead.

In either of the proposed schemes competences and process of selection of the Head of NLA should also preferably be described in the dedicated law to assure a stable institutional environment and the highest possible professionalism of such a person and the whole NLA. Moreover the Head of NLA should have a serious title in concordance with the Polish administrative tradition, underlining importance of the position in the government structure. Such a person should preferably be appointed based on merits for a fixed-term of at least 3, but preferably 5 years based on job performance but irrespective of any political changes in the government set-up to assure continuity and professionalism in tackling road safety issues. While the term of the Head of NLA must be protected from political changes, it must allow the possibility of an earlier dismissal in case of gross negligence resulting in insufficient improvements in road safety. All of these features would call for the NLA being established and regulated by a dedicated parliamentary law. This would additionally offer an opportunity to add

to such law all important aspects related to road safety which are currently scattered across many legal acts resulting in incomplete and unclear road safety legal framework.

The weakest and strictly non-recommended location for NLA seems to be in any of the line ministries under supervision of a politically appointed sectoral minister. As indicated in our earlier report such a structure may be treated only as an interim one, limited in time and legal scope for influence outside the line ministry in which the NLA exists. Such a temporary legal and institutional make-up is sometimes used to achieve initial quick and partial improvements when the final solution and its legal context is still under preparation. Poland needs and is in the right place and time to have an NLA in a location and reporting line which are more sustainable long-term.

Proposed Action Plan describing in more detail the evolution of the current institutional system into the proposed NLA Structure is provided in chapter 5 of this document.

4.9. Proposed NLA Structure

It is important to appreciate that the sphere over which the NLA must hold a results focus, coordinate, monitor, etc. is wide, including at the final point of control - roads and roadsides, speeds, vehicles, drivers and other road users. The structure and institutional capacity must ensure this coverage of content in matrix with the functions described in 3.4.

The aim in producing an organisational structure is to require the least number of organisational layers and staff to effectively and efficiently perform the functions of the organisation. In other countries and states the Lead Agencies are large. For example, the lead agency in Slovenia (Slovenian Traffic Safety Agency) has 105 staff, and the lead agency in the state of New South Wales, Australia (NSW Centre for Road Safety) had around 120 staff when it was the fully functioning lead agency (a situation which has changed slightly since 2012 when it became part of Transport).

While structures of successful lead agencies vary this should not be interpreted to mean that any structure and function will work. Rather, there is a range of variation which reflects variations of good practice, but with certain core features in common.

Variations of structure and function across successful road safety lead agencies may not simply reflect that many alternatives work, but indicate that the structure and functions, the model appropriate for the scale of the road safety challenge, governance systems and administrative culture must be chosen to make the best use of the resources available for the NLA (i.e. to maximise efficiency). It should ensure appropriate social and political support, funding and resourcing, to match the particular road safety circumstances and issue of the country or state at the time, and to facilitate working relationships with key partner agencies inside and outside government.

In Poland's case this will ultimately require effective influence within national government and also better interactions with self-government at all levels as well as and internationally, especially in relation to the EU policies.

Figure 8 provides the suggested functional structure of the NLA for Poland to aim at least in the short to medium term. The proposed functional structure should be put in place as quickly as possible to reinforce capacity for delivering the National Road Safety Programme (NRSP). Obviously the names of units and their responsibilities may be adapted to specific Polish conditions but the structure should ideally follow the pillars of the NRSP 2013-2020 to improve focus and result orientation.

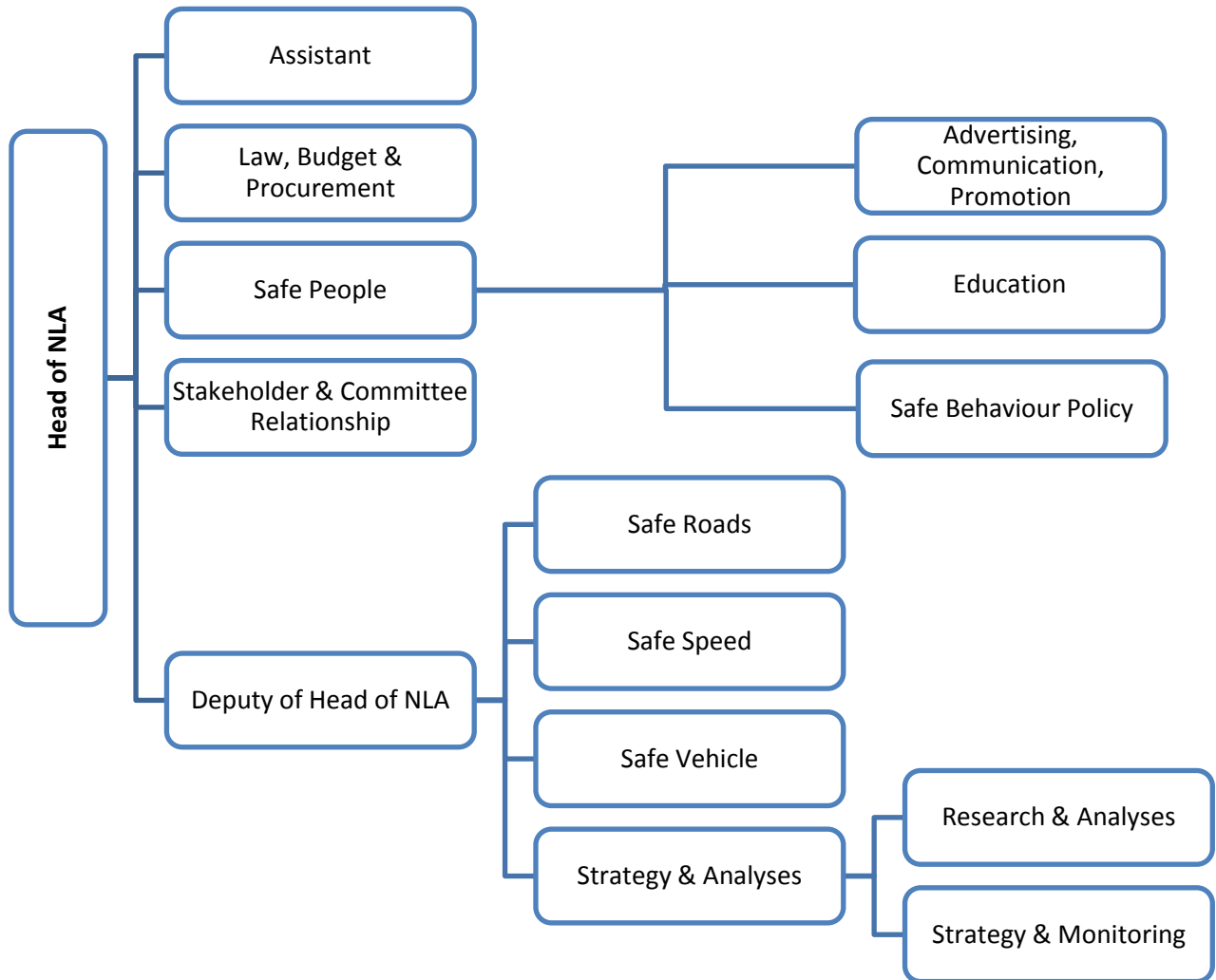
Three considerations are highlighted as relevant to the recommended NLA organisational structure:

1. Safe System Principles have to be followed: The adoption and promotion of safe systems thinking is considered a critical function. The structure should also be able to provide sustainable road safety improvements in Poland based on safe system approach (expanded and improved approach known earlier as 4Es⁴⁷) above and beyond limited sectoral activities. Such a structure is also more likely to deliver ambitious targets adopted by Poland in its NRSP 2013-2020, which is fully compliant with EU road safety policies and UN Decade of Action in Road Safety. Safe System Principles is identified as a role of the head or its deputy of the NLA, a core principle for strategy and planning, and for safety engineering and speed management policy. In addition, training in safe systems principles and how to apply them for improved road safety should be delivered by the Specialist Consultant, or another appropriate road safety expert.
2. The Pillars of road safety must be managed (roads, speeds, vehicles, and people): These are all explicitly covered by the proposed structure.
3. The breadth of required interactions across the EU, government and multiple layers of self-government should be managed primarily at the national level in Poland. A functional unit has been assigned this role in the proposed structure ("Stakeholder and Committee Relationships").
4. As discussed in 3.3 our analysis of lead agency functions internationally shows minimal management input from lead agencies because emergency services must cover, not only road trauma, but naturally all forms of emergency and are usually effectively managed within the Health Sector. Consistent with this, an area for management of emergency services is not recommended as part of the NLA. However, it is critically relevant for the NLA to manage good relationship with emergency services so that the NLA can have roles in relevant emergency services including planning for emergency access on roads

⁴⁷engineering, enforcement, education and emergency

and monitoring the KPIs of road safety related emergency services. Therefore this role is reflected in the proposed structure (“Stakeholder and Committee Relationships”: see Annex 9for details).

Figure 8. Proposed organizational structure of NLA for Poland



4.10. Proposed Key Position Descriptions

Position Descriptions of the Head and Deputy of the Head are provided below. Key roles of the Head and Deputy of the Head as well as key tasks for the key units within the organisational structure are described in Annex 9. These will need to be further expanded into the standard form used in Polish administration. The position descriptions for the Managers and Officers of each unit matched with the required functions are also provided in Annex 9.

4.11. Head of NLA

In addition to the Government Plenipotentiary, a strong title is recommended for public servant head of the NLA. A very senior grade must be attached to this position reflecting the overall responsibility of the position across multiple agencies rather than just an administrative role simply in relation to managing internal staff of the NLA. A highly regarded and respected person has to be selected to head the NLA to give it a prominent role within government and underline importance of road safety in government portfolio. The Head would ideally be appointed on a performance based contractual term.

4.12. Deputy of Head of NLA

The Deputy of Head of the NLA should preferably be directly responsible for several units of the NLA (as shown in Figure 8), in order not to force an excessive number of direct reports on the Head. However, which units report to the Deputy of Head versus the Head are flexible, and should be determined by the Head of the NLA based on the relevant skills of the Deputy of the Head and the Head.

4.13. Proposed Staffing of NLA

The proposed general structure is scalable, i.e. staffing of the NLA and its different units may be different at different stages of the NLA development and operation. Determining staff numbers for an NLA is inevitably challenging. The right numbers balance the need to retain as much of the road safety budget as possible for direct delivery of road safety policy and actions yet allows sufficient staff to ensure that the best policies and delivery mechanisms are chosen, to ensure that delivery occurs, to monitor outputs and outcomes, refine actions and report activity to government and the public. The complexity and multiple strand nature of road safety mean that this is a significant number of staff. For example, the lead agencies for road safety in Slovenia, Sweden, France, and in the state of New South Wales (Australia) all contain over 100 staff.

However all the functional units mentioned on the scheme should preferably be established and staffed with at least three people initially, to assure minimal functionality. It is suggested that such interim structure should preferably employ at least 25-30 people but preferably around 40-50 persons dealing with all key elements of “safe system” as reflected in the pillars of the NRSP.

Table 2 provides the suggested minimum staff numbers, for the interim and which should be revised after a period of operation to ensure that functions are effectively covered and to ensure that areas are not over-staffed.

Table 3. Recommended minimum staff numbers for the NLA

Section	Staff numbers
The Head, Deputy of the Head, Assistant	3
Strategy and Analysis	8
Safe Roads	3
Safe Speeds	4
Safe vehicles	3
Safe People	8
Stakeholder and Committee Relationships	6
Law, budget and procurement	4
TOTAL	39

The pace of growth and future structural and staffing changes will depend on the functions of each section, availability of funding, and priority activities planned by the NLA with a focus on expanding the size of the priority ones and those which may be needed the soonest. It could be expected based for example on the successful models in Slovenia and NSW that the ultimate NLA in Poland would need to have between 100 and 120 staff. However, with a focus on ensuring minimising costs of running the NLA, to maximise expenditure on road safety itself, the number of staff can be less. Some road safety functions of the GITD and GDDKiA also allow for less NLA staff to ensure no duplication of effort. On this basis around 50-70 staff are recommended as a medium to long-term target staffing level.

Since governments are usually under pressure to contain the number of public servants the other compromise that may perhaps be considered, in the case of difficulty in securing sufficient number of new positions, would be to consider staffing some NLA positions by delegated employees of other specialized governmental agencies, provided such mechanisms are feasible in the Polish administrative system. Additional possibility is that perhaps such a structure can be temporarily supported by external fixed-term employees on consultancy type contracts or twinning arrangements with any experienced EU Lead Agency which can provide hands-on help in the process. It may be worth investigating if any EU funds can be used in the short-term to medium for such a temporary or twinning support given the prominent role of road safety in EU policies and the scale of road safety problem in Poland.

4.14. Proposed Road Safety Funding System

The most important success factor for road safety in Poland is high level commitment to a strong NLA equipped with sufficient funding (and power) to drive key improvements and stimulate other stakeholders to effective actions (as opposed to minimal cost, politically easy but ineffective actions). Since the ultimate institutional solution may merit preparation and adoption of a dedicated parliamentary road safety law whatever short-term improvements in road safety

institutional capacity are decided it is recommended that one of the primary tasks be the development of a sustainable long-term road safety funding solution, which should preferably be implemented in 2016. This will support all the key functions of the NLA. Additionally, road safety funding system should be reformed to assure stable medium term funding, which should be placed at the disposal of the NLA.

The review of funding mechanisms used in good performing countries from around the world has identified many different sources of obtaining road safety funding.. One method of particular interest as a short term funding system is the application of income from the fines collected using fixed speed cameras operated by CANARD. GITD/CANARD should be considered as one key source of funding because in the current financial situation in Poland, it is not likely that substantial additional funding can be provided to road safety in the short term. Therefore, the recommendations focus on optimizing the use of existing funds and setting up the organisational structures and systems that can initially ensure funds are spent effectively, and secondly can be developed to provide a first class NRSP in the future.

To be effective, the NLA will need its own budget and it is also recommended that in the short term a Road Safety Fund is set up, either as part of National Road Fund or in another form assuring that the reinforced NLA can use it as a sustainable multi-annual source of funding. Fine income from the fixed speed safety camera operations is currently around PLN 60-70 million annually. This is currently going to the National Road Fund and is used for investments in national road infrastructure, typically unrelated to road safety. It is recommended that this revenue be diverted into a Road Safety Fund or otherwise ring-fenced as a road safety multi-annual funding mechanism. This transfer should take place gradually over time and in coordination with the growth of capacity and competence of the NLA. Eventually the whole income from fines related to speeding, estimated at PLN 300 million annually, should be diverted into the dedicated road safety budget or fund. This should greatly increase the capacity of the NLA to deliver results.

It is also recommended that the Fund be used by the NLA for co-funding activities led by other key road safety stakeholders involved in implementation of the NRSP 2013-2020. It is critical that the NLA has control of this budget and is able to distribute it to other agencies with controls to ensure expenditure on genuine road safety works.

The proposed solution, which focuses on redirecting as much as possible of the revenues from speed cameras to the NLA's responsibility, should be developed in more detail, including legal aspects, and tailoring to the NLA's capacity.

Over time the NLA's budget will need to be gradually augmented through additional revenue sources. The role of the NLA may also be expanded in relation to the budgets devoted to road safety related activities by other stakeholders. For example the NLA, which will successfully

build its professional capacity and reputation as a reliable and road safety result-focused institution, may be legally empowered to consult and influence the proposed uses of those parts of stakeholders' budgets which would be related to road safety activities. Such an approach, i.e. budget related consultations, can also be useful as part of preparation of bi-annual detailed Action Plans prepared as a tool for implementation of the NRSP until 2020. Partner agencies must be given accountability for delivery of various components of the NRSP and the NLA must monitor their delivery.

Delivery of road safety will require sufficient funding and resources genuinely, not apparently, committed to road safety, primarily through the NLA, but also preferably supporting self-governments to genuinely undertake road safety delivery of Poland's NRSP. This means that in many instances the funding must be controlled by the NLA and contracted out to delivery agencies for agreed work rather than direct funding. That is, spending must be determined according to the NRSP adopted by Poland's Government and agreed between the NLA and its partners. Direct funding to delivery and advocacy agencies for road safety is rarely effectively used for road safety (unless the NLA is able to effectively monitor the funding and actions delivered). This is because other agencies do not own the road safety problem. For example, roads infrastructure managing agencies such as GDDKiA feel responsible for the road asset, smooth travel surfaces, and reduced congestion and so spend money on these problems, arguing (quite often completely incorrectly) that these features also improve safety. Education institutions focus on writing, maths, science, etc. and are measured on these, not road safety.

More detailed decisions on expenditure can be most effectively based on estimated benefit-cost ratios for different treatment options, to ensure maximum value for road safety expenditure. The NLA in Poland should preferably have control of major road safety budgets to ensure expenditure on road safety focused on sustainable results or the NLA must be able to determine how these budgets are spent by the respective stakeholders, and make sure that this occurs, by setting relevant key performance indicators (KPIs) and monitoring them for delivery. For example, changes in road engineering policy are monitored for delivery in New South Wales, Australia. These included replacement of zebra crossings on multiple lane roads with signalised crossings or other amenities and median separation on all new high speed roads. In a number of countries police enforcement activity is funded and monitored for delivery including number of drug driving tests and random breath alcohol tests.

A funding model where the self-government applies for central government funding for specific road infrastructure works currently exists in Poland. For road safety, the NLA should determine the terms of reference for the application process and which applications are successful. The NLA and the partner may create a contractual arrangement that sets out the works to be delivered with funding support from the NLA or the Government. The NLA/Government may provide 100% or partial funding (e.g. 70% of the funding required to deliver the works) where the partner is required to provide the rest of the funding (e.g. 30%).

Alternatively, a new scheme where a certain percentage of the central government funding is earmarked annually for the NLA to direct spending on road safety, instead of self-government having to apply for different project funding, may be considered. This has the advantage of sustained funding for road safety and the NLA assuring the limited funding is put to best possible use for road safety.

Other income streams are suggested in the Funding Report for careful screening and development in the future by the reinforced NLA. They may require much additional analysis and discussions with different institutions involved and possibly legislative changes for their implementation.

The funding related proposed action plan(at the end of the report) are developed assuming a timely progress in setting up the NLA, preferably reporting directly to a Minister for Road Safety via the dedicated high level government position of Plenipotentiary for Road Safety, with a complete overview of all road safety activities. The proposed short-term funding solution is intended to assist the NLA to quickly start implementation of the rest of priority actions identified in the Action Plan.

In the long-run for a consistent and sustainable funding system for Poland, the law should ideally define the sources, principles for distribution and allocation (percentages) of road safety dedicated funds.

4.15. Proposed Road Safety Information Systems (RSIS)

While there are many strong elements of road safety data management in Poland, there are significant weaknesses, gaps, and inefficiencies which were described in a previous report⁴⁸. In summary, these include inaccuracies of data, lack of collection of some key variables, data collection processes which require updating, lack of integration, coordination, and limited sharing of data, limited linkages of key data sources, lack of transparency, substantial duplication of effort and databases, insufficient analytical capability or capacity to employ road safety data to develop policy and programs.

As recommended in earlier reports^{49,50} in order to adopt an evidence-based and result oriented approach the NLA should have access to all the respective data and have the capacity to analyse such data. Development of a Road Safety Information System (RSIS), a comprehensive road safety database, preferably centrally managed and maintained by the NLA is also critical for efficiency and consistency of road safety management across Poland.

⁴⁸Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL.

⁴⁹Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL.

⁵⁰Job RFS, Czapski R., Żukowska, J. & Giemza, J. (2014). *Report on Road Safety Information Systems Development for Poland. Diagnosis and High Level Action Plan*. Warsaw: World Bank

The multiple layers of government also dictate key features of data management, data access, monitoring, reporting, and advocacy. In particular, there is a strong need to engage many (but not all) self-governments to take greater responsibility and accountability for road trauma suffered on their roads. With significant number of the deaths occurring on self-government roads, greater ownership and coordination of action across self-governments is critical to improved road safety outcomes for Poland. This may be improved through better access to crash data specific to their roads, the publication of performance data for each self-government, and funding contingent on the demonstrable commitment to improved road safety. The management of these data needs and functions must be handled via the NLA.

The particular circumstances of Poland in relation to results focus have been discussed in detail in the Data Systems Report⁵¹, which generated commentary and suggestions on many aspects of road safety data management in Poland, including:

1. Collection of crash data;
2. Defining outcomes for comparability and benchmarking;
3. Additional existing databases for inclusion in the Road Safety Information System;
4. Institutions which should have access to these data;
5. Analytical capabilities, responsibilities, and reporting;
6. Facilitating, engaging, and informing self-government;
7. Data linkages;
8. Additional regular data collections on intermediate outcomes;
9. Resourcing and contracting process required to efficiently manage the creation and maintenance of the recommended databases;
10. Analyses and uses of the databases;
11. Public access to data;
12. Ensuring the sustainable management and use of the databases;
13. Access to, and ability to use, a sound evidence base from research and experience.

However, a number of current developments align to present strong opportunities for advancement. These include increased understanding of the need to improve and co-ordinate road safety data, the improving capacity of the SNRSC to manage road safety, planned

⁵¹Job RFS, Czapski R., Żukowska, J. & Giemza, J. (2014). *Report on Road Safety Information Systems Development for Poland. Diagnosis and High Level Action Plan*. Warsaw: World Bank

improvements and developments to a number of relevant databases, the addition of GPS devices to Police vehicles, the linkage opportunities arising from Poland's PESEL numbers (which must be used sensitively to protect privacy), EU co-funded project to develop tools for an observatory by the Motor Transport Institute (ITS) and the Ministry of Administration and Digitization (MAiC) effort to improve government transparency by promoting open access to governmental and other public sector data.

