

ORDINANCE NO. 9 /2021

**OF THE DIRECTOR OF
KRAJOWA SZKOŁA ADMINISTRACJI PUBLICZNEJ
IM. PREZYDENTA RZECZYPOSPOLITEJ POLSKIEJ LECHA KACZYŃSKIEGO
(i.e. THE LECH KACZYŃSKI NATIONAL SCHOOL OF PUBLIC ADMINISTRATION)**

of 10 February 2021 r.

**on updated Regulations governing participation in the implementation-related part of the
Project “SYNERGIA – a network for cooperation and exchange of experience between high-
level officials from Central and Eastern Europe”**

By virtue of Art. 2, para. 2 of *Ustawa z dnia 14 czerwca 1991 r. o Krajowej Szkole Administracji Publicznej im. Prezydenta Rzeczypospolitej Polskiej Lecha Kaczyńskiego* – i.e. the Act of June 14th 1991 on the Lech Kaczyński National School of Public Administration (see the *Dziennik Ustaw* Official Journal of Laws of the Republic of Poland of 2019, item 1388), hereinafter “the Act on KSAP”, I hereby dispose as follows:

§ 1

Introduction

1. The implementation-related part constitutes an integral part of the Project *SYNERGIA - Sieć współpracy i wymiany doświadczeń urzędników wysokiego szczebla z Europy Środkowej* (“SYNERGIA– a network for cooperation and exchange of experience between high-level officials from Central and Eastern Europe”) as pursued by *Krajowa Szkoła Administracji Publicznej im. Prezydenta Rzeczypospolitej Polskiej Lecha Kaczyńskiego* (Poland’s Lech Kaczyński National School of Public Administration, hereinafter abbreviated to KSAP).
2. The Project’s implementation-related part shall be compulsory for Polish institutions of public administration taking part in the *SYNERGIA* Project.
3. The non-Polish institutions of public administration participating in the Project in its Education and Cooperation Programme aspect, may also submit a project for implementation within the competition foreseen, as well as implement good practice, albeit in the absence of the support provided for under the Project assumptions.
4. Under the implementation-related part, good practice developed in the context of the Project’s Education and Cooperation Programme shall gain implementation in Polish administration.

§ 2

Definitions

1. Key notions applied in describing the implementation-related part of the Project shall be as laid down in the Project Regulations adopted by virtue of Ordinance No. 12/2020 of the Director of *Krajowa Szkoła Administracji Publicznej im. Prezydenta RP Lecha Kaczyńskiego*, dated June 1st 2020.
2. However, the following further definitions of notions shall be applied in describing the implementation-related part of the Project: § 1 para. 3
 - 1) "good practice" means an organisational, legal or factual solution serving to streamline or otherwise improve the functioning of an organisation, or reinforcing that organisation's capacity to pursue its tasks;
 - 2) a "Participant" means a Participant on the *SYNERGIA* Project, with the reservation indicated in: § 1 para. 3;
 - 3) an "implementing institution" means a Participant on the Project in which good practice developed within the Project framework gains implementation;
 - 4) an "implementation team" means a team of Participants' Representatives whose task is to implement the aforesaid good practice;
 - 5) a "Coordinator of an implementation team" means the member of a team of Participants' Representatives assuming responsibility for the organisation of a team's work, including in particular preparation and submission in the name of the Participant of the implementation project, monitoring of that project's pursuit, and preparation together with the team as a whole of a report concerning the implementation of the good practice;
 - 6) a "Consortium at the implementation stage" means a Consortium including an institution along with another subordinate or supervised institution, insofar as the nature of the implementation ensures that participation by such an institution is necessary or essential for the implementation of the good practice in question;
 - 7) a "Leader of an implementation Consortium" means a Project Participant who leads the implementation of good practice in the context of a Consortium, should a Participant announce participation in the Project on a Consortium basis;
 - 8) an "implementation project" means a project constituting a basis for the implementation of good practice, as devised by an implementation team and entered for the relevant competition.

§ 3

Objectives and key principles of the Project's implementation-related part

1. The objective of the *SYNERGIA* Project's implementation-related part shall be the pursuit of a process of implementation of a project entailing good practice, in line with principles and rules set out below.
2. An outline of an implementation project to be entered in a competition shall be prepared as part of the last session of the Project's Education and Cooperation Programme. A Participant may continue to amend this project between the day the last session of the Education and Cooperation Programme ends and the day on which the implementation project is entered for the relevant competition.
3. Entry of a project for the relevant internal competition under the *SYNERGIA* Project shall be obligatory for Participants thereof from Poland.