In essence, the ideal road safety data management solution for Poland is a crash and road safety data and information system which allows sustained, effective, efficient, fully informed management, delivery, evaluation, and performance monitoring of road safety. In order to achieve this the data and information must be sustainably stored, accurate, comprehensive and credible; should be amenable to international benchmarking; must be readily available to multiple stakeholders facilitating public scrutiny; must be expertly analysed; and must be effectively used in the advocacy for, development of, public promotion of, assessment of, and monitoring of road safety activities.

This is best achieved by an appropriately staffed Road Safety Information System (RSIS) held by the government NLA for road safety, as the primary leader and manager of road safety. The RSIS should also produce annual reports and regular update reports on road safety as well as specific reports on various aspects of road safety. In consideration of the particular circumstances of Poland, with a partial Road Safety Observatory developed in ITS, it may be appropriate for the NLA to create collaborative arrangements with the ITS to make use of the systems development already undertaken. The SNRSC is in the process of discussing with the ITS collaboration in establishing an RSIS, which should preferably be centrally managed and maintained by the NLA.

4.15.1. Scope of RSIS Data and Access

In summary, data held by the RSIS should include:

- Final outcome level data, including the number of persons killed and injured by type of road users, type of roads, time, costs of crashes, etc.;
- Intermediate outcome level data, including performance indicators, focusing on road user behaviour (such as seat belt use and speed) and the safety of vehicles and infrastructure;
- Underlying factors such as attitudes and beliefs of road users;
- Contextual data, including exposure data such as population, the number of vehicle-km driven by type of road users, etc.;
- Open access to crash data and regular public reports of crash outcomes are important elements of well managed crash data systems. Such access provides for informed

advocacy by NGOs, and appropriate information for more effective and informed citizen engagement.

4.15.2. Evidence based standards for road safety decisions of the NLA

The NLA should commit to strict evidence base for its decisions, including not just the evidence that there is a particular problem but the evidence that the solution being considered is shown to work and address the problem in a sustainable way. This requires reliable crash data, in-depth analysis providing a comprehensive understanding of the crash problems, and a centrally managed multi-disciplinary approach to implementing measures.

Strong road safety leadership, advocacy, management, monitoring, delivery and refinement all require accurate, comprehensive, readily available data on final outcomes (deaths, injuries, crashes, collisions, and costs, etc.), intermediate outcomes (seat belt usage rates, speeding behaviour, roadsides with appropriate barrier protection, etc.), underlying factors (road use, attitudes, beliefs, etc.), and outputs (safe road design and standards, sound vehicle inspections, enforcement, education and promotion, etc.). This demands the development of a comprehensive road safety information system containing these data and the capacity to analyse them.

4.15.3. Monitoring of Road Safety Partners

Particularly in the case when NLA will be able to co-finance some activities of different partners, it should always build into cooperation and co-financing agreements specific indicators and monitoring procedures to assure results focus and to evaluate outcomes of such activities. The same strict and systemic monitoring process should be applied to all activities undertaken by different stakeholders as part of the Action Plan in the context of NRSP.

It is recommended that the NLA monitors, not only road safety overall, but specific activities and outcomes of partners. Monitoring of partners should be specific in order to assess particular organisations or activities and include measurement of outputs (i.e. has the required action been undertaken to the expected extent; e.g. barriers at crash locations; road safety education in schools), intermediate outcomes (i.e. has the relevant change in behaviour or design occurred; e.g. seat belt surveys as already being conducted by the SNRSC) and final outcomes (has this actively reduced crashes, deaths and/or injuries). For example, the NLA could monitor Police enforcement of seat belts and local promotion of the enforcement (output), the extent of seat belt use (intermediate outcomes) and changes in deaths and serious injuries not wearing a seat belt or overall (final outcomes). Publication of the relative road safety performances of the various self-governments may also be a strong motivator for improvement through local community demand for better safety.

4.15.4. Research, Development and Knowledge Transfer

With full road safety information access and analytical capacity and capability, the NLA can ensure and use relevant research for policy setting and program refinement. Training and professional development in safe systems and various elements of road safety also become critical to ensure the NLA's continued strong research capacity and capability.

It is also important to appreciate that Poland can learn from elsewhere and not "reinvent the wheel" in relation to many road safety challenges. The laws of physics apply everywhere, and some research and good practice on what works elsewhere is appropriately applicable. The research should include determining what has worked elsewhere, and the staff of the NLA will need to be well-versed in a broad range of research.

5. ACTION PLAN FOR DEVELOPMENT OF NLA IN POLAND

The proposed model can be delivered gradually through transformation and expansion over time. Hence a phased approach to road safety institutional improvements is considered, which should lead to achievement of a fully functioning NLA for Poland.

The three stages of this transformation process are proposed:

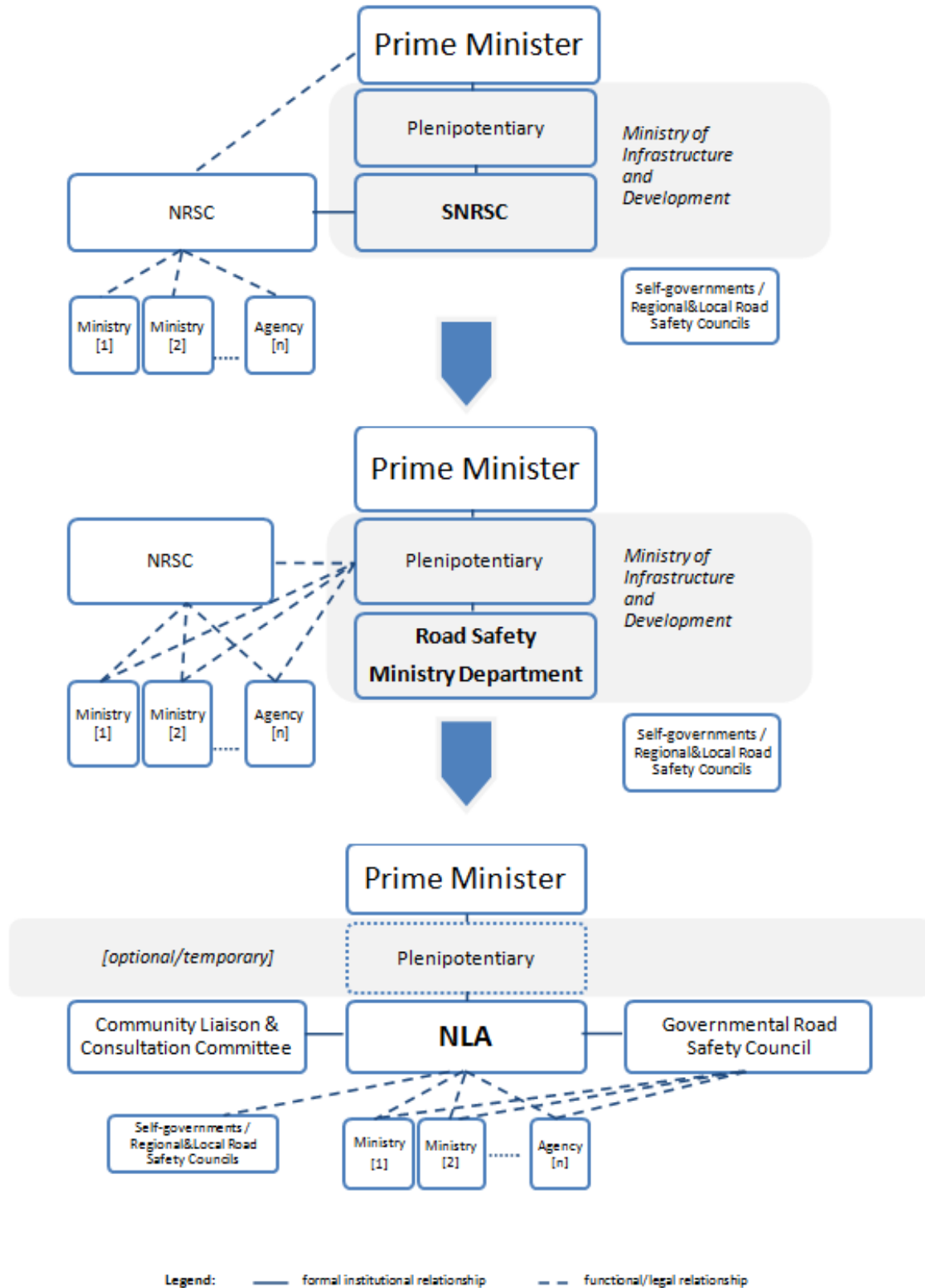
- Phase 1 – SNRSC strengthening and transformation into NLA
- Phase 2 – Building capacity and expanding NLA
- Phase 3 - NLA strengthening and development

For each of these three stages short (Phase 1 - immediate to next six months) to medium (Phase 2 - next six to twelve months) and long term (Phase 3 - beyond twelve months) action plans are provided for each key relevant aspect of the proposed model. Some short-term solutions are only temporary until the proposed medium to long-term institutional solution resulting in a modern efficient and independent NLA can be adopted.

It is also noted that the progress is naturally dependent on multiple contingencies as well as political consensus and support and therefore some flexibility in approach is likely to be required. The proposed action plan should be used as a guide to assist in keeping track on the development and implementation of a fully functional NLA.

Crucial transformation is expected to take place relatively quickly in Phase 1 and the diagram in Figure 9 summarizes this transformation process.

Figure 9. Proposed evolution of the current SNRSC into NLA for Poland



5.1. Phase 1 (Short-term): SNRSC Strengthening and Transformation into NLA

A. General

1. Promote and justify the priority of road safety within Government and with the public, based on the human suffering and loss, and the economic losses being paid by everyone. Expert voices in support will be of great assistance.
2. Adopt Safe System Principles as the core principle for strategy and planning, and for safety engineering and speed management policy in Poland.
3. Promote the early wins in road safety delivery in Poland to generate and increase community support for further road safety interventions.
4. Publicly commit to increased road safety funding over time pointing to the results achieved and linking to measurable and achievable targets.

B. NLA development

1. Rather than creating a completely new agency from scratch, it is suggested that the most appropriate and cost-effective option is to expand and upgrade the power of the existing SNRSC to become first a regular ministry department and then subsequently transformed into the new NLA. As a guide, it would be reasonable also to expect expansion to 12 to 15 staff in the first six months, expansion to 20 to 25 staff in the next year, and the full complement of staff within two to three years.
2. The strengthening of SNRSC resulting in a structure closer in its functions and responsibility to the ultimate NLA remaining in its current location may be introduced very quickly. This should preferably occur with a name change of the SNRSC to reflect its increased status, strengthened and widened role in Government.
3. Continue the already occurring gradual expansion of the SNRSC until it has the capacity to be a fully functional NLA.
4. Initiate analysis of the legal frameworks and mechanisms within which the NLA can be created and operate to effectively influence, direct, and monitor the relevant road safety activities of other arms of the Government and self-government, through processes which are consistent with Polish legal practice.
5. Develop a strong business case to government (preferably based on cost-benefit analysis) for the need for, and sound economic value of a strong NLA, to gain government support for the solutions proposed in the present report.
6. Prepare and adopt detailed regulations on implementation of the new NLA structure.

7. Legally establish the NLA, preferably as an independent entity in Government in a reporting line which places it above the other agencies it will coordinate and monitor; it should preferably be an independent government entity reporting to the Prime Minister, while a dedicated high level government position of the Prime Minister's Plenipotentiary for Road Safety can be also useful as the highest level government position to assure continuous political commitment and conduit between NLA and the Prime Minister.
8. Put in place as quickly as possible the proposed functional structure which follows the pillars of the NRSP 2013-2020, as illustrated in Figure 8 to reinforce capacity for delivering the NRSP 2013-2020.
9. Expand the Position Descriptions of the Head and Deputy of the Head as well as key tasks for the key units within the NLA organisational structure described in Annex 9 into the standard form used in Polish administration.
10. For the senior positions of the NLA create final position descriptions, grade positions, and advertise the positions of the proposed structure to the level of section managers (Managers/Heads of Safe Roads Unit, Safe People Unit, etc.). It is critical that these positions be graded properly to reflect the complexity of the roles being undertaken, including the management and monitoring of external relationships, and all these manager level positions should preferably be also externally advertised to ensure the best possible candidates are attracted and optimal mix of fresh external views with existing in-house experience.
11. Assign a strong title for public servant head of the NLA with a very senior grade reflecting the overall responsibility of the position across multiple agencies rather than just an administrative role simply in relation to managing internal staff of the NLA.
12. Advertise the Head position and appoint on a performance based contractual term a highly regarded and respected person to give it a prominent role within government and underline importance of road safety in government portfolio.
13. Assign the Deputy of the Head of the NLA responsibility for several units of the NLA in order not to force an excessive number of direct reports on the Head. However, which units report to the Deputy of the Head versus the Head are flexible, and should be determined by the Head of the NLA based on the relevant skills of the Deputy of the Head and the Head.
14. Target around 50-70 staff in total in the long-term for NLA of Poland. The pace of growth and future structural and staffing changes will depend on the functions of each section, availability of funding, and priority activities planned by the NLA with a focus on expanding the size of the priority ones and those which may be needed the soonest.

15. In the case of difficulty in securing sufficient number of new positions, consider staffing some NLA positions by delegated employees of other specialized governmental agencies, provided such mechanisms are feasible in the Polish administrative system. Such a structure may also be temporarily supported by external fixed-term employees on consultancy type contracts or twinning arrangements with any experienced EU Lead Agency which can provide hands-on help in the process. It may be worth investigating if any EU funds can be used in the short-term to medium for such a temporary or twinning support.
16. Consider the development of improved structures and processes for the leadership of road safety within sub-national government to address the identified fragmentation and inconsistency of road safety delivery. This development should be aligned to the objective of maintaining the influence of the NLA across road safety in Poland.

C. Reform of the NRSC

1. Refocus the functions of the NRSC onto ensuring the political commitment, coordination and support of road safety primarily from within government stakeholders (key governmental institutions). In the short term this may be achieved by assuring that the NRSC will be supporting Plenipotentiary, who should preferably become a chairman of the NRSC on behalf of the Prime Minister.
2. Rather than executive decision maker, it is suggested that the NRSC become more of a conduit for collaboration between the NLA and the key government road safety partners as well as facilitating collaboration across the partners to ensure the most effective delivery of road safety programs and strategies.
3. Restructure the NRSC to consist of high level officials representing key governmental institutions only, including Ministers or Deputy Ministers of Infrastructure and Development, Interior, Health, Education, and also Heads or Deputies of Police, GITD, and Emergency Services.
4. Restructure the NRSC for the Head of the NLA to be a member of the NRSC and for the government official in charge of road safety supported by the NLA, the Plenipotentiary for Road Safety, to be the Chair.

D. Creation of a community consultation group

1. Create a separate body or committee (called for example a Road Safety Community Consultation and Liaison Committee), completely independent of the NRSC, for the Government to meet regularly with community groups (see Annex 7 for guidance on terms of reference for this proposed committee).

2. Structure the Committee for the Plenipotentiary for Road Safety or the Head of the NLA to be the Chair of this Committee, reporting to the revised NRSC with advice on the deliberations of the Committee.
3. Ensure that the Committee does not have the right to make decisions or promote specific outcomes so as not to disperse responsibility for road safety results, limit the decision making powers of the Government and the NLA and to lead to uninformed decision bias from vested interest groups and waste of road safety resources.

E. NLA staff development, relationship management and co-ordination mechanism

1. Consider delivery of training in safe systems principles and various elements of road safety and how to apply them for improved road safety by the Specialist Consultant or another appropriate road safety expert to for staff development and to ensure the NLA's continued strong research capacity and capability for research for policy setting and program refinement.
2. Develop a close working relationship with the Police, MOI, GITD/CANARD on enforcement in order to align road safety message delivery to the community and to coordinate closely the traffic rule enforcement by Police/MOI, speed camera enforcement by GITD/CANARD and advertising associated with enforcement programs by NLA (see Annex 8 for a brief review of the evidence to support the need to combine road safety advertising (relevant reminders of enforcement or information about changes of law or penalties) and enforcement programs).
3. Engage with and advocate for and promote road safety to the community, especially on local road safety issues in order to generate community support for road safety while balancing community views with sound evidence of what works and what does not.
4. Develop good working relationship with the media as part of community engagement, road safety advocacy, and direct leadership and delivery of promotion, communications and advertising for road safety.
5. Utilize EU directives and guidelines on road standards for safety, road safety performance targets and vehicle safety to monitor Poland's compliance with them and ensure road safety delivery in Poland.

F. Funding

1. Set up the organisational structures and systems that can initially ensure funds are spent effectively, and secondly can be developed to provide a first class NRSP in the future.
2. Optimise the use of existing funds by considering GITD/CANARD as a primary source of funding (i.e. income from the fines collected using fixed speed cameras), at least in the

short term, because in the current financial situation in Poland it is not likely that substantial additional funding can be provided to road safety in the short term.

G. Data Systems

1. Action the recommended sequence in the Data Systems Report⁵²(see Annex 10) and continue clear dialogue with the ITS, in order to begin development of the data system, which can support fact based and result oriented implementation of NRSP in Poland. Such system can also become an international good practice for other countries facing road safety challenges.
2. Commit to strict evidence base for its decisions, including not just the evidence that there is a particular problem but the evidence that the solution being considered is shown to work and address the problem in a sustainable way via reliable crash data, in-depth analysis providing a comprehensive understanding of the crash problems, and a centrally managed multi-disciplinary approach to implementing measures.

5.2. Phase 2 (Medium-term): Building Capacity and Expanding NLA

A. General

1. Addressing issues in the public arena will be an ongoing activity as each step is taken, to identify the positive value for the people of Poland in the development of accountability, responsibility, and leadership for road safety.

B. NLA development and legislative review

1. If changes in law are required for the NLA to have sufficient power to effectively and efficiently deliver road safety for Poland, complete this work as early as possible, preferably no later than within the next calendar year.
2. Lead the review of the laws and regulations for road safety so that the NLA has the power to:
 - a) direct the National Road Safety Strategy or Program;
 - b) direct the action plan implementation at the national and lower government levels;
 - c) direct road safety data management;
 - d) manage and distribute road safety funding.

⁵²Job RFS, Czapski R., Żukowska, J. & Giemza, J. (2014). *Report on Road Safety Information Systems Development for Poland. Diagnosis and High Level Action Plan*. Warsaw: World Bank

3. Initiate and lead the revision of all legislation on road use and road user behaviour in partnership with Police. Continue advertising and filling positions in the NLA.
4. Develop close working relationships with self-government partners in order to set specific performance measures and targets for partners, and to facilitate a results focus in road safety from all partner agencies.
5. Develop close working relationships with the Ministry of Education and self-government education institutions in order to influence systematic education for road safety
6. Develop collaboration, consultation and engagement process between the NLA and NGOs (though inevitably this must be balanced against the need for confidentiality in sensitive government deliberations) in order to manage and facilitate aligned approaches to road safety.
7. Develop collaboration, consultation and engagement process between the NLA and the private sector in road safety in order for private organisations to have a road safety focus and contributions (e.g. workplace health and safety when road transport is part of work).
8. Develop collaboration, consultation and engagement process with international partners including the EU, the World Bank or other donor banks so that the NLA is positioned to take full advantage of any possible funds for roads and/or road safety from them, including having influence over the road building of GDDKiA with such funds.
9. Employ a mix model of coordination mechanism to influence other road safety partners: partial direct control of funding and partial approval process depending on the institution the NLA is managing.

C. Funding

1. Provide a gradual direct appropriately sized increase in funding for NLA increasing activities and increasing staff.
2. Ensure preparation of a high level multi-year road safety financing plan for the NRSP and more detailed financing plans to become part of bi-annual Action Plans; this should provide sustainable and foreseeable funding for key road safety related activities, particularly those which are longer than one year and should be continued beyond standard annual budgeting process.
3. Divert income from speeding fines collected by CANARD and if possible from other road related enforcement activities to a dedicated road safety earmarked budget or fund for use by the NLA – this solution should be able to assure additional annual allocation of around PLN 90 million for the NLA to use in implementation of the NRSP2013-2020.

Amendments to the respective legal acts such as the law related to the National Road Fund and the Road Traffic Code will need to be developed and processed quickly.

4. Divert the revenue from speed cameras currently going to the National Road Fund for use in investments in national road infrastructure into a Road Safety Fund or otherwise ring-fence it as a road safety multi-annual funding mechanism. This transfer should take place gradually over time and in coordination with the growth of capacity and competence of the NLA. Eventually the whole income from fines related to speeding, estimated at PLN 300 million annually, should be diverted into the dedicated Road Safety Fund.
5. Consider a new scheme where a certain percentage of the central government funding is earmarked annually for the NLA to directly spend on road safety, to enable sustained funding for road safety and the NLA assure the limited funding is put to best possible use for road safety.
6. Conduct additional analysis and discussions with different institutions involved and possibly legislative changes for their implementation to screen and develop other income streams suggested in the Funding Report for the future by the reinforced NLA.
7. Continue improvements of road safety funding system—the reinforced NLA should continue developing a sustainable road safety funding system by regularly screening potential additional sources of financing mentioned in this report, or becoming feasible as a result of new road safety policies. These new funding sources should be implemented in 2016 to support all the key functions of the NLA and put at the disposal of the NLA.
8. Use the Road Safety Fund for co-funding activities led by other key road safety stakeholders involved in implementation of the NRSP 2013-2020.
9. Assure road safety aspects are properly reflected in ongoing works on performance based budgeting; for example some key road safety indicators used in the context of the NRSP should be promoted for use in the budgeting system for budgeting and financial reporting;
10. Assure road safety related codes are included in the budget classification for planning and monitoring purposes. If the general budget classification is reformed, representatives of the NLA will need to promote road safety related budget codes to be part of the system. This should allow the tracking of the real level of road safety expenditures and can be used for verifying cost-benefit ratios of different road safety activities; it may provide also a powerful tool for monitoring efficiency of road safety expenditures of different public sector institutions;
11. Participate in any public finance related reform that may open the possibility for using multi-annual budgets for road safety.

12. Determine the terms of reference for self-government applying for central government funding and which applications are successful.
13. Build into cooperation and co-financing agreements specific indicators and monitoring procedures to assure results focus and to evaluate outcomes of such activities.
14. NLA to take control of Road Safety Fund and contract it out to delivery agencies for agreed work (e.g. road safety engineering works, police enforcement activities) to ensure expenditure on genuine road safety works. That is, spending must be determined according to the NRSP adopted by Poland's Government and agreed between the NLA and its partners. More detailed decisions on expenditure can be most effectively based on estimated benefit-cost ratios for different treatment options, to ensure maximum value for road safety expenditure.

D. Data Systems

1. Continue development of a crash data analysis unit, managed by and reporting to the NLA; on top of providing regular crash data and NRSP deliverables monitoring, such a Unit should be helpful in research related to cost-benefit analysis and in improvements of the analysis of economic costs of crashes.
2. Monitor not only road safety overall, but specific activities and outcomes of partners as part of the Action Plan in the context of NRSP — i.e., monitoring if the deliverables were delivered (e.g. barriers at crash locations; road safety education in schools); monitor intermediate outcomes (e.g. seat belt surveys as already being conducted by the SNRSC) and final outcomes (crashes, injuries, deaths).
3. Publishing relative road safety performances of the various self-governments may be a strong motivator for improvement through local community demand for better safety.
4. Develop strong analytical capacity to deliver strong road safety leadership, advocacy, management, monitoring, evidence-based interventions and refinement.

E. Coordination

1. Review relationships, and their legal frameworks, between the NLA and national government partners, and self-governments and their organisations to facilitate horizontal and vertical coordination for road safety.

5.3. Phase 3 (Long-term): NLA Strengthening and Development

A. General

1. Addressing issues in the public arena will be an ongoing activity as each step is taken, to identify the positive value for the people of Poland in the development of accountability, responsibility, and leadership for road safety.

B. NLA development and legislative review

1. Once the reform of the NRSC is complete, regularly present to the NRSC strategies and actions developed by the NLA and approved by the Prime Minister or the Government through the usual channels of government procedural approval for priority activities;
2. Once the reform of the NRSC and creation of a community consultation group (Road Safety Community Consultation and Liaison Committee) are complete, refer the discussions of Committee to the revised NRSC by the NLA as part of the development of a road safety management system;
3. Undertake detailed review of the competence of each partner organization to identify the extent to which the existing competence limits the NLA actions as part of the preparation of the respective legislation. Without a clear picture of the extent of this issue, the following steps may assist to determine the issue and identify solutions:
 - a) Obtain expert legal opinion on the extent of the issue in strict legal terms and in organisational culture terms, for national government and self-government organisations;
 - b) To the extent required consider the feasibility of two legal remedies: legally setting powers of influence of the NLA which over-ride the laws determining the roles and methods of partner organisations, or, changing the relevant legal prescription pertaining to various organisations to allow for the influence of the NLA in road safety.
4. Review functioning of NLA and adapt its functions and structure to changing conditions and tasks
5. Facilitate road safety laws to evolve to strategic road safety directions yet ensure that they are enforceable for Police.
6. Regulate the private sector in the road safety space.
7. While the location of a legally established independent entity within Government headed by the Plenipotentiary for Road Safety seems most appropriate currently, a review of

location, reporting lines and structure after some time of full NLA operation may be useful to capture the value of lessons learned during actual operation.

8. Revise after a period of operation staff numbers to ensure that functions are effectively covered and to ensure that areas are not over-staffed (i.e. no duplication of roles).

C. Funding

1. In the long-run for a consistent and sustainable funding system for Poland, the law should preferably define the sources, principles for distribution and allocation (percentages) of road safety dedicated funds.
2. The role of the NLA may also be expanded in relation to the budgets devoted to road safety related activities by other stakeholders. For example the NLA may be legally empowered to consult and influence the proposed uses of those parts of stakeholders' budgets which would be related to road safety activities. Such budget related consultations can also be useful as part of preparation of bi-annual detailed Action Plans prepared as a tool for implementation of the NRSP until 2020. Partner agencies must be given accountability for delivery of various components of the NRSP and the NLA must monitor their delivery.

D. Data Systems

1. Develop a comprehensive single source Road Safety Information System (RSIS) which contains accurate, comprehensive, readily available data on final outcomes (deaths, injuries, crashes, collisions, and costs, etc.), intermediate outcomes (seat belt usage rates, speeding behaviour, roadsides with appropriate barrier protection, etc.), underlying factors (road use, attitudes, beliefs, etc.), and outputs (safe road design and standards, sound vehicle inspections, enforcement, education and promotion, etc.).
2. Centrally manage and maintain the RSIS for efficiency and consistency of road safety management across Poland.
3. Engage many (but not all) self-governments to take greater responsibility and accountability for road trauma suffered on their roads and to have greater ownership and coordination of action across self-governments, possibly via better access to crash data specific to their roads, publication of performance data for each self-government, and funding contingent on the demonstrable commitment to improved road safety.
4. Develop research expertise so that the NLA staff are well-versed in a broad range of research and able to apply already existent international research and good practice on what works.

5. Develop in more detail the proposed solution, which focuses on redirecting as much as possible of the revenues from speed cameras to the NLA's responsibility, including legal aspects, and tailoring to the NLA's capacity.

E. Coordination

1. As the NLA grows its capacity judiciously and increasingly undertake Option 1 coordination mechanism to influence other road safety partners: NLA controls the budgets for road safety works of other agencies and distributes these by law, by contractual arrangements or other legal tools that may be applicable for what road safety related actions will be delivered.
2. Establish an annual Road Safety Award Scheme based on criteria of clearly defined key performance indicators (KPIs) set by the NLA for the four pillars of safe system: roads, speeds, vehicles, and people, and possibly at each level of self-government: voivodship, powiat, gmina. Awards may be presented at an annual National Road Safety Conference and the funding to support this Scheme may be sought from sponsors of private partners who are given the opportunity to advertise themselves at the conference with possible media presence.

6. REFERENCES

- Aeron-Thomas, A., Downing, AJ, Jacobs, GD., Fletcher, JP., Selby, T. & Silcock, DT. (2002). *Review of road safety management practice Final report*. GRSP, TRL, Ross Silcock, Babbie Group Ltd. TRL Report INT/216/2002.
- Bliss, A. & Breen, J (2009). *Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects*. World Bank Global Road Safety Facility, Washington, D.C.
- Bliss A., Breen, J. (2013) *Road Safety Management Capacity Reviews and Safe System Projects Guidelines- Updated Edition*. Washington, DC: Global Road Safety Facility.
- Czapski, R. Job, RFS, McMahon, K. Giemza, J.(2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL.
- European Commission (2010) *Towards a European road safety area: policy orientations on road safety 2011-2020*. SEC (2010) 903
- European Transport Safety Council (2008) *Road Safety as a right and responsibility for all. A Blueprint for the EU's 4th Road Safety Action Programme 2010-2020*. Brussels:ETSC
- Job, RFS (1996). Driver training: Are we looking in the right place? C. Grigg (Ed.), *Proceedings of the 6th Biennial Australian Traffic Education Conference*. (pp.140-143). Armidale, NSW: EMU press.
- Job, RFS. (2013), *Pillar 1 Road Safety Management – Speed management*. Paper to the TRB Annual Meeting- TRB Sunday Workshop: Pivotal Role of Speed Management across the Five Road Safety Pillars, Washington DC, January 2013
- Job RFS, Czapski R., Żukowska, J. & Giemza, J. (2014). *Report on Road Safety Information Systems Development for Poland. Diagnosis and High Level Action Plan*. Warsaw: World Bank.
- Job, RFS, Prabhakar, T., & Lee, S.H.V. (1997). The long term benefits of random breath testing in NSW (Australia): Deterrence and social disapproval of drink-driving. In C. Mercier-Guyon (Ed.), *Proceedings of the 14th. International Conference on Alcohol, Drugs and Traffic Safety, Annecy, 1997*. (pp. 841-848), France: CERMT
- Kardamanidis K, Martiniuk A, Ivers RQ, Stevenson MR, Thistlethwaite K (2010). *Motorcycle rider training for the prevention of road traffic crashes (Review)*.*The Cochrane Library* 2010, Issue 10.
- Michalski, L. (2010). The concept of an integrated transport safety system ZEUS. In Krystek,

R. (ed) *ZEUS An Integrated System of Transport Safety Synthesis*. Motor Transport Institute in Warsaw.

Muhrad N. (2014): *Analysis of road safety management systems in Europe*, Transport Research Arena, Paris

National Road Safety Council (2013) *National Road Safety Program 2013 – 2020*, Implementation manual, KBRD, 2013

Peden, M. et al. [Editor] (2004). *World report on road traffic injury prevention*. World Health Organisation, Geneva

Phillips,RO, Ulleberg, P, Vaa, T. (2011) Meta-analysis of the effect of road safety campaigns on accidents. *Accident Analysis and Prevention* 43, 1204–1218
Roberts IG & Kwan I (2008). School-based driver education for the prevention of traffic crashes (Review). Cochrane Library (Wiley).

Trinca GW, Johnston IR, Campbell BJ, Haight FA, Knight PR, Mackay GM, McLean AJ, & Petrucelli E (1988). *Reducing Traffic Injury – A Global Challenge*. Royal Australasian College of Surgeons, Melbourne.

Annexes

Annex 1: Recommendations from the Capacity Review⁵³

Excerpts

Objective: Creating a Lead Agency, which has the capacity to effectively lead, monitor and manage road safety. The review team considered a number of options for the creation of a Lead Agency, including location of the Agency within Police, within GDDKiA, within Ministry of Infrastructure and Development, and from the NRSC Secretariat. Placement within Police or GDDKiA may result in a focus narrowed by the larger agency within which the lead is placed. This would not be a comfortable fit with the need for the Lead Agency to lead and manage delivery of road safety across the breadth of safe system elements required. The NRSC Secretariat is positioned within Government to be a sound independent Lead Agency. However, it currently lacks the formal authority, resources, skills and staff. The move of the NRSC Secretariat from being part of the Ministry of Infrastructure and Development to being a separate entity is an important signal from the top levels of Government, along with the allowance for the NRSC Secretariat to expand (with limited duration staff) in order to facilitate delivery of the new Road Safety Program.

The first recommendation of the World Report to identify a Lead Agency within Government “stresses the importance of accountable institutional leadership which derives from a designated legal authority that confers the power to make decisions, manage resources and coordinate the efforts of all participating sectors of government. Lead agencies can take different institutional forms, but they share common functions and resourcing requirements. They must be adequately funded and publicly accountable for their performance. They must also actively engage and collaborate with all groups in society that can contribute to improved safety outcomes. Their effectiveness is considerably enhanced by strong and sustained political support for the initiatives they promote. From: World Bank Country Guidelines (Bliss & Breen, 2009). The Lead Agency usually takes responsibility for:

- coordination within government, both horizontally and vertically at national, regional and local level;
- coordination of delivery partnerships between government partners and stakeholders, professional, nongovernmental, business sectors and parliamentary groups and committees;
- ensuring a comprehensive legislative framework;

⁵³Czapski, R. Job, RFS, McMahon, K. Giemza, J. (2013). *Country Report on Poland: Road Safety Management Capacity Review*. Warsaw: World Bank Report No.78319-PL

- securing sustainable sources of annual funding and creating a rational framework for resource allocation;
- high level promotion of the road safety strategy across government and society;
- regular and ongoing monitoring and evaluation, and reporting to Government;
- strategic leadership of research and knowledge transfer.

RECOMMENDATIONS FOR IMPROVEMENTS TO CAPACITY FOR INSTITUTIONAL MANAGEMENT FUNCTIONS

Recommendations on creation and role of Lead Agency

ESTABLISHMENT PHASE

Recommendation E2: Establish a Lead Agency for road safety as an independent entity not within any other agency, and initiate the necessary legal processes to provide the capacity (staff, funding, accountability, responsibility, influence and powers to manage road safety across the levels of government) to effectively lead, monitor and manage road safety delivery nationally.

Recommendation E3: The Lead Agency should subsume the role of the NRSC Secretariat, in order to allow a close working relationship with the revised NRSC, including the provision of expert advice and evidence base for high level decisions. Initial staff complement of around 20 is necessary to deliver the initial functions required, with numbers rising as business develops. The World Bank will provide advice on the structure and development of the Agency.

GROWTH PHASE

Recommendation G1: In order to function fully as a Lead Agency with all necessary policy, monitoring, management, research and analysis capabilities, the new entity will require to have its role enshrined in legislation and will need a substantial expansion of staff, expertise, authority, and budget. It is estimated that at least 50 staff would be needed for full functioning.

Recommendation G2: The Lead Agency would appropriately also hold the crash database and road safety observatory, along with the expertise to conduct analysis of it. It is essential that the road safety observatory be held by the Lead Agency, in order to allow ready access to relevant public sector data for evidence based policy setting and performance monitoring. This may require the transfer of some research and analysis capacity and expertise from existing research institutes. In particular, the Motor Transport Institute is planning for the development of a road safety observatory, but as confirmation of the above concerns, the Institute reports difficulty in accessing relevant data. Careful consideration should be given to the transfer of the road safety observatory creation and management functions and the relevant staff from the Institute to the Lead Agency. This will allow the Lead Agency to control the road safety observatory and to obtain much needed research and analysis capacity efficiently without creating new positions

duplicating the work of the Institute. Recommendation G3: As soon as it has the capacity, the road safety Lead Agency should undertake the task of providing technical and evidence based advice to the Parliamentary Road Safety Committee, at the request of its Chair.

As a guide the equivalent entity in NSW Australia had around 90 staff (excluding the research facility of Crash lab).

International experience demonstrates that a non-government or quasi-Government body would face great challenges in obtaining and holding the full database requirements for a sound observatory (including databases on driver records, road features, vehicle safety features and ratings, as well as the crash database) not least due to privacy issues.

Annex 2: List of people and organizations consulted

Name	Organization
Agata Foks	Secretariat of National Road Safety Council
Borys Burzawa	Secretariat of National Road Safety Council
Konrad Romik	Secretariat of National Road Safety Council
Karol Michalski	Secretariat of National Road Safety Council
Urszula Nowinowska	Secretariat of National Road Safety Council
Grzegorz Jach	Police Headquarter
Barbara Oleksiewicz	Deputy Director of Group of Vocational Motor-Vehicle Schools
Andrzej Grzegorzczyk	Former secretary of Secretariat of National Road Safety Council
Maria Dąbrowska-Loranc	Motor Transport Institute , Head of the Centre for Road Safety
Ida Leśnikowska-Matusiak	Motor Transport Institute
Aneta Wnuk	Motor Transport Institute
Kamila Dampc	General Inspectorate of Road Transport
Adrian Kurza	General Inspectorate of Road Transport
Andrzej Muszynski	Motor Industry Institute
Jakub Wozniak	Polish Railway Lines
Adam Kundzicz	Polish Railway Lines
Krzysztof Krzyz	Mazovia Road Safety Council
Piotr Popa	Ministry of Infrastructure and Development
Monika Ocieпка	Ministry of Infrastructure and Development
Agnieszka Stefanska	General Directorate of National Roads and Motorways
Jan Krzywicki	General Directorate of National Roads and Motorways
Joanna Rutkowska	General Inspectorate of Road Transport
Daria Tworek	General Inspectorate of Road Transport
Agata Jazdzik-Osmolska	Roads and Bridges Research Institute
Marcin Flieger	General Inspectorate of Road Transport
Mirosława Swidzinska	Police Headquarter
Marek Konkolewski	Police Headquarter
Marcin Piskorski	Ministry of the Interior
Konrad Romik	Secretariat of National Road Safety Council
Anetta Czapska	"Marsz Zebry" Foundation
Andrzej Pery	Ministry of National Education Advisor
Marta Czapinska	Chief of the Strategic Team in the Ministry of Education
Jarosław Buczek	Department of Social Communication Ministry of the Interior
Mateusz Kurzajewski	Department of Social Communication Ministry of the Interior
Magda Serafin	Department of Social Communication Ministry of the Interior
Celina Chelkowska	Department of Social Communication Ministry of the Interior
Anna Klimaszek	Department of Social Communication Ministry of the Interior

Annex 3: Key Road Safety Stakeholders and their Basic Road Safety Functions

Key road safety stakeholders may be grouped as follows:

- National Level Structures
- Self-Government
- Non-Government Organisations
- Emergency Service
- Private sector
- General Public and the Media
- International Partners.

Key National Level Structures

NATIONAL ROAD SAFETY COUNCIL (NRSC) AND SECRETARIAT FOR NATIONAL ROAD SAFETY COUNCIL (SNRSC)

The already existing National Road Safety Council (NRSC) consists of Ministers from various agencies on a part-time basis. Council's key responsibilities are co-ordination of road safety across the levels of government, and high level strategic decisions in road safety. The National Council performs its tasks with the assistance of the Secretariat of the National Council.

The Secretariat for National Road Safety Council (SNRSC) is currently the only agency in National Government with full-time staff whose primary role and responsibility is road safety. SNRSC has been gradually expanding in size (staff number from four to seven currently with nine positions allocated in total) and road safety management capacity in recent years.

MINISTRY OF INFRASTRUCTURE AND DEVELOPMENT

It is a key Ministry responsible for several crucial aspects of road safety including:

- road infrastructure;
- technical status of vehicles;
- professional road transport services;
- road traffic organization and management

This Ministry is "hosting" Secretariat of National road Safety Council. Beyond SNRSC there are two departments related to transport issues: Department of Highways responsible for national

roads development and Department of Road Transport responsible for drivers training and licensing; vehicle inspections and registration; and traffic safety particularly in relation to professional transport services and some standards for road traffic management. Formally, however, only Department of Road Transport has its representative in the NRSC.

MINISTRY OF INTERIOR (MOI) AND POLICE

The Ministry of Interior (MOI) sets strategy for Police and crash data management and the Police conduct on-road enforcement, crash data collection, collation, distribution, analysis and reporting. The key road safety roles of the MOI and Police include the following:

- a) Enforcement (except cameras - see next section);
- b) Credible voice to public on road safety;
- c) Management of laws governing behaviour on roads.

MINISTRY OF JUSTICE

The Ministry of Justice sets legislation and manages courts which deal with traffic offenders. Again road safety is not their core business, and the mix of traffic offenders and serious criminal cases creates a contrast effect for the courts which makes traffic offences seem much less serious than they really are in terms of risk of death and grievous injury. It is common internationally to find that this mix results in minor penalties for high risk traffic offences, creating challenges for effective specific and general deterrence⁵⁴ of dangerous on-road behaviour.

MINISTRY OF HEALTH

The Ministry of Health is primarily responsible for health policy and supervises health services sector in Poland. In relation to broadly understood road safety it supervises the State Emergency Medical System. It is also responsible for management of health related data, which may be relevant for road safety policy making. There are no dedicated road safety programs or initiatives run by this ministry.

MINISTRY OF EDUCATION

The Ministry of Education sets strategy for delivery of education and provides supervision over general education rules, programs, quality standards and ownership of schools and curricula. Again road safety is not core business, and the consistent delivery of road safety education in a full curriculum is challenging.

GENERAL DIRECTORATE OF NATIONAL ROADS AND MOTORWAYS (GDDKIA)

⁵⁴Specific deterrence is the extent to which a person is deterred from doing a certain action (such as speeding, running a red light) because they have been caught and penalised for that behaviour before. General deterrence is the extent to which people are deterred from doing a certain action, not because they have been caught, but because they believe they may be caught and the consequences of being caught are undesirable.

GDDKiA is responsible for the national road network including maintenance and development within engineering standards. However, delivery of road safety is not their core business but at best may be one consideration in road building and maintenance decisions. The organisation is accountable for the road asset and thus this will remain its point of focus. It is important to appreciate that increasing the quality of the road surface encourages faster speeds and thus is often counter-productive for road safety. Road engineering such as roadside barriers, median separations, and safe pedestrian crossing amenity are more critical to road safety than the quality of the road surface.

GENERAL INSPECTORATE OF ROAD TRANSPORT (GITD)

The General Inspectorate of Road Transport (GITD) includes CANARD which manages all camera enforcement in Poland. The key role of speeding means that this is a critical organisation for road safety. This separation of automated enforcement is somewhat unusual, but is working well in Poland. While camera enforcement is a critical road safety management tool, the expertise in GITD and CANARD is not broadly road safety related, but specific to speed management via enforcement. Alignment of these functions with effective enforcement based media promotion for behaviour change is important to increased efficacy and political support for speed enforcement.

STATE FIRE BRIGADE

The State Fire Brigade is responsible for projects and research work initiation in the field of fire protection and rescue. In respect to road safety it is one of key emergency services engaged in any serious crash requiring this kind of intervention. Provision of emergency rescue services in relation to road crashes and assistance in removing dangerous consequences of such crashes in order to restore safe road traffic are among Fire Brigade key statutory responsibilities

SPECIALIZED RESEARCH INSTITUTIONS

There are also three government funded research institutions involved in road safety aspects.

Table 4. Identification of Government Funded Research Organizations

Government funded research organization	Key roles and responsibilities relevant to Road Safety
Motor Transport Institute (ITS)	Research and development related to different aspects of road safety including vehicle safety, but also behavioural aspects and surveys. Results of research and analytical work contribute to policy making (often upon request of the government agencies) related to reduction of the negative impact of motorization on the safety of road users and the environment
Roads and Bridges Research Institute (IBDiM)	Research and development related to road infrastructure, including infrastructure safety. Results of research and analytical work contribute to policy making (often upon request of the government agencies) related to road infrastructure standards, technologies,

Government funded research organization	Key roles and responsibilities relevant to Road Safety
Motor Industry Institute (PIMOT)	<p>materials and equipment used in roads infrastructure good practices. Examples of outcomes include infrastructure safety guidelines, recommendations, procedures and instructions.</p> <p>It was the main institute in charge of approval processes for vehicles and their parts prior to EU accession. With common EU market this function is no longer required in the Polish legal system. The institute is focusing currently on research related to specialized vehicles and their parts but also increasingly fuels and lubricants. It is capable of testing and research related to crash tests of vehicles.</p>

THE ROAD SAFETY GROUP IN PARLIAMENT

The Road Safety Group in Parliament is an informal group which provides the opportunity for advocacy via a voice with strong media access. Recognition of a more formal role, formally selected multi-partisan membership, and the provision of expert technical advice from the NLA to allow for a strong evidence base for comment would assist this Group's contribution to road safety.

Self-government

Polish self-government is composed of 16 Voivodships, 374 Poviats, and 2479 Gminas. Regional Road Safety Councils (RRSCs) operate in each of the sixteen regions with the aim of coordinating the work of regional authorities, develop regional road safety programmes and perform evaluations. Originally under the authority of the Governors nominated by the State (Voivod), they were transferred in 2006 to the "Marshalls", the Regions' elected chief executives. That is, the RRSCs were extracted from the national decision-making chain and placed under the authority of regional elected bodies in 2006. While an institutional link between the RRSCs and national government was originally suggested by the simultaneous creation of a NRSC and of RRSCs this link was never formalized and is currently non-existent. This major change gave an opposite message, emphasizing the independence of regional road safety policies. In such conditions, local authorities do not feel any level of responsibility towards implementation of the national road safety programme and national road safety policy.

Each of the RRSCs defines categories and roles of main partners involved in road safety improvement at the regional level. Among the key partners are:

- Marshall Offices,
- Voivodship Offices,
- Regional Police Headquarters,
- Regional Fire Brigade Headquarters (PSP),

- Branches of General Directorate of National Roads and Motorways (GDDKiA),
- Voivodship Road Administration (ZDW),
- Voivodship Road Traffic Inspectorates (WITD)
- Voivodship Road Traffic Centers (WORDS),
- Representatives of management boards of powiat, gmina and municipal roads
- Representatives of healthcare system,
- Representatives of education system,
- Representatives of tertiary education system;
- Representatives of non-governmental organizations.

The above mentioned institutions are to a greater or lesser extent statutorily obliged to act for road safety improvement. It is reasonable to say that works at each voivodship level are based on the so-called 4E formula, i.e. Education, Engineering, Emergency and Enforcement. The majority of institutions responsible for road safety management at the regional level have a clearly defined structure of mutual relations and areas of cooperation. Every institution operates in a specific environment informed by the national plan and strategy, and/or by self-government plans and strategies.

All levels of self-government are responsible for their own roads within the total network. The building, management, and maintenance of roads are the responsibility of the road owner, which may be at any level of government. Thus all levels of government are critical for road safety delivery.

Municipal Guards used to be authorized to manage speed camera programs. However, this has been changed recently and the responsibility was given to National Police (mobile cameras) and CANARD (fixed cameras), which is an independent section of GITD.

Crash data are collected by Police at the Powiat level. Powiat level data are collated by Voivodship Police offices and sent to the Police Headquarters in Warsaw. The crash data at each administrative level are available to the relevant Government for analysis and use in road safety management. A number of voivodships appear to make use of the crash data for their area, although road management activity for the gminas appears to be more responsive to local community views and submissions than to crash data.

Self-government road safety policy and strategy is influenced by national strategy, with a number of voivodship governments having developed their own road strategies based on the previous (GAMBIT) and current (NRSP) national strategies. However, while road safety activity

by self-government maintains a substantial degree of autonomy, it is influenced by National Government. Standards for roads (signage, intersection specifications, etc.) are set at the National level by the Ministry of Infrastructure and Development in the form of Ministry ordinances. They are mainly focused on maintaining national road standards, which should be adhered to by each level of self-government.

Marshal Offices in every 16 Voivodships supervise driver testing centers (WORDS), which provide all driver testing for car and motorcycle licensing. Again, the operation of these testing centers is significantly governed by nationally uniform policy and legislation covered also in Road Traffic Act. Tasks of WORD are defined in Annex 9. The standards and requirements for testing are set nationally in the Act and applied by each 49 of the WORDs, whose structure was connected to the old administrative system, changed in 1999. WORDs significant role within road safety management system is that they are legally obliged to allocate budget surpluses to road safety tasks. Those expenditures must be approved by RRSC. Due to recent economic and demographic problems in reality very few WORDs in Poland have surpluses, which could be spent on road safety.

Non-Government Organisations (NGOs)

NGOs are an integral part of the road safety community of Poland. They range from large international organisations such as the Global Road Safety Partnership (GRSP) which has a strong local presence in Poland to small but active advocacy organisations.

Emergency Services

Advocacy and delivery of the “4Es”: engineering, enforcement, education and emergency response, are occurring in Poland. Emergency services must cover, not only road trauma, but naturally all forms of emergency and are usually effectively managed within the Health Sector. Therefore while road safety cannot be a primary focus of emergency services, NLA’s relationship management with them may be relevant to road safety outcomes. In addition, road safety infrastructure and traffic management systems can be improved to allow faster emergency response access to serious crashes.

Private Sector

The private sector also contains many potentially important actors in road safety. A large proportion of crashes and trauma arise from work-related travel, including freight haulage. Various private sectors have a primary role in road safety, including transport companies. In addition certain sectors of the private sector have direct roles in road safety through the manufacture or sale of vehicles, safety equipment, and roadside infrastructure which influences safety.

General Public and the Media

The general public is a critical force which influences road safety decisions, which is itself heavily influenced by the media. This is not unique to Poland. Within Poland, mixed with some sound understanding and important positive decisions on speed management, particularly acute political issues exist including dismissive views of the real role of speed in crashes and trauma, often naive interpretations of the situation in other countries (for example in Germany), and simplistic alternative solutions.

International partners

EU funding for roads and road safety, as well as EU directives on road safety performance are key opportunities which must be effectively captured and delivered in Poland.

Annex 4: Poland: Key Road Safety Stakeholders - results of revision of statutory documents

The desk review of publicly available statutory documents of key road safety public stakeholders has been undertaken. The table below summarizes the review and includes also the relevant quotes included in internal statutory documents that may be broadly or in some cases indirectly relevant to road safety.

Table 5. Key road safety stakeholders in Poland - summary of review of statutory documents

No.	Stakeholders	Department	Document	Relevant content
1	Ministry of Administration and Digitization	Undersecretary of State		
2	Ministry of Education	Deputy Director of the Department of Quality Education (DJE)	Terms of organizational MEN - Annex to the Regulation No. 2 of the Minister of National Education dated January 13, 2015	Issues related to (...) the dissemination of environmental expertise and environmental problems in the coordination of international cooperation in environmental education, (...)
			Terms of organizational MEN - Annex to the Regulation No. 2 of the Minister of National Education dated. January 13, 2016	issues related to (...) the core curriculum of preschool education and general education,
3	Ministry of Finance	Deputy Director of the Department of National Economy		
4	Ministry of Economy	Deputy Director of the Department of Innovation and Industry	Tasks of the unit	Is also responsible for the execution of tasks relating to sustainable development and low-carbon economy
5	Ministry of Infrastructure and Development	Director of Department of Road Transport	Internal Regulations of the Department	handling issues related to the implementation of provisions under the Polish Republic of binding international law, including the rights of the European Union, bilateral and

No.	Stakeholders	Department	Document	Relevant content
				multilateral agreements in the field of road transport
			Internal Regulations of the Department	handling issues related to traffic
			Internal Regulations of the Department	Carrying cases related to traffic, including detailed technical specifications for road signs and signals and road traffic safety equipment and rules for placing them on the road
		Department of Roads and Highways	Internal Regulations of the Department	4) the creation of building regulations in the field of technical conditions to be met by public roads, traffic engineering objects and toll motorways and their location, as well as keeping derogations from these provisions (...)
			Internal Regulations of the Department	9) cooperation with international organizations in matters of road
6	The Ministry of Labour and Social Policy	Head of the Political Cabinet of the Ministry of Labour		
7	Ministry of National Defence	Forces Movement Coordination Centre	Tasks of the unit	It is the inner cell DIRECTOR Transport and Traffic Forces - Forces Movement Coordination Centre, right in the tasks related to the registration of vehicles, equipment engineering and reloading the Polish Armed Forces, motor insurance and to promote road safety
8	Ministry of Justice	Director of the Department of Legislative	Organizational Regulations	arranging and conducting legislative work on the preparation, agreement or an opinion to the Minister of Justice draft legislation, draft guidelines on bills, other draft government documents, draft European Union legislation and draft international agreements from the scope of the Minister of Justice, with the exception of contracts relating to the protection of human rights and bilateral agreements related to legal assistance in civil and criminal matters
9	Ministry of the Interior	Deputy Director of the Legal Department		

No.	Stakeholders	Department	Document	Relevant content
10	Ministry of the Environment	Deputy Director of the Department of Air Protection		
11	The General Directorate for National Roads and Motorways	Deputy General Director for National Roads and Motorways	Dz.U.2015.0.460, Act of 21 March 1985 on Public Roads	Deputy General Director for National Roads and Motorways
12	Headquarters of the State Fire Brigade	Deputy Commander in Chief of the PSP	Act of 24 August 1991 on the State Fire Service, Dz. U. of 2006. No. 96, pos. 667, as amended.	initiating projects and research work in the field of fire protection and rescue
			Act of 24 August 1991 on the State Fire Service, Dz. U. of 2006. No. 96, pos. 667, as amended	directing the national fire and rescue system
13	Police Headquarters	Deputy Director of the Office of Prevention and Traffic	Organizational Regulations of Police Headquarters	monitor the status of road safety through ongoing analysis of information on accidents and road traffic collisions and those in breach of traffic, including their collection, processing and sharing entities cooperating with police to improve safety in this area
14	Ministry of Health	Deputy Director of the Department of Defence, Emergency Management and Medical Rescue	Performs tasks related to the supervision of the Minister of Health of the system emergency medical services	Tasks of the unit
15	General Inspectorate of Road Transport	General Inspector of Road Transport	Organizational Regulations - Appendix to Order No. 7/2014 Chief Inspector of Road Transport dated March 3, 2014 (poz15) - par. 22, point 3, sub-point 22, paragraph 3, point 11	drawn up in cooperation with other organizational units of the National Road Safety Council information on planned and implemented research activities of inspecting for road safety
			Organizational	initiation and implementation of joint

No.	Stakeholders	Department	Document	Relevant content
			Regulations - Appendix to Order No. 7/2014 Chief Inspector of Road Transport dated March 3, 2014 (poz15) - par. 25, point 8, sub-point 25, paragraph 8, point 7	projects with services that work to improve road safety, in order to prevent violations of traffic rules
16	Research Institute of Roads and Bridges	Director of IBDIM	Tasks of the unit	Research in the field of road safety; implementation and innovative work in the field of road safety; opinions on the new technical and engineering solutions which improve road safety; opinions on legal acts in the field of road safety
17	Motor Transport institute	BRD Center Manager	Tasks of the unit	BRD center are carried out research work in the field of road safety and educational activities are carried popularization in this area
18	Polish Motor Union	Chairman of the Board	Statues	Activities to improve safety on the roads
19	Motor Industry Institute (PIMOT)	Director of the Institute		
20	Association of Volunteer Polish Fire Brigades	Member of the Presidium of the Main Board		

Conclusion

Key entities represented in the NRSC or important public sector road safety stakeholders do not have in their statutory documents relevant explicit provisions related to road safety goals, obligations, responsibilities nor explicit description in their internal documents of specific competences regarding road safety related actions.

This confirms that road safety related topics are hardly among key high level objectives of key stakeholders, hence top management of these institutions may not pay sufficient attention to road safety related roles and responsibilities.

Annex 5: Review of road safety management at the sub-national level

At the early stages of implementing NRSP 2013 – 2020 Secretary of the National Road Safety Board (SNRSP - SKRBRD) sent a letter addressed to all Voivodship Marshalls encouraging them to implement the national road safety strategy. Several Marshalls positively responded to this call and developed regional road safety strategies; others already had them. Unfortunately, attempts at coordinating all initiatives undertaken by KRBRD Secretary Office revealed serious gaps in systemic solutions impeding or preventing transfer of knowledge, management tools, best practice or information. In such reality it is hard to expect radical improvement in road safety in Poland.

Decentralized government system in Poland calls for effective coordination of road safety initiatives. Absence of adequate legislative solutions makes it difficult. Although the KRBRD was established in 1993, it is not an NLA—it is not appropriately resourced, not appropriately structured, not appropriately empowered, and not actively involved in coordination of initiatives and cooperation among different delivery partners. The lack of strong leadership from KRBRD – also at the national level – partly explains ineffective cooperation within and amongst different government levels. At present few of local government units and central administration agencies have clearly defined goals, strategies, action plans, performance measures or clear criteria of responsibility for road safety-related tasks. According to Swedish approach “Vision Zero”, lack of accountability for decisions is the main weakness of the entire system.

Poor cooperation and communication among central and local administration causes another problem - overlapping actions, functions and tasks in many areas while ignoring other important issues. Each voivodship, powiat or commune operates in isolation and “reinvents the wheel” rather than exchange experience and share knowledge with other local governments. Databases on road crashes or methodology of measuring traffic on local roads are good examples.

Absence of transparent systemic solutions and common access to tools supporting road safety management encourages creating unstable, non-formal relations and solutions on sub-national levels based on a network of contacts and mutual support between certain units or institutions, rather than system processes. For example, higher education institutions encourage local government units to implement solutions beyond their legal responsibilities and regulations. Many of those solutions have been put in place only thanks to the willingness of knowledgeable and competent officials. There is a risk that they will be withdrawn in case of staff changes. There is also a risk that these isolated actions are not effective and yet are too small to be evaluated.

The main priority today should be initiatives (also legislative) that guarantee the continuity of road safety management at the highest quality. This requires strengthening institutional management function which is vital for effective implementation and execution. The most important management functions include results focus, effective coordination, good legislation, long-term financing strategy and constant monitoring and evaluation of tasks. Systemic approach

assumes that effective preventive actions should be complex and orderly, implemented via a coherent set of technical and organizational tools as well as relevant methods.

At sub-national level Poland lacks clearly prioritized tasks based on sound evidence and hard data and lacks accountability for performance. A NLA is needed to provide coordination, direction, and to monitor for accountability. Problems faced both by KRBRD and Regional Road Safety Boards (WRBRD) in performing the roles of Lead Agency at the local level in policy-making, accountability and coordination resulted in a situation where numerous institutions have defined their own areas of action (with minimum scope), frequently selecting inadequate priorities and ignoring the many tasks overlaps. Higher level coordination and assignment of tasks is needed. Despite examples of good practice, it is reasonable to assume that there is plenty of room for improvement in road safety management.

Structure of road safety framework: organizational formats and management tools

The system of road safety management in Poland should be modeled on the basis of best foreign practices: it is based on people and institutions supported by relevant tools and management methods. However, at present they are not commonly applied in Poland.

Road Safety Management at national, regional and local levels in Poland is dispersed among hundreds of authorities and institutions⁵⁵. Within the current institutional framework there is no evident leader (Lead Agency) responsible for coordinating or monitoring the complex, uncoordinated, fragmented actions of the various levels of improving road safety (management and coordination). Global practice shows numerous examples of effective central agencies for road safety. In line with recommendations of The World Road Association- PIARC⁵⁶, National Road Safety Board should be managed by a high-rank politician (Prime Minister or other), include 10–25 members representing government and non-government institutions responsible for road safety, have its own budget, secretary office in charge of administrative and technical matters and assemble regularly to set main directions of actions for road safety.

In Poland road safety management framework at the level of voivodship, powiat and commune could comprise the following institutions directly or indirectly related to road safety improvement:

- public and private institutions,
- decision-making, research and implementation agencies,
- local representatives of state administration,
- representatives of local governments,

⁵⁵ Country report on Poland: road safety management capacity review, World Bank, 2013

⁵⁶ PIARC, 2013

- associations of users and practitioners,
- commercial and industrial businesses,
- non-governmental organizations,
- research institutions and independent experts.

At present, however, the majority of WRBRD are unable to effectively coordinate and financially support road safety projects. In poviats, especially large cities, there is a vital need for initiative and coordination. Unfortunately, absence of model solutions hampers even the process of establishing poviat or communal boards. Examples of establishing poviat and municipal road safety board's acting as advisory bodies to the *starosta* can be found in pomorskie, warmińsko-mazurskie and lubelskie voivodships.

Each institution taking part in road safety management framework should have access to relevant tools such as road safety programs and plans, incentive measures, control tools. They were all assessed in *Country report on Poland: road safety management capacity review, World Bank, 2013*.

1. ROAD SAFETY MANAGEMENT AT REGIONAL LEVEL IN POLAND

Achieving objectives defined in the NPBRD 2013 – 2020 depends not only on high quality execution of tasks adopted in Execution Programs as well as on professional implementation at regional level. Regional road safety programs should be key documents setting goals, priorities and directions, developed with special attention to problems and threats typical of a certain voivodship and consistent with the national strategy.

Voivodship Road Safety Boards

The current administrative division of Poland identifies 16 voivodships, 374 poviats and 2479 communes⁵⁷. At the head of every voivodship there is a Marshall selected by the controlling and legislative body i.e. Voivodship Parliament. Main decisions regarding regional policy and strategy are made by executive body in the form of Voivodship Board composed of five members, who are actually responsible for the policy and directions of actions of the entire Marshall Office, including competent departments and units. Gminas are often too small and financially ill-equipped to deliver road safety.

Every Marshall Office has a department competent for transport which also supervises Voivodship Road Traffic Centers (WORD), whose main task is examination of candidates for drivers. Operations of WORD are defined by uniform national strategy regarding training and examination of drivers. Detailed principles of performing tasks are defined in the law, in

⁵⁷ Chief Statistical Office, 2012

particular *Road Traffic Act*⁵⁸ and *Drivers Act*⁵⁹. Legal provisions identify many other tasks performed by WORD, including those oriented on road safety. WORDs are obliged to cooperate with WRBRD, which, according to *Road Traffic Act*, should perform functions similar to National Road Safety Board at the regional level. Note that the final scope of tasks performed by WORD and its operations depend on local regulations i.e. WORD statutes developed by Marshall Offices. Statutory regulations may include various tasks, including those related to road safety improvement. The legislator intended that the WRBRD should set directions, priorities, define sources of funding, and ensure coordination of actions and monitoring of performance of long-term programs and strategies at voivodship level.

Secretary Offices of Voivodship Road Safety Boards

Effective operations at regional level require creation of sustainable foundations for complex roads safety management. In the context of systemic approach to road safety, WRBRD's main responsibility should be ensuring high quality of the so-called institutional management function that determines effectiveness of interventions and achieving desired outcomes.

Table 6. Secretary Offices Voivodship Road Safety Boards in Poland (source: KRBRD)

VOIVODSHIP	SWBRD within structure of WORD	SWBRD within the structure of another entity	Secretary WRBRD – WORD Director	Secretary WRBRD – other function
Dolnośląskie	YES	NO	NO	YES
Kujaw.-Pomor.	YES	NO	YES	NO
Lubelskie	YES	NO	NO	YES
Lubuskie	YES	NO	NO	YES
Łódzkie	YES	NO	NO	YES
Małopolskie	YES	NO	YES	NO
Mazowieckie	NO	YES	NO	YES
Opolskie	YES	NO	NO	YES
Podkarpackie	YES	NO	YES	NO
Podlaskie	YES	NO	YES	NO
Pomorskie	YES	NO	NO	YES
Śląskie	YES	NO	YES	NO
Świętokrzyskie	YES	NO	YES	NO
Warmin.-Maz.	YES	NO	YES	NO
Wielkopolskie	YES	NO	NO	YES
Zachodniopomorskie	YES	NO	YES	NO

⁵⁸ Act of 20 June 1997 – Road Traffic Act

⁵⁹ Act of 5 January 2011 – Drivers Act

The existing model based on Secretary Offices of Regional Road Safety Boards, which are typically linked to Regional Road Traffic Centers (WORD) is not optimal and has numerous limitations. Tasks assigned to WRBRD Secretary Offices imply that these units are the executive arm of WRBRD. At present operations of all 16 WRBRD Secretary Offices are linked to competent WORDs designated by Voivodship Marshalls. In 15 cases WRBRD Secretary Office operates within WORD structure, except for Mazowieckie region where it operates directly within the structure of the Marshall Office.

Organizational structure and close links to WORDs determine operations of those Secretary Offices in the area of road safety. Commitment of individual WRBRD Secretary Offices varies and depends on a number of factors, such as the willingness and initiative of management team, or financial condition. Given the lack of clearly defined model of operations of WRBRD Secretary Offices as executive agencies, they frequently underperform tasks regarded as key from the perspective of regional road safety management system. Financing road safety related tasks performed by WORDs is a significant concern. Legal regulations are strong in this matter, which limits WORDs involvement, despite the fact that they are legally authorized to allocate budget surpluses to road safety tasks provided that expenditures are approved by WRBRD.

WRBRD Secretary Offices should cooperate with regional partners on an ongoing basis, taking into account any national considerations. To make this happen WRBRD Secretary Offices should maintain a close, effective relationship with KRBRD Secretary Office. The current relations between these two institutions are unsatisfactory, which partly results from the absence of transparent forms and rules of collaboration. Consequently, the regional units' involvement is weak, as their sole obligation to the National Board is preparation of annual road safety reports and specification of tasks implemented in the region.

Despite this, KRBRD Secretary Office has increased efforts to build relations with Regional Road Safety Boards since the beginning of implementation of NPBRD Program 2013 – 2020. Numerous actions have been undertaken to implement coherent communication strategy on road safety policy on national and subnational level. Number of tasks focusing on the improvement of regional potential in road safety management has been increased, to mention cyclical training for WRBRD staff or popularization of best practice manuals and reports on main road safety challenges. KRBRD Secretary Office attempts to optimise reports and papers regarding road safety at national and subnational level. The existing documents resemble their best international counterparts and are written in an eligible language.

Poviat, municipal and communal road safety boards

At sub-regional level there are numerous institutions whose statutory tasks are oriented on complex road safety management - poviat, communal and municipal road safety boards. Contrary to National and Voivodship Road Safety Boards, their operations are not regulated by *Road Traffic Act* and other binding legal regulations but depend on decisions made by local

government units. They are also affected by WRBRD; strong commitment of regional board translates into the scale of actions undertaken in poviats, communes or cities.

Note that operations of organizational units functioning solely on the basis of "internal" conditions (i.e. whose operations are not regulated by the law) is not always equivalent with lower quality of work. Examples of solutions adopted by some cities prove that it is possible to prepare and implement effective road safety measures at the local level regardless of national and regional conditions. Naturally this is possible with a number of favorable conditions such as adequate positioning of road safety issues in the local transport policy to increase their status and create necessary conditions (legal, organizational and financial).

Cooperation between sub-regional and regional units varies. Given the important role of WRBRD in organizing effective local structures, the relationship between these institutions is rather stable and based on a definite model. WRBRD frequently and actively participates in supporting local organizational structures in terms of training and analysis. Besides specific actions, they also undertake financial initiatives; resources available to WRBRD are quite often allocated to local solutions and projects, including those addressed at improvement of road safety management. Direct collaboration of local organizational structures with KRBRD Secretary Office is less frequent than with WRBRD counterparts. Actions undertaken by KRBRD Secretary Office and addressed to poviats, communes or cities are most often performed via regional units – namely WRBRD Secretary Offices. Given the increasing initiatives of KRBRD Secretary Office focused on regions and the coordinating role of Regional Road Safety Boards we can assume that local road safety management structures will be the end beneficiary of the majority of projects.

Key partners

WRBRD defines categories and roles of main partners involved in road safety improvement at regional level. Among the key partners of the majority of WRBRD are:

- Marshall Offices,
- Voivodship Offices,
- Regional Police Headquarters
- Regional Fire brigade Headquarters (PSP),
- Branches of General Directorate of National Roads and Motorways (GDDKiA),
- Voivodship Road Boards (ZDW),
- Voivodship Road Traffic Inspectorates (WITD)

- Voivodship Road Traffic Centers,
- representatives of management boards of poviat, communal and municipal roads
- representatives of healthcare system,
- representatives of education system,
- representatives of tertiary education system;
- Representatives of non-governmental organizations.

The above mentioned institutions are to a greater or lesser extent statutorily obliged to act for the sake of road safety improvement. Their tasks fit in all areas of road safety framework. It is reasonable to say that works at each voivodship level are based on the so-called 4E formula, i.e. interventions are parallel in the area of Education, Engineering, Emergency and Enforcement⁶⁰. The majority of institutions responsible for road safety management at regional level have clearly defined structure of mutual relations and areas of cooperation. Every institution operates in a specific environment and is obliged to coordinate regional actions with national plan and strategy.

Units of local government administration cooperate on the basis of less standardized rules in the area of road safety. Despite the fact that local authorities undertake many projects for road safety improvement, they typically result from individual initiatives rather than a joint, coherent and long-term strategy. In the absence of agency clearly responsible for performance of the regional road safety framework, the effectiveness of actions performed by a broad group of regional partners may be limited. Such problem results from excessive focus on interventions without prior development of proper assumptions that would ensure their effectiveness.

Analysis suggests that executive units of Voivodship Road Safety Boards should lead the initiative of optimizing the existing road safety solutions at regional level. At present these functions are performed by WRBRD Secretary Offices, which should consciously adopt a leadership role in coordination and cooperation of regional partners. The practice and experience of several years of operation of WRBRD Secretary Offices in the formula with WORDs suggest that many important tasks assigned to those units is not sufficiently performed, which translates into the effectiveness of the entire regional preventive policy. A number of factors affect this situation, but clearly the most visible is relatively low level of awareness of regional decision-makers of the role and objective of complete road safety management. This in turn leads to the lack of good decisions on the conditions required for effective management at regional level. In effect, we observe very high but ultimately inefficient involvement of all key stakeholders. Common acceptance for poor or bad performance combined with the absence of clearly defined

⁶⁰ National Road Safety Program 2013 – 2020, Implementation manual, KBRD, 2013

accountability make it difficult to expect a considerable improvement without strengthening the executive functions at regional level.

Planning and programming

At the regional level, preventive actions to minimize the risk on roads are typically undertaken on the basis of long-term program or strategy related to its national counterpart. Regional road safety policy is commonly developed on the basis of national programming. The idea of task programming started in the 1990s. At the central level it has been developed and improved by the voivodships. Local governments commissioned preparation of many regional programming documents as a regional formula for implementing the NPBRD. As a result of administrative reform of the country, after 1999 some of those documents were modified to include new considerations, especially those pertaining to new territorial division and decreasing role of voivodship governor for the sake of voivodship marshal and government.

The majority of strategic documents have been developed upon WRBRD request. They were intended as important component of the region's preventive policy to reduce threats at regional roads. Their quality is high due to a number of favorable circumstances, including commitment of major academic centers in the process of developing these papers. Consequently, they contributed to systemization of actions undertaken by regions. However, the practice of implementing regional road safety programs suggests that execution has been much weaker than strategic planning and – consequently- differences in performance results achieved by individual regions may stem from implementation errors. One risk of strategic documents produced by academics rather than the local authorities themselves is the lack of local ownership of the actions they contain.

Development of up-to-date national road safety strategy NPBRD 2013 – 2020 laid foundations for revision of the existing or formulation of new regional road safety programs. KRBRD advised the regions to verify and update their existing road safety programs, which was a sound decision in the context of dynamically changing reality and other considerations, i.e. new financial perspective 2014 – 2020 or priorities and specializations defined in regional strategies of socioeconomic development. Note that already at the very beginning of NPBRD 2013 – 2020 implementation, KRBRD Secretary Office launched an effective information campaign addressed to regional decision-makers which explained the importance of achieving national strategic objectives in a transparent manner.

Institutional management functions

Complex approach to road safety management is a prerequisite of effectiveness at national, regional and local levels. The quality of works performed by executive units of National and Voivodship Road Safety Boards has paramount importance. So far the role of KRBRD and WRBRD has been the most exposed though not critical, due to the lack of authoritative competences and minimum impact on initiatives of key partners.

Institutional management functions define operational and implementation capacity. In case of national and regional road safety management systems the quality of these functions is very important: it determines the shape and scope of interventions and achievement of long-term objectives. In the context of effectiveness of regional and local initiatives, the current organizational structure and available management tools, the most important institutional management functions include:

- Horizontal and vertical coordination at the level of regional and local government levels,
- Coordination of cooperation among all key road safety stakeholders,
- Ensuring sustainable funding and resource allocation planning ,
- Ensuring actions chosen on a sound evidence basis,
- Complex communication strategy regarding road safety issues to regional and local authorities and the public,
- Constant monitoring of road safety and evaluation of initiatives in terms of their actual impact on road safety improvement,
- Support in the form of research and knowledge transfer.

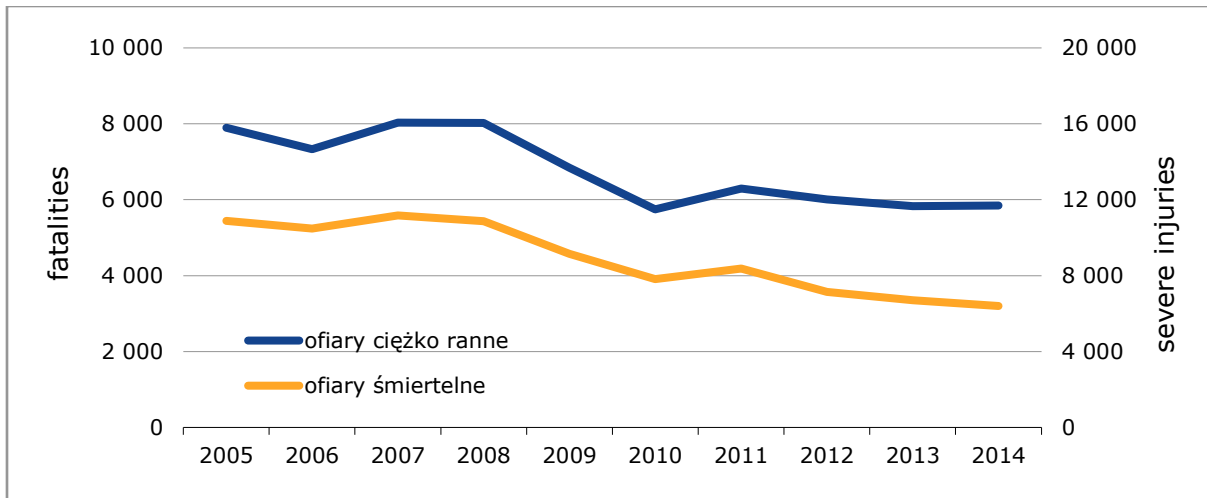
Analogically to national recommendations⁶¹, also at regional level the greatest emphasis should be put on strengthening the potential of Lead Agency which should exercise its competencies in decision-making, resource management and coordination. Lead Agency should be provided with adequate funding and bear responsibility for performance. In practice, WRBRD Secretary Offices ensure administrative functions related to operations of Regional Road Safety Boards. However, they lack adequate powers typical of Lead Agency, which prevents them from performing their role satisfactorily.

Effectiveness of existing solutions

Preventive policy to reduce road traffic threats implemented for several years has contributed to decline in the number of road crashes and victims. In 2014 a considerable road safety improvement was reported on Polish roads. Nationwide data for 2014 shows a decline in the number of crashes, fatalities and injuries. However, a slight increase in the number of severe injuries has been reported.

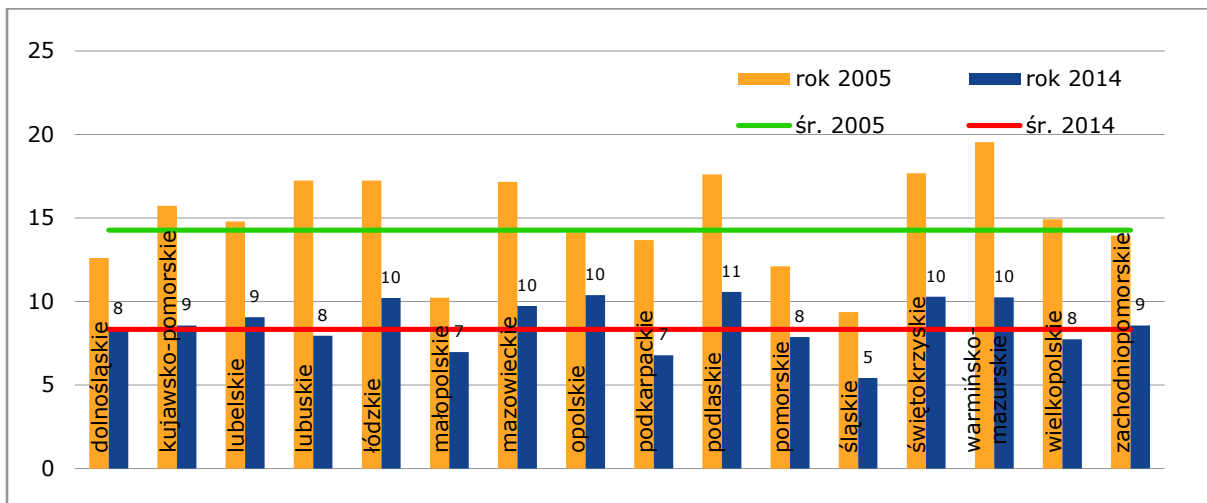
⁶¹ Country report on Poland : road safety management capacity review, World Bank, 2013

Figure 10. Number of fatalities and severe injuries in road crashes in Poland in 2005–2014 (source: KGP)



Despite positive trends and ongoing improvements in road safety, Polish roads are still much more dangerous than the EU average. This can be partly explained by slower progress in Poland as compared to other European countries. In 2001-2013, average annual decline in fatalities was 4,3% as compared to the EU average of 6, and 2%. This means that the number of fatalities declined in Poland by 39%, while in Europe by 53% on the average.

Figure 11. Number of fatalities per 100 thousand inhabitants in 2005 - 2014 (source: KGP)



The constantly high level of threats in road traffic in Poland is the result of poorer efficiency of actions undertaken both at the central and subnational level. Lack of sufficient initiative and support systems at central and local government levels is responsible for poor quality of regional and local road safety management systems, which often ignore key institutional management functions. As a result, the effectiveness of comprehensive initiatives varies considerably, which in turn translates into wide-ranging risk of loss of life or health in road accident in different regions.

SWOT Analysis

SWOT is one the most frequently applied analyzing methods in strategic planning. With regards to multifaceted nature of road safety it facilitates orderly analysis of data and evaluation of external and internal factors impacting the entire system. The analysis is based on assumption that internal and external factors affecting the current and future conditions produce a negative or positive impact on the system's development capacity and operational strategy. In assessing road safety system it is important to include many components that directly or indirectly affect human behaviors and attitudes to road safety. The most important are:

- Physical environment, including environmental considerations and condition of infrastructure,
- Social environment, including the conditions determined by local culture, social models, family impact, general level of local culture,
- Legal environment, including the existing national and regional policy towards transport, in particular road safety,
- Human factors, including individual knowledge, level of income, health and attitudes and behaviours.

Internal conditions related to actions and circumstances observed in considerable majority of regions contribute to identification of strengths of the existing road safety framework.

Strengths

- ✓ Regional authorities interested in road safety issues, willingness to improve the present situation
- ✓ Long-term strategic documents reflecting the national strategy ;
- ✓ Increasing political willingness to commit to road safety improvement;
- ✓ Good cooperation between Voivodship Road Safety Boards with the academia and experts (ITS, Gdańsk Technical University, Cracow Technical University and others.);
- ✓ Development and modernization of road infrastructure, especially national and regional road network taking into account the impact of solutions on road safety;
- ✓ Tradition and experience in educating children and young people;
- ✓ Specific model of funding based on the budget fed from profits generated by Voivodship Road Traffic Centers to support systemic and educational actions;

- ✓ Modern infrastructure streamline execution, and strengthening the potential of Voivodship Road Traffic Centers

Internal conditions that identify weaknesses refer to deficiencies of the existing road safety management model at regional level in Poland.

Weaknesses

- ✓ Few infrastructural solutions increasing the safety of unprotected road users;
- ✓ Lack of effective leadership with accountability for road safety at the regional level;
- ✓ Generally low level of driving culture in majority of regions that affect the frequency of risky behaviours;
- ✓ Poor coordination of actions undertaken by key stakeholders, lack of the real leader / Lead Agency equipped with necessary powers and resources;
- ✓ Lack of long-term programs and strategies at local level (powiat, communal and municipal);
- ✓ Lack of execution plans and performance monitoring based on a uniform set of measures;
- ✓ Lack of evaluation of effectiveness of measures applied;
- ✓ Lack of „cost – benefit” analysis of measures applied;
- ✓ Lack of analytical reports and information on the causes and effects of road crashes;
- ✓ Lack of publicly available databases and examples of best practices ;
- ✓ Lack of transparent access to funds allocated to road safety, especially from EU sources.

External conditions affecting threats and opportunities in road safety policy at regional level take into account numerous factors that positively or negatively affect the implementation of long-term road safety improvement strategy in regions, combined with expected final results i.e. lower risk of road crashes.

Opportunities

- ✓ revision of management and leadership arrangement nationally which may evolve improved leadership in self-government
- ✓ rising quality of life in regions
- ✓ rising level of education, more tertiary students

- ✓ changing models of behaviours related to mobility, raising importance of bicycle as a mean of transport
- ✓ rising trend to be active and fit
- ✓ supporting legal solutions oriented on the problem of young drivers , alcohol-drinking and speeding
- ✓ National Road Safety Board's support to regional initiatives through training, publications, reports and research
- ✓ Good financial perspective 2014 – 2020 stemming from territorial contracts and development programs addressed to regions
- ✓ The existing road infrastructure in cities that facilitate implementation of solutions friendly to unprotected road users i.e. narrowing roads and separating walking / cycling paths

Threats

- ✓ Unstable model of managing and financing regional actions via Voivodship Road Traffic Centers
- ✓ Unfavourable model of transport behaviours with private transport as dominant mode
- ✓ Financial constraints at regional, poviats and local levels; insufficient resources to implement proven and modern solutions in infrastructure, education and road emergency
- ✓ lack of ongoing cooperation at various levels of central and local government administration
- ✓ lack of willingness to commit strongly to cooperation among key regional partners
- ✓ risky behaviours of road users: using mobile phones and other electronic devices while driving.

2. SUGGESTIONS

The following suggestions aim to improve collaboration on road safety related matters at national and regional levels and are based, in particular, on the preliminary analysis of the present road safety management processes applied in regions.

1. In order to improve the majority of areas of collaboration between national and subnational levels the existing road safety management model should be reconsidered at the regional level as well as the national level to create stronger accountability for road safety and closer collaboration with national leadership.

Dysfunctions in cooperation result from lack of optimal solutions in regional road safety management systems and structures. A review of regional road safety management, with close engagement of sub-national governments and stakeholders is suggested after the NLA is established and relationships can be considered in the light of the work of the NLA. This review will also benefit from the legal analysis of relationships and prescribed roles of organizations suggested in the present report.

Annex 6: Key functions of Lead Agency

The World Bank Guidelines⁶² set out the role of the Lead Agency and contain examples of how lead agencies are structured in a range of countries.

The Lead Agency role is described under each of the seven institutional management functions:

- Results focus;
- Coordination;
- Legislation;
- Funding and resource allocation;
- Promotion;
- Monitoring and evaluation;
- Research and development and knowledge transfer.

Results focus: summary of NLA role

1. Appraising current road safety performance through high-level strategic review;
2. Adopting a far-reaching road safety vision for the longer-term ;
3. Analysing what could be achieved in the medium term;
4. Setting quantitative targets by mutual consent across the road safety partnership;
5. Establishing mechanisms to ensure partner and stakeholder accountability for results.

Coordination: summary of NLA role

1. Horizontal coordination across central government;
2. Vertical coordination from central to regional and local levels of government;
3. Specific delivery partnerships between government, non-government, community and business at the central, regional, and local levels;
4. Parliamentary relations at central, regional and local levels.

⁶²Bliss A., Breen, J. (2013) *Road Safety Management Capacity Reviews and Safe System Projects Guidelines- Updated Edition*. Washington, DC: Global Road Safety Facility.

Legislation: summary of NLA role

1. Reviewing the scope of the legislative framework;
2. Developing and updating legislation needed for the road safety strategy;
3. Consolidating legislation;
4. Securing legislative resources for road safety.

Funding and resource allocation: summary of NLA role

1. Ensuring sustainable funding sources;
2. Establishing procedures to guide the allocation of resources across safety programs.

Promotion: summary of NLA role

1. Promotion of a far-reaching road safety vision or goal;
2. Championing and promotion at high level;
3. Multi-sectoral promotion of effective interventions and shared responsibility;
4. Leading by example with in-house road safety policies;
5. Developing and supporting safety rating programs and the publication of their results;
6. Carrying out national advertising;
7. Encouraging promotion at the local level.

Monitoring and evaluation: summary of NLA role

1. Establishing and supporting data systems to set and monitor final and intermediate outcome and output targets;
2. Transparent review of the national road safety strategy and its performance;
3. Making any necessary adjustments to achieve the desired results.

Research and development and knowledge transfer: summary of NLA role

1. Developing capacity for multi-disciplinary research and knowledge transfer;
2. Creating a national road safety research strategy and annual program;
3. Securing sources of sustainable funding for road safety research;
4. Training and professional exchange;

5. Establishing good practice guidelines;
6. Setting up demonstration projects.

Annex 7: Guidance on Terms of Reference for the Proposed Road Safety Community Consultation and Liaison Committee

The Road Safety Community Consultation and Liaison Committee will be chaired by the Head of the NLA, and the NLA will also provide secretarial services and expert advice to the Committee. The role of the committee is to serve as a two way conduit for road safety ideas and developments, allowing the NLA and Government to liaise with the community. The deliberations of the Committee will be referred to the NRSC and government policy changes and activities should be promoted to the committee.

The possible suggested membership of the Committee is:

- Director, NLA (Chair)
- NGOs: at least three prominent ones (for example: GRSP Poland and two others)
- Private sector: at least one major oil company and one major local vehicle manufacturer
- University and research institute representatives: at least two
- Representative of mainstream media: at least two – preferably a reputable and specialized road safety or government policy journalists, NOT motoring writers/car reviewers acting as road safety journalists.
- Community representatives: at least two.

In addition representatives of any ministries or other governmental institutions should have the right to participate as observers or be explicitly invited by the Chair depending on the topics on the agenda.

Annex 8: Evidence for the Success of Combining Road Safety Advertising with Enforcement and Other Actions

The best examples of success come from the strongest advertising – that is advertising which signals changes in circumstances that appear to warrant changes in behaviour. Changes in circumstances typically involve changes in legislation or changes in enforcement.

A comprehensive meta-analysis of over 100 international findings on road safety advertising concluded that advertising based on enforcement is more effective than other advertising⁶³.

Examples include the successes of the large advertising campaigns which accompanied the introduction of Random Breath Testing (RBT) in NSW, the introductions of compulsory seat belt laws in multiple states of Australia and elsewhere, and the recent re-introduction of mobile speed cameras in NSW. These were all highly successful advertising campaigns associated with new laws or new enforcement. The introduction of seatbelt laws with effective campaigns steadily across Australian states was, for a number of states, the cause of the largest single annual drops in the road toll in history. The two relevant drops in the toll in NSW in the early 1970s due to advertising of seat belt laws and from 1982 to 1983 with the heralded introduction of RBT were the two largest ever for that state. The drop in Victoria's toll with the advertising and seat belt laws was the largest experienced. The drop in the road toll in NSW with the re-introduction of mobile speed cameras and the advertising which accompanied it resulted in a drop in deaths by 84, from one year to the next.⁶⁴

The key question is: How do we know that these were attributed to the advertising, or at least largely contributed to by the advertising?

It is clear that advertising was critical. The drops in the toll in each of the above cases started immediately, or in the case of RBT in NSW the drop actually started just before the start of RBT due to the huge communications campaign and paid advertising. The pattern of change proves clearly that the advertising was the primary initial factor. In some cases the law or enforcement changes had not yet started and in the other cases the psychological mechanisms by which the law or enforcement change could work would be much slower than the effects seen. For example, direct enforcement effects work through specific deterrence. This means that the effect is via creating change in each person who is caught, and thus the effects build quite slowly over time.

⁶³Phillips,RO, Ulleberg, P, Vaa, T. (2011) Meta-analysis of the effect of road safety campaigns on accidents. *Accident Analysis and Prevention* 43, 1204–1218

⁶⁴Job, RFS. (2013), *Pillar 1 Road Safety Management – Speed management*. Paper to the TRB Annual Meeting- TRB Sunday Workshop: Pivotal Role of Speed Management across the Five Road Safety Pillars, Washington DC, January 2013.

In many cases of successful advertising we can also show strong causal mechanisms for the changes arising from the advertising (as well as the enforcement). For example, the introduction of RBT in NSW was followed by (not preceded by) strong increases in social disapproval of drink-driving: with people moving away from seeing a drink driver who is caught as unlucky to seeing that driver as a criminal or potential murderer.⁶⁵ There were clear relevant behaviour changes. People changed their transport: queues for taxis went from a few people to long waiting periods and more taxi licences were needed; the large drop in the road toll was shown to be due to less drink-drive related deaths.⁶⁶

In other cases, on-road observational surveys showed that seat belt use skyrocketed from the minority to over 90%; or with speed camera advertising mean speeds dropped.

This does not mean that the advertising without the law or enforcement changes would have been as effective, but the advertising and communications would have been just as effective for a short time. The enforcement is needed to back up the credibility of the advertising and to create specific deterrence.

More extraordinarily to most people, it is unlikely that the enforcement without the advertising would have been as effective as it was even in the long term. Again, this arises from psychological principles. If people are not warned extensively (through communications and advertising) they will almost inevitably continue with the same behaviours as before and thus mostly will only change with the direct experience of being caught, and quite possibly not even then. For example, if, after the seat belt law is introduced, a driver has many experiences of driving without a seatbelt without being caught, the driver learns that the chances of being caught are low, and thus may continue to drive without a seatbelt even after being caught. Starting with communications and advertising creates more community understanding, more community acceptance of the change, and because people start to wear their seatbelts before the law change, they have less chance of experiencing the low probability of detection.

Cases of enforcement without advertising also point to the critical role of the advertising. Failing enforcement exercises are often associated with a lack of strong relevant advertising. For example, there is little evidence for behaviour change among recreational drug users arising from the introduction of random drug testing in many states of Australia.

⁶⁵Job, RFS, Prabhakar, T., & Lee, S.H.V. (1997). The long term benefits of random breath testing in NSW (Australia): Deterrence and social disapproval of drink-driving. In C. Mercier-Guyon (Ed.), *Proceedings of the 14th. International Conference on Alcohol, Drugs and Traffic Safety, Annecy, 1997.* (pp. 841-848), France: CERMT.

⁶⁶Job, RFS, Prabhakar, T., & Lee, S.H.V. (1997). The long term benefits of random breath testing in NSW (Australia): Deterrence and social disapproval of drink-driving. In C. Mercier-Guyon (Ed.), *Proceedings of the 14th. International Conference on Alcohol, Drugs and Traffic Safety, Annecy, 1997.* (pp. 841-848), France: CERMT.

Annex 9: Descriptions of key positions and structures of the NLA

Key roles for the Head position:

- Responsibility and accountability for road safety performance of Poland, measured in deaths and injuries on all the roads of the country (This should also be an accountability of senior management including all heads of Agencies on the NRSC);
- Management and Leadership of the staff and functions of the NLA. This must include motivating staff and developing their autonomy to energetically push for road safety, guiding the directions of their work, and increasing their skill sets;
- Provide leadership, strategy direction, and effective planning for road safety delivery for Poland;
- Employ safe systems thinking, advocate and facilitate safe systems thinking for the staff of the NLA and partner agencies;
- Deliver evidence based road safety advice, briefings, and presentations to Government and its committees;
- Implement the decisions of the Government for road safety, directly or through partner organisations;
- Management and Leadership of the Road Safety Consultation & Liaison Committee;
- As a Member of NRSC, provide an evidence based and expert input to decisions
- Management of the monitoring and relationship maintenance with partner agencies;
- Liaison with senior officers of the governmental institutions and other partner delivery agencies for road safety delivery;
- Ensuring maintenance and strategic development of the crash and other road safety databases, to form a Government Road Safety Observatory;
- Financial management: setting of budgets for projects, allocation of resources, acceptable for assuring appropriate record keeping on expenditure and management of expenditure to budget;
- Reporting of performance to Government.

Key roles for the Deputy of the Head position:

- Assist and advise the Head and the NLA staff in all road safety decisions, activities and internal tasks;
- Coordinate provision of training and knowledge transfer for the staff of the NLA and other agencies including coordination of any specialized advisory services that may be required by the NLA in road safety management, safe systems and the application of the principles, and specific content expertise;
- Be accountable to the Head for the effective operation and management of the sections under his/her control;
- Provide broad road safety content expertise such as: on road safety management and monitoring, interagency negotiations and arrangements, principles of persuasion and advertising, enforcement and promotion of it, the management of speed for road safety, vulnerable road user safety, occupant restraints, road safety engineering principles for roads and vehicles.

Description of Key Units

Table 7. The key roles of each Section of the NLA

Section	Brief description of roles
Strategy and Analysis	Manage access to the data system and undertake analysis of results for research, monitoring and reporting purposes; Arrange collection of performance monitoring data as required; Provide reports on data to the areas of the NLA and Government as required, as well as regular progress reports; Develop and recommend strategy, develop action plans, and monitor delivery, including performance measures, targets, and resource allocation to deliver the targets; Promote and advocate for non-road based transport alternatives.
Safe Roads	Set targets for and review policies on safety of road design, building and maintenance; Advocate for and educate on the role of roads and roadsides in safety; Work with road agencies including self-government to improve their approach to roads and roadsides for safety.
Safe Speeds	Set performance targets for speed management; Research speed and crashes in Poland, as required; Review and revise speed zone setting policy and educate relevant authorities on the use of speed zones for safety; Review and revise strategies and policy on speed enforcement in collaboration with GITD; Advocate for changes of speed zoning and speed enforcement policy to Government, self-government and the community; Advertise and educate on speed and speed management; Work with Police on improved identification of speeding in crash causation

Section	Brief description of roles
Safe vehicles	<p>Set policy and performance targets on safe vehicle standards and the implementation of actions to deliver these;</p> <p>Set policy and guide practice on inspection of vehicles;</p> <p>Advocate and promote the role of vehicles in road safety</p>
Safe People	<p>Set policy and performance targets on road safety education in schools (in collaboration with the Education) and to the community;</p> <p>Develop performance targets for advertising and communications outcomes and ensure that they are monitored;</p> <p>Research, design, develop and deliver advertising and communications (directly or via contracting arrangements) in support of road safety on strategic issues and in reactive mode to issues which arise in the public arena, and in support of Police and automated enforcement;</p> <p>Develop performance targets for behaviour change policies and programs and ensure that they are monitored;</p> <p>Develop policy and outcomes for a broad range of legislative, penalty, environmental and other changes which improve road user behaviours for all road users: drivers, passengers, cyclists, motorcyclists, and pedestrians.</p>
Stakeholder and Committee relationships	<p>Arrange collaborations and manage relationships with the multiple stakeholders involved in road safety, normally in partnership with the other sections of the NLA for specific content and informed advocacy;</p> <p>Provide secretarial services for the two main road safety committees of National Government</p> <p>Assist other sections of the NLA in liaison with self-government to facilitate and direct delivery of road safety policy and programs.</p> <p>Manage good relationship with emergency services so that the NLA can have roles in relevant emergency services including planning for emergency access on roads and monitoring the KPIs of road safety related emergency services.</p>
Law, budget and procurement	<p>Provide expert advice on legal issues which arise in all sections of the NLA, including in interactions with the processes and responsibilities of delivery agencies of government;</p> <p>Manage expenditure and procurement processes of the NLA;</p> <p>In partnership with the Strategy Section and the heads, advocate for appropriate budgets for road safety and for stability of funding;</p> <p>Provide regular progress reports on expenditure of the NLA.</p>

Annex 10: Action Plan from the Report on Road Safety Information Systems Development for Poland⁶⁷

Outline of Actions to Deliver the Road Safety Information System and Associated Features

Actions are grouped into areas of related activities, and could be undertaken in different orders. The groups of activities are listed below, and each is considered in turn.

1. Seeking government approval and required legislation
2. Seeking sustainable funding
3. Seeking expert assistance
4. Working with partners
5. Working with the ITS
6. Identifying key areas of change needed in databases
7. Establishing database(s) collecting behavioral data and intermediate outcome variables
8. Establishing tools supporting implementation of NRSP
9. Begin the process of developing the comprehensive governmental RSIS
10. Recruitment and professional development of SNRSC staff
11. Encouraging development of “watchdog” functions
12. Later actions

1. Seeking Government Approval and Required Legislation

Government approval will be a critical early step to achieving the strategic aim. Communications to facilitate this should include the NRSC, the Minister for Transport, other relevant Ministers, and other governmental stakeholders more broadly. It is expected that the Minister of Infrastructure and Development will undertake much of the communication on this issue. Strong government understanding and support are needed for funding, high level agreement to collaborations across government agencies, and for legal reasons. The World Bank stands ready to support MID in this process, by for example presenting findings and recommendations of this report at the high level ministerial meeting.

Current laws specify the existence of SEWIK and the NRSC Secretariat but do not address sometimes quite complex issues related to the proposed RSIS, which will thus require modifications in existing and/or completely new legislation. Obtaining strong Government

⁶⁷Job RFS, Czapski R., Żukowska, J. & Giemza, J. (2014). *Report on Road Safety Information Systems Development for Poland. Diagnosis and High Level Action Plan*. Warsaw: World Bank

support and the preparation of the required legislation are not only necessary steps, but will signal to partners that the real work on governmental RSIS is beginning and is supported at the highest level of Government. The exact legislation required may depend in part on the Option from the three above chosen for addressing the relationship between the Government run RSIS and the POBR.

2. Seeking Sustainable Funding

In addition to seeking funding directly from the National Government, other possibilities include:

- IRTAD, with an account of the need for the RSIS to be in government;
- The EU financial assistance through European Structural and Investment Funds (ESIF) coordinated by the European Commission (EC); to this end contact with EC colleagues responsible for road safety may be useful and the World Bank offers support in facilitating such contacts and sharing its knowledge of road safety in Poland.
- Sustainable funding from the hypothecation of fines from speed cameras (or perhaps just new cameras with a much needed expansion of the program to improve safety) and/or via a dedicated road safety component included in the National Road Fund program.
- Based on the help the RSIS will provide to self-government, a small contribution could be taken from each of these self-governments to fund the RSIS, or the National Government could be asked to provide the required funding as part of its budget for support of self-government;
- International Financial Institutions (European Investment Bank, Council of Europe Development Bank or the World Bank) could be approached for financial and technical support related to the establishment of RSIS.

3. Seeking Expert Assistance

Expert input into the process of RSIS development and staffing will provide value. A twinning arrangement, in which a country with considerable relevant expertise and success is paired with a country which is developing a road safety observatory, may be of significant value. This worked very well for the development of the observatory in Argentina and Ibero-American Regional Observatory. At least three organizations could be approached for expert support:

- IRTAD, which often arranges and manages twinning and other appropriate arrangements between road safety institutions;
- The EU/European Commission, since it has noted that it will “cooperate with the Member States with a view to:
 - promoting twinings and other modes of cooperation to increase road safety capacity of Member States;

- improving data collection and analysis as regards accidents and developing the role of the European Road Safety Observatory”⁶⁸;
- The World Bank for broad road safety technical assistance.

The EU has co-funded POBR Observatory but no collaborative arrangement with another country has been made. It is recommended that such an arrangement should be sought, ideally with a partner which has already developed modern and efficient RSIS, but preferably between SNRSC (and NLA in future) and an experienced EU partner. The World Bank team stands also ready to facilitate contacts with IRTAD and if needed some EU contacts for this purpose.

4. Working with Partners

Consultation with stakeholders in the process of development of the RSIS is an important undertaking. The aim should be to accommodate the data and information needs of stakeholders, as well as understanding issues with accessing data from partners.

The maintenance and provision to the SNRSC/NLA of the multiple databases required to populate the RSIS relies critically on partners who maintain and hold the source databases. It also depends on access and authority to employ PESEL numbers or other sensitive data (such as car registration numbers) to link the databases. In addition, in some instances, the proposed action plan calls for improved data which will require significant extra effort from some partners. Thus, maintaining good relationships with all the partner organizations and arranging their proper input in the process are critical.

The use of PESEL numbers or other sensitive data for establishing linkages between databases requires an authority. It may be best to leave the linking of databases and “depersonalizing” the linked databases to an organization currently holding that authority as an interim measure, but ideally the SNRSC would need to hold the requisite authority.

Self-Government constitutes an extremely large number of key road safety stakeholders. It may be useful to start working with a small number of self-government bodies as an initial step into this arena. These could be identified as demonstration regions, and this would allow a more gradual introduction to the issues and a more gradual increase in resource demands within the SNRSC and later in NLA.

A consultation group to consider the full development of the RSIS may be appropriate, in addition to the survey already undertaken.

5. Working with the ITS

⁶⁸ COM (2010)

The ITS was funded by the EU to develop a Road Safety Observatory for Poland. The ITS development of the POBR is an important achievement and expenditure of EU funds.

As noted in the World Bank guidelines and described above, in managing for improved road safety results, the foremost and pivotal institutional management function is results focus⁶⁹. Based on international best practice, successful experience, the recommendations of international expert reports, and our analysis of the situation in Poland, it is recommended that the government NLA should hold the RSIS.

This can be achieved in a number of ways discussed earlier in this document.

A number of factors may facilitate efficient co-operation between ITS and SNRSC (and NLA in future):

- A commitment to provide full access to the non-sensitive data that ITS and government may hold for research by the ITS and other research institutions;
- The difficulty the Institute is experiencing in creating the POBR Observatory and filling it with the planned data, and the need for Poland to have a more comprehensive RSIS;
- A commitment to cooperation in the development and use of the POBR Observatory and gradual expansion or transformation into a comprehensive RSIS;
- Exchange of experience between key ITS staff involved in POBR and staff from other institutions dealing with the relevant databases with SNRSC (and NLA in future) to increase capacity for development of RSIS.

6. Identifying Key Areas of Change Needed in Databases

The above description of findings identifies many areas ripe for improvement, which will need to be considered in the development process and with partner agencies. Core areas of improvement include:

1. Improvement to the SEWIK - Police crash data recording, especially in relation to crash location and GPS recording, coding of more detail of the crash type/movements which led to the crash, follow-up for deaths within 30 days, properly reflecting the role of speed as a crash factor, and recording crash data electronically⁷⁰ at the crash scene to ensure information is not missed in completing the form. Police or MI has to lead this effort

⁶⁹ Bliss, A. & Breen, J (2009). *Country guidelines for the conduct of road safety capacity reviews and the specification of lead agency reforms, investment strategies and safe system projects*. World Bank Global Road Safety Facility, Washington, D.C.

⁷⁰ For example using standard software installed in the standard equipment of Road Police, which would be error proof and require to enter all crucial data, which then immediately or shortly after collecting data at crash scene transmit all the data to the central SEWIK data base; WB team was informed about some trials in electronic data collection in some Polish regions; although they were discontinued lessons learned could be useful in the context of the proposed SEWIK modifications.

formally as most likely by law they are the only agency which can make changes to the crash data collection processes. However SNRSC and other key stakeholders should be consulted on their needs so that modernization can preferably in one go introduce as many of them as can be reasonably expected.

2. Health systems data can be improved as identified by WHO, and collaboration with Police in providing information on crash victims also requires improvement.
3. While most hospitals participate in the provision of data on crash victims, some do not. All should be participating, and this may be achieved through collaborative discussions or financial consequences. Discussions to establish the reasons for non-participation are a sound first step. For example hospitals could be penalized for failing to provide Police with appropriate information on crash victims. Perhaps exchange of such information could be done periodically and semi-automatically by exchanging some data between the relevant Police and health data bases. An alternative could be to try to verify data on crash victims using individual personal health records collected by the recently established Ministry of Health IT Center, obviously assuring proper protection of privacy.
4. Creating a process which allows for self-government to access crash data related to their jurisdiction or administrative area, including historical records for analysis.
5. All government agencies, non-government stakeholders, the media and the public should be able to access the crash database (de-personalized and sanitized by removing all sensitive data and if needed grouping data to avoid the risk of compromising privacy) for analysis over the web.
6. Critical database linkages need to be created, including between crash data and health data on injuries, crash costs, road features and crash outcomes. These linkages should ideally include all Poland's roads, not just national level roads (managed by GDDKiA) or only selected self-government roads⁷¹.
7. The condition and features of vehicles in crashes are also not captured in current crash data, and may be achievable via sound links.
8. Sustainable long term data storage is required without the need to discard old data as new data come in to allow for analyzing long-term trends in road safety.
9. GDDKiA and self-government road features databases should include details of road geometry and other key characteristics (road signs, barriers, etc.) not just road surface. Road feature data systems are not consistent nor across self-governments, or with the database held by GDDKiA⁷². Standardization is of high value to road safety and road management more broadly so using road safety as an argument some improvements may be introduced in this area as well. For example it would be useful to develop as part of

⁷¹ This feature can be developed gradually and begin with a number of pilot activities involving several different level self-governments, who may be interested and eager to cooperate.

⁷² GDDKiA promoted their system as a standard for some years after passing road assets to newly created self-governments in 1999 as part of the administrative reform.

the RSIS project a set of detailed standardized guidelines on the road features database parameters important for road safety considerations, along with some standards for exchanging such data between self-governments and RSIS so they can be used as data linkages. A problem of victim injury classification⁷³ (as minor or serious injury) may occur on the Police and hospital side. Since hospitals in Poland receive refunds depending on medical services provided, they may “stretch” the severity of injuries and treatment in order to receive extra payment. Audit processes are needed to manage this risk.

Collaborations and data connections currently rely too heavily on personal relationships rather than systematic arrangements and agreements. Thus, there are multiple examples of collaborations which stopped because of changes of personnel. Therefore all data exchange agreements for the RSIS should be regulated legally as may be required in the Polish legal system and when possible and needed formalized in writing to ensure continued cooperation even when personnel change.

7. Establish database(s) collecting behavioral data and intermediate outcome variables

Currently no institution in Poland is systematically collecting and storing data on safe (or unsafe) road user behaviors and related intermediate road safety indicators on seatbelt use, helmets use, child restraints etc. International good practice demonstrates that such data are instrumental in managing road safety and influencing safer user behavior, thus improving road safety.

Good quality database(s) containing such information and supporting NLA in its campaigns and education efforts will be of paramount importance. It will be also convenient since such database(s) can be created from scratch by the government, i.e. SNRSC and later transferred to NLA, since the existing POBR Observatory did not plan to collect such data.

The SNRSC has already developed some surveys methodology, collected some sample data related to several kinds of road user behaviors and collected a large amount of countrywide baseline data related to key road user behaviors in 2014. SNRSC plans also to undertake another round of surveys in 2015 to begin capturing the change in behaviors in relation to speeding, using seatbelts and child restraints systems and wearing helmets. Regular surveys related to

⁷³ The Polish definition of a serious (heavy) injury does not match the international standard. EC is currently trying to coordinate work on EU-wide definition. However such standardization may take some time as EU countries have different views on this topic, usually because they have some legacy issues arising from their current practices in this respect; resolving the issue of common definition of a serious injury is an important but fortunately not immediate issue.

behavior should be undertaken by SNRSC (and future NLA) based on statistical experience and good practice⁷⁴.

In addition to such regular surveys it is strongly recommended that SNRSC begins the development of database(s) providing detailed results and data resulting from these surveys as promptly as possible as it would be a perfect opportunity for the SNRSC team to initiate work on an important element of future RSIS and to start learning how to deal with the development of a modern RSIS. Such an important component of the whole RSIS Project can be most likely supported under the twinning arrangement with experienced NLA for road safety or can become a project for EU or other external co-financing.

It is also strongly recommended that all results of such surveys should be provided to the SNRSC in the form of the standardized databases, which can then be made available via Internet, and not just descriptive reports summarizing the surveys. Descriptive reports of findings are of limited value compared with the raw data, which could be made available for analysis within the SNRSC and for any external research institutions for example as part of their scientific work.

8. Establishing tools supporting implementation of NRSP

Since SNRSC is in the process of implementation of National Road Safety Program adopted in mid-2013 using bi-annual Action Plans and is continuously monitoring the implementation of specific activities by different stakeholders it would be useful to establish as quickly as possible dedicated database tool and processes, which can facilitate in this monitoring.

This will assist in planning specific activities, monitoring their costs and benefits, tracking progress and reporting any interim or final results of different activities. Timely initiation of work on these developments is recommended.

Additional advantage of such database would be that in case of using EU or any external support for implementation of NRSP it can be used for managing and reporting progress and results of different co-financed activities to the respective donors. In case of EU funds such tool may be developed in close coordination with general databases used by the Government for monitoring use of ESIF made available to Poland, hence it can automate or at least improve efficiency of monitoring and reporting the use of EU funds for road safety activities in Poland.

⁷⁴ In many countries sample sizes for such surveys are often much larger than necessary resulting in unnecessary additional cost to NLA; While it is good practice to outsource the routine regular collection of behavioral data (and other intermediate outcome variables), a sound way forward would be to seek specialized expert suggestions on estimation of the sample sizes that may be sufficient before tendering for the surveying work is undertaken; similarly optimal time periods between data collections should also be determined.

Given that there is an obvious link of such database with implementation of EU funds (since some activities are to be supported from EU funds) SNRSC may try to obtain funding for development of such tool from the remaining EU funds 2007-13 or apply for new funds available in the period 2014-2020

9. Begin the Process of Developing the Governmental RSIS

An appropriate person in SNRSC (and future NLA) should as soon as possible be assigned responsibility for the development of a comprehensive RSIS and a team should be built as quickly as possible to advance the development of such a system. These should include:

- i. Starting work on improving the data collected by Police, with direct and immediate input from the SNRSC and other key stakeholders.
- ii. SNRSC (and future NLA) should begin work on establishing: (i) its own road user behavior data base using the baseline data collected already on seatbelt use, helmet use, speeding, drunk driving, etc. and (ii) database supporting the implementation of NRSP.
- iii. Discussions with EC and IRTAD on possibility of collaborative arrangements involving SNRSC (and NLA in future) and an experienced European road safety NLA.

These actions will require improved SNRSC capacity and resources, but possibly EU funds can be used in the short-term for such purpose. Participation of key governmental stakeholders in the process should be assured, particularly at the needs identification stage, to maximize positive impact of any changes on quality of data and future research.

10. Recruiting and Professional Development of SNRSC Staff

The SNRSC will need to increase staff numbers specialized in road safety data systems, source some specialized training, and buy in expertise from external institutions (such as for example universities, research institutes, international institutions or commercial consultants) to increase its knowledge and capacity in this arena. Secondments or transfers of professional staff from other governmental agencies or institutes may save money and provide opportunity for a quick capacity improvement.

The skill sets required for set up, and maintenance and use of databases differ. Thus, resourcing needs for set up should not be permanent. Contract work and/or temporary staffing or use of specialized staff and other resources of other Ministries (such as for example Ministry of Interior) or government agencies (such as GDDKiA) for set up or development of databases if possible may be preferred in the short-term over significant increase in permanent SNRSC staffing. Additional flexibility offered by such temporary arrangements may also be valuable to manage peaks and troughs of work as contracts are managed for periodic data collection, data

entry and analysis. Alternatively the same staff may manage multiple databases rotating around the collections needed for each dataset, with periodic data collection times set to allow for a steady flow of work.

11. Encouraging development of “Watchdog” functions

A full specialized “watchdog” organization is not recommended because of the costs involved and the complexities of creating and funding a fully independent entity with autonomy to potentially criticize road safety practices of government or other public partners. In addition, such an organization already exists in the Polish system. It is the Supreme Audit Office (NIK – Naczelna Izba Kontroli), which recently performed a series of detailed audits of several different aspects of road safety management in Poland. However, a number of processes can be entrenched in the management of road safety data and its uses which create the function of watchdog by various stakeholders being motivated and provided with the information to monitor other stakeholders. This, in effect, allows for multiple watchdogs. Examples include:

- The SNRSC (or NLA in future) can act as a watchdog on the road safety performance of some governmental institutions (particularly if NLA would be located for example directly under Prime Minister’s responsibility) but certainly self-government partners. In relation to self-governments it can publish for example a scoreboard of self-governments road safety performance for public scrutiny. In addition, this should increase public demand for improved road safety from the poorer performing self-governments;
- Organizations able to access the observatory should include research institutions, and their independent scrutiny should be encouraged as an added layer of independent commentary;
- Some comments received during interviews in the context of this project suggest that crash data are of significant concern and may not always be entered properly and legitimately by Police or hospitals. Linkage of crash and hospital data will also allow detection of such practices and likely under-reporting, which sometimes takes place even in developed countries. Such linkages will additionally reveal failures in data collection systems, and should be adopted for the purpose of improving the data collection practices and accuracy of databases;
- A process of checking completeness and verification of accuracy of data entry within Police is also called for to improve accuracy of collected data and avoid the need for costly data verification at correction at later stages of data integration and processing in RSIS;
- Public and media access to data will act as a “watchdog” on road safety activities generally;
- Periodic auditing processes should be applied to the issues of hospitals stretching injury reporting and Police recording crashes inappropriately or incompletely. Poland’s Supreme Audit Office (NIK) which has already some experience in road safety related

audits could be perhaps periodically undertaking some audits focused on data collection and management process.

- Finally, it should be noted that because government collects the crash and other data and provides them to the holder of the RSIS, having the RSIS held by an “independent” institute does not avoid the risks of under-reporting and inaccuracy. On the contrary, an organization outside government has less opportunity to detect these problems.

12. *Later Actions*

Road safety monitoring, understanding, and benchmarking will be facilitated by the development of an agreed definition of serious injury, perhaps based on MAIS3+.

Annex 11: Government and self-government road safety activities – the coordination scheme

In order to be fully effective, the road safety management structure should allow for a strong coordination of the major road safety decisions and activities taken at the national, regional and local levels in order to integrate local initiatives into the national programme(s) and take into account the regional (local) priorities.

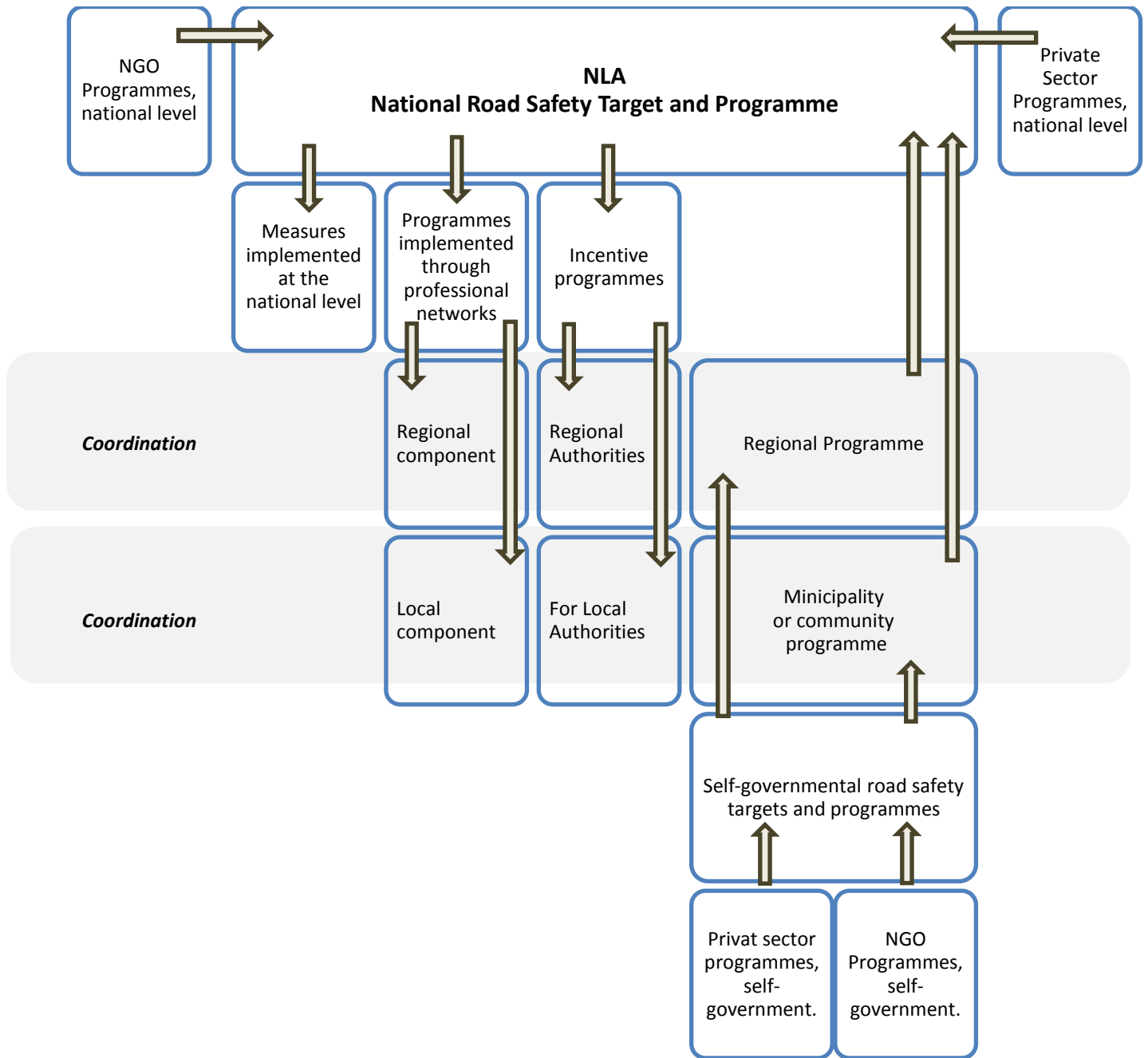
The scheme illustrating the required coordination and cooperation is provided below – see Figure 12.

"Vertical" links must thus be established between the "horizontal" road safety management structures set up at the national, regional and/or local levels in order to facilitate communication, allow for "top down" support and stimulation and "bottom up" input into broad road safety goals and program. It should also provide a framework for discussions and necessary negotiations between national, regional and local actors. Such links may be "formal", set up through an official process of consultations and by defining formally key criteria for solving possible conflicts between national, regional and local road safety institutions. They may be also "informal", i.e. left to the voluntary actions by and discretion of key actors responsible for road safety. Whatever the mode of cooperation, it is crucial to ensure in a modern system of road safety management that consultations happen when needed. To achieve this usually some degree of formality must be introduced into national or subnational legislation encouraging professional and organizational cooperation between key actors involved.

"Vertical" links between national and other road safety institutions may also be used to transfer information, data and knowledge, provide technical assistance but also promote exchange of experience. They are the key to developing knowledge and fact-based actions at all levels and "road safety culture" among key institutions involved.

Most of the safety measures taken at the national level are prepared and implemented within each of the governmental sectors concerned, using networks of road safety professionals across the central government and all relevant levels of self-government. For example, safety measures addressing road infrastructure are to be implemented using professional network of road infrastructure agencies, measures related to enforcement by the state police and municipal police networks, traffic safety education by a network of teachers/education institutions and justice procedures related to traffic offenses by professional network of prosecutors or judges. In the private sector, for example, a large number of driving schools and driving instructors implement driver training programmes and these are natural partners. Depending upon the level of centralization of countries' administration, which may vary from sector to sector, the professional networks involved in road safety activities may be coordinated from the top and function under a hierarchical system or may have some degree of autonomy.

Figure 12. "Top-down" and "bottom-up aspects of road safety cooperation and management across national and self-government levels"⁷⁵



⁷⁵Inspired by Nicole Mhulrad (Source: Mhulrad et al (2014): Analysis of road safety management systems in Europe, Transport Research Arena, Paris)

Implementation of local road safety measures initiated by local authorities or communities usually escapes national monitoring and coordination mechanisms unless they respond to specific incentives or programmes run by the national government.

The need for inter-sectoral coordination of different kinds of activities at all levels and between them is crucial – not just between national government sectoral partners, but also between regional and local actors working on the same road safety programmes. It should also involve regional/local authorities and regional/local branches of the national administration (see Figure 11). Similar coordination and cooperation is needed between these different level partners when national and subnational targets have been integrated or incentive programmes are implemented jointly. The inter-sectoral road safety coordinating institutions should be in charge of coordination at their respective levels as well as the necessary decision-making, since they should be responsible for the final outcomes of road safety programmes contributing to their respective target parameter.

There may be some types of measures which do not fit into any of the existing sectoral implementation processes, either because they are not listed as an activity to be performed and funded, or because they cannot be implemented to the required quality due to lack of resources and or inadequate coordination of the sectors. This is often the case with media campaigns, which are of different quality and often overlap. The road safety delivery institution(s) have to make special provisions for implementation of such measures, either by clearly attributing dedicated responsibilities in public administration, or by setting up dedicated implementation teams composed of representatives of different key inter-sectoral road safety partners at the appropriate management level.

Importantly also, participation in operational road safety activities by of non-governmental organizations may need to be actively invited and facilitated in areas where they can play an active role such as: information for road users, road safety campaigns, driver training, urban traffic schemes (traffic calming, pedestrian zones, etc.), children safety, etc.

In conclusion, effective coordination through multi-sectoral road safety institutions at different levels of governance is necessary, but direct contacts and cooperation has to be established also between NGO's and public sector institutions involved in specific activities. Both types of cooperation and coordination should be strongly encouraged.

Annex 12: Polish Case Study: Creation of the Office of the Committee for European Integration as a national lead co-ordination and delivery agency for Poland's integration with the EU

Annex 12 provides key features of the Office of the Committee for European Integration (UKIE) as a case study for the proposed development, structure and location of the road safety National Lead Agency (NLA) in the Polish central government administration.

Introduction

The Office of the Committee for European Integration established in 1996 was a successful answer to challenges faced by Poland at the decisive stage of membership negotiations with European Commission. During its lifetime, in 1996-2010, the Committee and its unique staff played a crucial role in Poland's accession to the European Union. It is a successful example of a modern, effective multi-sectoral horizontal coordination agency with a clear vision and results focus approach. Although the Office emerged in post-communist environment and rooted in traditional politically governed administration it quickly became the most innovative and dynamic structure in the Polish central government administration. Its horizontal coordination power combined with bold and innovative approach to implementing the required amendments to legislation, preparation for EU membership and coordinating EU negotiation allowed influence over different ministries and institutions and drive the government pre-accession activities, negotiations and post-accession coordination across practically all sectors.

Origins of the idea

After the first enthusiastic period of Poland's journey into the European Union which began in 1989 when administrative efforts to govern the integration process were widely supported by the public, the post-communist administration and fresh but still deeply rooted in the past époque political system began to stumble. Between 1993 and 1995 sharp political cleavages and uncontrolled power struggles severely weakened and even hampered efficiency of the central government administration. As a result of these events, the negotiation process with EU represented by the European Commission (Commission) was not supported by any effective horizontal inter-sectoral coordination nor a centralized process leading the harmonization of the Polish legal system with the European law. Although the integration with the European Communities officially remained the main strategic objective of the national administration and was supported and declared as a top political goal by main political actors, real progress was slow and severely threatened. To make things even worse, the post-communist constitution that was still in force since 1952 and some old-fashioned legislative framework tended to drift towards some kind of presidential system where parliamentary political representation was proposed to be replaced by direct political leadership, which was easier to adopt using an old socialist legislative system. The divergence of opinions along political spectrum on this crucial

aspect of political reform of course led Poland to even more political turmoil and endangered the perspective of rapid and successful integration with European Communities.

The situation changed radically after presidential elections in 1995 and passage of the new constitution of 1997 when the idea of presidential system was abandoned and the new foundation for parliamentary democracy and more coherent central government administration was created. Perhaps the most significant change introduced into the Polish administration in 1996-1997 was the new, flexible system for establishing so-called line ministries. Until then ministries as well as the government as a whole had been established under parliamentary legislation and consequently any changes in the ministerial administration, regardless of their scope and importance had to be agreed between the government and the parliament. That of course was time- and resource-consuming solution, which additionally increased the risk of involving administration in political games and power struggles. Under the new constitution the administrative powers to establish, abolish and reorganize ministries were transferred from parliament to the government, directly into the hands of the Prime Minister. In a bid to facilitate cross-ministerial flow of information the reform also provided for unique and uniform internal structure of ministries, which remains in force today. In addition, a package of laws reforming the government was also approved. This package included: (i) the law on the organization and functioning of the Council of Ministers and the scope of activity of ministers; and (ii) amendments to the law on institutional structures representing the general government administration in the field (1996). Moreover, in 1997 a law on the sectors of central government administration was introduced.

The 1996-1997 reform has also provided for new institutional arrangements regarding coordination of EU related matters within central government. Previously established (in early 90's) the Government Plenipotentiary for European Integration was replaced by the Committee for European Integration, a new collective authority, supported by a permanent structure of the Office of the Committee for European Integration (Urząd Komitetu Integracji Europejskiej) built on a completely new idea with main objective and responsibilities related to continuous coordination of the Polish European policy and integration process.

Authors of administrative reform have clearly and precisely understood the true nature of the Polish administration, particularly its weaknesses and natural tendencies to conserve and preserve traditional clerical style of handling administrative matters, even when political leadership officially promoted completely the opposite approach. But probably their most important achievement was to identify accurately the lack of horizontal competences and excessive "silos"⁷⁶ of Polish central administration as the Achilles' heel of Polish administration of mid-nineties.

⁷⁶Dominance of "silos" oriented institutional culture where central government institutions tend to be uncooperative and non- collaborative, focusing on narrowly defined institutional interests of their own

The main obstacle – “siloesation”

Organizational silos are a problem for any kind of administrative structures. For public administrations operating in post-communist countries like Poland, Czech Republic and Hungary the challenges were even greater, as they involved the need for dismantling authoritarian tendencies and centrally planned economies, and at the same time building democratic institutions - some of them from scratch - and introduction of market-based economies. The legacy of communism in Poland left not only a weakened economy but also an ineffective central administration with a huge number of organizational silos performing their activities like fortresses within a central government, creating serious problems which might not have been noticed until eventually some serious damage was done.

Post-communist administrative culture rather followed the letter than the spirit of the law, and therefore was prone to produce some perverse results. The law was often subverted to reflect the preferences of superiors, irrespective of whether they were political leaders from the top of the administration (ministers) or just immediate direct superiors in the line of command. Silos culture grew when employees developed more loyalty to a group or its political leader than to the state as a whole or to the rule of law as a value. Usually as silos solidify, their members become more insulated and distrustful of other employees in other parts of the administration. Once trust disappears or common loyalty to the state institutions is broken, it becomes increasingly difficult for separate administrative silos to work together effectively. To remedy this, trust needs to be (re-)built and then teamwork becomes more possible in the governmental administration. Well organized and “trustful” teamwork fuels the ability to collaborate, as opposed to distrust often resulting in central administration forming new and strengthening existing silos.

To complete the picture it has to be mentioned that organizational silos usually are resistant to change, operate in their own clandestine manner to prevent open and easy access to information they hold and usually create barriers to improve practice and cooperate. Silos make communication and collaboration across administration very difficult. Each group works primarily to protect their own interests. Some silos use different forms and procedures for the same administrative function or prepare similar reports without sharing or combining data. Beyond doubt excessive “siloesation” (“silo culture”) of governmental administration causes inefficiency, redundancy and poor decision-making. Silos also stifle creativity, innovation and progress.

Authors of administrative reform of mid-nineties in Poland understood these issues will interfere with Poland’s successful integration with the European Communities. Similar threats may affect the future position of NLA within Polish government today.

Implementation of the idea

The Committee for European Integration and its Office (UKIE) was established officially based on a dedicated legal framework in October 1996 with its main goal being to coordinate all the activities of all the ministries and governmental institutions directly involved in the process of

Poland's integration with the European Union. It took over the earlier tasks of the Government Plenipotentiary for the European Integration and Foreign Aid, an authority established at the very beginning of European integration process. There were a few other supporting institutions created along with the Committee: The Plenipotentiary of the Government for EU Negotiations and The Negotiations Group, responsible directly for negotiation process. The Negotiations Group consisted of deputy ministers appointed by the Prime Minister and represented all the ministries engaged in the EU negotiations processes, making them efficient. However the main responsibility for the harmonization process, structural changes, twinning arrangements between Poland and EU as well as for the coordination of negotiations sat with the Office. The Head of the Office (UKIE) was nominated by the Prime Minister as deputy minister first in the Chancellery of the Prime Minister and then in the Ministry of Foreign Affairs.

The composition of the Committee for European Integration reflected the structure of governmental administration. The Committee consisted of ministers of Foreign Affairs, Justice, Internal Affairs, Finance, Labor and Social Affairs, Agriculture, Economy and Environment. Their competences were naturally related to all main fields of negotiation processes. The Prime Minister was the Chairman (President) of the Committee for European Integration. Prime Minister was supported by a Secretary. All involved governmental institutions worked together under a very strong political leadership of the Prime Minister and with strong involvement of the Minister of Foreign Affairs in the negotiation processes. Thus a strong and efficient multi-layer coordination of internal policies, international policies and integration processes was achieved.

The Committee as a collective authority was equipped with its own professional governmental support unit – the Office of the Committee for European Integration (UKIE), headed officially by the Secretary of the Committee. The position of the Office in the Polish administration was very unique. Formally equivalent of the ministry and established based on the same legislative framework as the Committee the Office represented a completely new type of administrative unit, built practically from scratch⁷⁷. On the other hand the Office was firmly protected and reinforced by the political authority of the Prime Minister and Secretary of the Committee, who was reporting directly to the Prime Minister. The very special position of the Office of the Committee for European Integration (UKIE) led to the development of a unique administrative culture and specific efficient communication channels. Additionally a group of highly motivated and professional staff was trained (largely on-the-job) in a short timeframe, who quickly became an elite of the Polish government administration.

Main tasks of the Office until May 1st 2004 (the date of Poland's accession to the European Union) were:

⁷⁷However based partially on staff employed in the Bureau of Government Plenipotentiary for the European Integration and Foreign Aid.

- Providing framework and strengthening coordination between ministries involved in the EU negotiations processes as well as efficient implementation of the process of Polish and EU law harmonization by introducing necessary changes to the Polish legislation;
- Coordination of various adaptation activities related to institutional aspects of preparation for accession to the European Union. This of course required efficient cooperation between all the institutions responsible for particular sectors/tasks in the government and when needed with the parliament;
- Acceleration of works related to harmonization of the Polish law with the Community law - the large scope of amendments necessary to be introduced to the Polish law and the number of new laws to be adopted required serious acceleration of cooperation and coordination between the Government and Parliament. To facilitate and speedup this crucial process a special vehicle for coordination was established – The National Program of Preparation to the Membership of the Republic of Poland in the European Union⁷⁸. Special procedures have been established for parliamentary and governmental processes related to processing draft laws related to integration with EU;
- Issuing compulsory opinions on draft legal acts following verification of their compliance with the EU laws;
- Monitoring the progress in legal adjustment processes related to EU integration;
- Performing various activities in the area of public dialogue and communication about the EU integration process. In the crucial phase of the process of preparation for EU membership, the Office of the Committee prepared and implemented extensive Public Information Programme. It was crucial to provide citizens and all social partners with reliable and readily accessible information concerning European integration and to cooperate closely on this issue with non-governmental organizations and local authorities.

The level of detail and legal concepts used to describe the above-mentioned tasks in the formal legislation had a decisive impact on the outcome of institutional performance of the Committee and results of its work. Additionally the legislation was developed in a way that ensured maximal flexibility of the Committee and its supporting Office.

The unique features and mechanisms of the idea in practice

As mentioned earlier the Law on Committee for European Integration implemented a new concept of governmental administration. Its main goal was to break the dominant silos which existed in central administration and introduce and integrate the European agenda in the administration. Good administrative performance depended on some unique solutions implemented at various levels starting from formal legal framework through procedural and staff regulations, ending at specific methods of communication and technical support. Below are some

⁷⁸Governmental policy-programming document, established formally by the Cabinet. This type of official documents play a very important role in drafting State's budget (they influence the budget in direct way).

of the unique features and mechanisms, which have led the Committee to become an example of an efficient cross-sectoral and multi-sectoral governmental structure.

DEDICATED LEGISLATION

Central administration supported by the Polish legal system is an example of a continental solution for public administration. Rather conservative than innovative and giving priority to stabilization over effectiveness, this system is rooted in a specific and strictly observed hierarchy of legal acts. It provides specific authority with dedicated and well-structured legislation of its own and thus power to monitor, initiate changes and propose executive acts (government orders). Having its own legislation also helps in effectively claiming an appropriate share in the State's budget, which is of course an important condition for successful performance. The Law on The Committee for European Integration of August the 8th 1996 is a good example of such dedicated institutional legislation. Generally formulated responsibilities and tasks of the Committee and its Office faced some criticisms in an early stage of the their functioning, but allowed filling these provisions with specific, detailed, and flexible content in day-to-day practice as required. This is why the Office of the Committee for European Integration was often referred to as a “super ministry” and a Secretary of the Committee was called “a super-minister”.

COORDINATION AS A PRIMARY TASK FORMULATED IN THE LAW

Coordination as administrative competence lacks tradition in the Polish legal system. Coordination was practically absent among huge silos in centralized communist administration. Later, after 1989 coordination served rather as a slogan than legal competence. Even now coordination is sometimes regarded as “weak” and thus ineffective competence used when real direct powers have to be replaced by quasi-competences. But coordination can be a very effective tool when applied to collective authority, firmly grounded in a good legislation, with strong political leadership and supported by own dedicated instruments. In the context of the Committee for European Integration it is clear that coordination proved to be a transparent and flexible mode of governance effective in dealing with multi-sectoral issues for which inter-linked actors were responsible.

EUROPEAN “FIFTH COLUMN” IN EVERY MINISTRY

As mentioned earlier the reform of Polish central administration in the mid-nineties (see footnote 2) obliged all ministries to maintain within their own structures separate units responsible for various matters including the European integration. This was the very simple policy which allowed positive influence on ministries with regard to the European agenda. It resulted in the appointments of professional staff in each key government institution who were able to handle the European agenda in their respective sectors of the central administration. Direct and frequent communication between Office of the Committee staff and these specialized employees helped create a unique administrative culture and quickly produced positive effects resulting in the acceleration of EU integration activities. By being formally employed in various governmental sectors such professional staff was deeply involved in the activities of the Committee, sometimes

they were even regarded in their “native” environments as “foreign objects”, particularly by those loyal to the old-style silos based administration.

DEVELOPING ITS OWN ADMINISTRATIVE STYLE

The Committee and the Office demonstrated strong tendencies towards less formal approaches (de-formalization) and simplification of different internal administrative procedures and processes. This was partly possible due to strong political protection extended over the Committee and the Office by the Prime Minister, but partly also because of the dominating “spirit of change” and strong aspirations related to EU accession. As a new institution the Committee and the Office had to define themselves quickly and in this context the lack of ministerial tradition, rooted deeply in the institutional past was most likely to be helpful. The Office adopted some interesting solutions helping the daily routine work. One of them was the so-called Preparatory Committee, composed of Heads of European Units in the key ministries. These officials used to meet every week in order to prepare formal agenda for the Committee’s decisions. Regular meetings became a new routine in the administration and were usually very well attended, although the participation was not obligatory.

Final remarks

The successful story of the Committee for European Integration and its Office can inspire the NLA’s future position in the Polish government. In both cases the reason for establishing these authorities occurred in response to a real need. The Committee was created when the EU integration process was threatened while a road safety NLA is clearly currently needed given the substantial trauma suffered by the people in Poland especially with increasing motorization.

Of course both contexts are not fully comparable and some critics may say that there is no reason to engage the highest possible level of the government administration to govern road safety issues. But the key to understanding the real need for an NLA lies in the complexities of inter-institutional relations required to deliver road safety across a range of key areas of action: road and roadside engineering, education, mass media promotion, enforcement and legislation, vehicle regulation and inspection. With strong political leadership an efficient NLA can be implemented, most likely even without having to engage directly and continuously the Prime Minister.

To bring about the desired improvements all structural reforms implemented in a modern state administration must win the hearts of decision makers. This is why reforms must be accompanied by serious advocacy, educational and promotional activities. In the case of the Polish central administration reform of the mid-nineties it was supported by the general public. Road safety reform in Poland may be facilitated by leveraging the significant voice of the Polish citizens declaring road safety as one of the important challenges to address in Poland.

Annex 13: Other Polish Institutional Features Relevant to NLA

This annex describes institutional features and mechanisms which are used in the Polish governmental institutions and state agencies and which are relevant and support the proposed concept of the NLA in Poland.

Establishment of NLA, procedural aspects

The plan of expansion and upgrading the competences of the SNRSC instead of establishing a completely new NLA unit from scratch as the most appropriate solution for Poland is supported by the fact the Polish legal systems and current legislative practice provide many examples of successful legal transformations of some existing authorities into new ones.

For instance the transformation of the Office of the Committee for European Integration into a renewed agency formally dedicated to EU affairs via the implementation of the Law on the Committee of European Affairs of August 27th 2009⁷⁹ is an example of a successful transfer of existing resources and ongoing activities.

It should also be mentioned here that legal transformation as a juridical concept is widely supported by the Polish legal system which provides for ready legal formulas supporting peaceful and stepwise transformation of units. An example could be found in Labor Law⁸⁰ (section 1 art. 23¹) which provides regulations for transfer of workplace and workforce to another employer. In this case the Polish law protects the employee after his working conditions have become substantially worse following the transfer of a unit to another employer. The law guarantees the employee's right to obtain financial compensation from the employer in the same way as in the case where the employer has unlawfully terminated the employment contract. There are more such provisions in the legal system facilitating successful transformation.

On the other hand there are also some examples of abolishing existing institutions and creating them again from scratch – such practice is sometimes used when the change is highly influenced by political reasons and as such there are numerous political vetoes. During the last decade this radical model of transformation has been used while reforming some Polish secret services and state agencies responsible for public security. Due to high political risk and the likely lengthy process it is recommended to avoid this option and instead to focus on an evolutionary process, which leverages and builds on existing resources, skill sets and functions. This also allows driving institutional changes in the desired direction and regulating their pace depending on the results achieved and resources available to continue the process thus avoiding the risk of reform going astray.

⁷⁹ as published in the Official Journal of 2009, No 161, position 1227. For further reference see par. 18-13.

⁸⁰ as published in the Official Journal of 1974, No 24, position 141.

Target composition of NRSC

It is recommended that the NRSC be composed of high level officials representing key governmental stakeholders. This proposal is both reasonable and desirable from managerial, legal and social points of view.

From a legal perspective the proposed composition of the NRSC reflects the need to provide for this unit to coordinate matters effectively. There are examples of collective authorities in Poland which are not effective in achieving results because they do not have enough competence to perform their tasks effectively. Legal practice and institutional performance of such collective Polish administrative structures provide some important guidance for reformers in considering the number and level of competence required, which may be summarized as: “better higher competences and lower number (of members) than lower authority and large number (of members)”.

One of the “negative” examples of collective authorities that are evidently lacking strong political support is Council of Digitalization established by the Law on Implementation of IT solutions in Public Authorities of February the 17th 2005⁸¹. The Council consists of 15-20 members, representing key stakeholders (administration, business, NGOs, education and experts). Its composition reflects more or less all the groups interested in the processes of digitalization/e-government development at large but makes the Council rather a think-tank, a place for exchanging views, than decision-making structure. Some experts claim that there is no need to adopt special laws by the parliament level in order to organize discussions on specific topics. And there is a merit to this point.

On the other hand a very “positive” example has been implemented in the Law on the Committee of European Affairs⁸² of August the 27th 2009 (successor to the Committee for European Integration). The Committee is functioning successfully in the broad sphere of Poland’s European Union membership and is one of the top governmental institutions when it comes to level of representation and the scope of responsibility. It is one of the unique examples of so-called “bold” legislation. Authors did not hesitate to equip the Committee with some new legal instruments like the system of internal authorization of decisions taken in the name of ministers. By retooling this structure its performance noticeably increased.

Creation of Community Consultation Group

In order to implement a sizeable institutional reform in a modern country, at least three basic elements are required, namely: political will, knowledge (expertise), and support of the public opinion represented by key stakeholders and media. Then of course some qualified staff is needed in order to prepare and implement the reform.

⁸¹ Official Journal of 2005, No 64, position 565. See art. 17 for further reference.

⁸² Official Journal of 2009, No 161, position 1227

The case of the public administration reforms in Poland confirms recipe for success. There was always political will to improve administration, but the crucial role was played by the experience and knowledge of experts as well as their involvement in the reforms, which frequently went beyond the role of pure advisors. It can be noticed that in previous reforms the political will was at least partly a direct result of active involvement of experts representing various groups of interest. When it comes to road safety in Poland there are many businesses and non-profit organizations whose members have direct interest in trying to influence public policy. Their primary activities are often focusing on informal lobbying members of legislative bodies through contributions to policy-makers, political parties, media and conducting covert or open campaigns promoting specific solutions. There are also many experts who contribute to the media when the problem of roads safety is “hot”. Stimulating road safety discussions and creating room for a strong general public voice is one of the basic tasks of NLA. Thus the proposal of establishing the Road Safety Community Consultation and Liaison Committee is important.

Furthermore it is important to remember that social dialogue is one of the basic obligations of every public authority as stipulated in the Constitution and thus is also an obligatory part of the consultation procedure required by the Regulation on the works of the Council of Ministers⁸³ when working on any legal acts.

Proposal for strengthening the surveillance competence in the field of road safety advertising

Surveillance of advertising along road infrastructure (within the road right of way) in Poland is partly subject to the control of local authorities and partly the General Directorate of National Roads and Motorways. Overall regulatory basis in this field is quite fragmented and dispersed over several legal acts and it is mainly devoted to the issue of placing outdoor advertising (billboards) close to public roads or motorways.

Surveillance of road safety advertising in media is not subject to any dedicated regulation. General advertising controls prevent the use of certain types of advertising that could endanger public safety or provide false information about products or services. For example, businesses should not place billboards and outdoor signs in locations visible from roads that contain video or flashing images because they may distract drivers attention or create other traffic safety problems. Additionally, advertising via media cannot contain misleading information that confuses the public – for instance an advertisement for automotive products shall not expose excessive speed while driving a car as a way of attracting potential consumers. A classic example of effective road safety surveillance in media activity is paying continual attention to drivers wearing seat belts while showing vehicles in motion.

For example, there is in the Polish legal system a simple well-proven model of legal solution for effective surveillance of media advertising which can be easily adapted for use by the NLA in

⁸³ Official Monitor of 2020, No 13, position 221.

relation to road safety advertising. The “star-case” regulation is based on general provisions of the chapter IV of the Pharmaceutical Law of September the 6th 2001⁸⁴ which empowers a dedicated administrative unit (in this case the Pharmaceutical Inspection) to monitor advertising activities and when necessary to issue special notification to the advertiser. Surveillance authority is entitled to give the advertiser some time to remove the advertisement, and if it is not done, may impose financial penalty.

Organizational solution for better coordination

Law on the Council of Ministers of August the 8th 1996⁸⁵ provides special solutions for organizational structure in the Polish central administration. Civil service in each ministry consists of internal units which are divided into: department offices, units and/or secretariats. Every kind of internal unit performs its unique role in the structure. While departments perform policy-related tasks, offices are mainly responsible for supporting the work of the ministry as a whole. Secretariats provide support to the minister, committees, councils and task forces created within the ministry. All ministries are obliged to maintain units responsible for budgetary issues, financing, legal affairs, media relations, staff training, IT issues, public procurement as well as European integration and international cooperation.

This simple but effective solution can be adopted for the needs of horizontal coordination by the NLA by imposing an obligation upon all ministerial members of the NRSC to maintain separate units or sub-units within their own structures responsible for road safety matters **related to their** respective areas of work. This way coordination processes shall be strengthened by the creation of some professional units in key ministries/government agencies, which will be NLA’s counterparts who are able to handle the road safety agenda in their respective sectors of central administration. An example of this solution can be found in every Polish ministry in case of processing the EU agenda in cooperation with the Committee of European Affairs and in cooperation with the Ministry of Foreign Affairs when dealing with international issues.

Key elements of the road safety legislation

In accordance with the principles of polish legislative techniques every legal act, specifically adopted by the parliament (the law) shall consist of the following components, consecutively:

- general provisions,
- specific provisions,
- amendments to the provisions in force; transitional and final provisions.

Special type of regulation is used when there is a need to amend an existing law – in this case the regulation is composed mainly of amending provisions (amendments) followed by expanded

⁸⁴ Official Journal of 2008, No 45, position 271. See art. 52-64 for further reference.

⁸⁵ Official Journal of 2003, No 24 position 199. See section VI art. 39.

transitional and final provisions. In general preparation of the new proposed legislation should follow this pattern.

Since the creation of a new NLA is to be achieved by gradual transformation of the existing authority into its new form, the relevant regulation in force - Traffic Law Act of June the 20th 1997⁸⁶ is to be revised and amended accordingly. This applies especially to chapter titled “the activities for the safety of Traffic”, which is contained in articles 140b – 140 l of the Act. Since the law refers to some specific secondary legislation, as a result of legislative process deeper changes will most likely have to be introduced into several implementing regulations.

It is important to remember that in addition to “strategic” proceeding of the likely draft of law on road safety, great attention must be paid to implementing regulations based on this law. In the Polish legal system each normative act of the executive nature (regulation) must have its legal basis in the given (parliamentary) law, so once the law enters into force there is often quite a lot of additional secondary (executive) legislation needed to assure its proper implementation.

When considering serious horizontal strengthening of the NLA it is essential to understand that good implementing regulations have to be developed to establish complete administrative architecture for how the new law should work.

Some ideas proposed in this report may require parallel and most likely rather minor amendments into few other legal acts, such as for example: the Law on Road Transport Inspectorate of September the 6th 2001⁸⁷. Without getting too technical at this rather conceptual stage of works, there is a need to pay careful attention and to coordinate precisely work on any amendments or secondary legislation and their implementation.

Finally the Regulation Impact Assessment – a formal document regulated by the respective law has to be prepared and attached to the draft law at an early stage of its formal consultations.

It is strongly recommended to focus all efforts on achieving the best possible draft legislation and Regulation Impact Assessment at an early stage of governmental works (prior to official consultations stage).

There are several and serious general problems with Polish legislative procedures which may occur during governmental and parliamentary works on a potential new road safety law:

- excess of adopted regulations combined with lack of effective deregulation procedure;
- lack of stability of the legal system – approximately 75% of the bills are amendments – in some cases amendments are being introduced already during vacatio legis of the specific new law, i.e. even before it enters into force;

⁸⁶ Official Journal of 2012 position 1137.

⁸⁷ Official Journal of 2001 No 125, position. 1371.

- a given domain is often regulated in several legal acts, sometimes contradicting each other;
- a lack of a clear „owner” of the project and “manager” in charge of making sure that the law is adopted; it often happens that law becomes an “orphan” once sent to the parliament; without such active involvement the government has limited possibility to influence the parliamentary legislative procedure.

The best way to avoid serious legislative problems is to prepare as early as possible a comprehensive, cross-cutting and “self-explanatory” detailed concept for legislation (covering both the draft of the law and implementing regulations) which could be used as a reliable point of reference at further stages of works. A lot of common mistakes in legislative solutions come from underestimating a simple interdependence between good preparation at early stages of the process and the length of the legislative process - the more is explained earlier in the process the less need to be explained later. Understanding and applying this rule is therefore a key success factor in preparing and passing the legislation.

The first step to be taken formally by the governmental unit responsible for drafting the new road safety law and for preparation of the associated Regulation Impact Assessment – most likely Ministry of Infrastructure and Development - is to include such a draft in Council of Ministers Legislative Plan for 2016. This year - due to parliamentary elections (October 25th) this procedure will be initiated probably at the end of November immediately after the new cabinet is formed.