4. It shall be obligatory to implement the winning project from a Polish Participant as indicated for implementation via the competition and by the Competition Commission. Remaining projects as well as projects by Participants from outside Poland may be implemented in the absence of a guarantee regarding the support referred to in § 3 para. 5.
5. An institution of the public administration in Poland identified by way of the Project's internal competition may – by virtue of rules and principles set out herein – receive the following support on the part of the Beneficiary:
 - 1) in respect of the training of employees in the implementation of practice in the institution,
 - 2) care over implementation extended by a Project Consultant,
 - 3) funds under the Project designated for the support of implementation.
6. The Competition Commission may identify a project submitted by a Participant from the public administration of a country other than Poland as the winning implementation project. In such a situation, § 3 para. 4 of the Regulation shall have application. The decision as to the means of distinguishing the aforesaid project shall be that of the Steering Committee.

§ 4

Ordering of activity in the implementation-related part

1. The implementation-related part shall commence directly following completion of the part of the Project involving Education and Cooperation.
2. The main activity of the implementation-related part shall relate to good practice already analysed during a Peer-Learning Session of the Project by way of its subject-related Workshops, as well as presented earlier by Lecturers in the context of the Project's Education and Cooperation Programme.
3. It will be in the context of the competition called that Participants shall submit their prepared implementation projects. The said competition shall be announced on the Project website, i.e. at www.synergia.ksap.gov.pl.
4. The Commission of Experts shall, by way of the said internal competition, identify the single institution and its winning project in each of the first three Editions, as well as 2 institutions (projects) in the case of the Fourth Edition, that are seen as having drawn up a project for the implementation of good practice in the most exhaustive and convincing manner.
5. Under the programme's Fourth Edition (in which 2 winning projects are to be selected), all of the projects submitted over four Editions up to that time that have not been in receipt of support thanks to the competitions and that have not gained implementation in the given institutions, shall be made subject to renewed assessment. The Competition Commission shall identify and indicate from among these projects a fifth one whose implementation shall now be in receipt of support.
6. The Beneficiary shall sign an agreement for the implementation of good practice with the institution identified and selected by means of the aforesaid competition.
7. The implementation of good practice shall commence following announcement of the results of the assessment of applications, and shall continue through the period indicated on the Project page, in the context of the announcement of the competition; but for not longer than three months from the said day of announcement of the results. In specific cases justified by the

nature of the implementation, and following acceptance on the part of the Chair of the Steering Committee, a period designated for the implementation of good practice may be extended to 6 months from the said day of announcement of competition results.

8. Within a month of the completion of implementation, the Coordinator of the implementation team shall present a (post-implementation) report on that implementation of good practice in the implementing institution that has been accepted by the Director General or head of that institution. The said post-implementation report shall contain a description of the practice implemented, and an assessment of the degree to which implementation has been achieved, and of its effects, in line with adopted indicators of successful implementation. Where the duration of the implementation period has been extended, the final period of implementation shall be followed by the devising of a final report on implementation by the Participant.
9. Simultaneously following the period of implementation, a Consultant indicated by the Beneficiary shall draw up a "shadow report" assessing implementation.

§ 5

The project implementing good practice

1. The basis for the project implementing good practice shall be a description of a management situation drawn up on an application form submitted for the Project at its recruitment stage.
2. Where the management situation described in an application form under the Project becomes outdated or otherwise ceases to be adequate in line with the needs of the *SYNERGIA* Project, a Participant may – in agreement with the Project Leader – make modifications to the managerial situation that forms the basis for the project.
3. On the basis of knowledge gained during the Education and Cooperation part of the *SYNERGIA* Project, the Participant's team shall develop the project providing for the implementation of good practice. This project shall be drawn up by reference to the recommendations for good managerial practice devised in the course of *SYNERGIA*'s subject-related Workshops as held during the Peer-Learning Sessions referred to in § 4 para. 2.
4. The implementation project in the case of Participants from Poland shall be as drawn up in the Polish language with a short summary in English.
5. The project shall be submitted on a competition form made ready by the Beneficiary.
6. A description of a project shall in particular comprise:
 - 1) a project title,
 - 2) an indication as to the objective of implementation,
 - 3) a description of the practice whose introduction is sought,
 - 4) a costing of the implementation work,
 - 5) a timetable for the implementation work,
 - 6) a description of the human resources necessary for the implementation work,
 - 7) a proposed scope for the training needed to prepare human resources to implement,
 - 8) a description of the technical resources needed to implement,
 - 9) a description of the planned effects and results of implementation,
 - 10) a description of indicators allowing for assessment of the degree of implementation, and the assumed objectives, actually achieved,

- 11) a description of risk associated with the project,
 - 12) a brief English-language description (summary) of the implementation project.
7. The project shall concern the Participant's own institution. Where an implementation Consortium is involved, the project implementing good practice shall relate to the lead institution, though it may also relate to the institution(s) enjoying the status of Consortium members.
 8. The project implementing good practice may also assume the implementation of facilitations or solutions in subordinate, supervised or cooperating units, if this follows on from the nature of the given solution (e.g. a solution of a technical nature, an ICT system or application used in the implementing unit as regards cooperation, communications and so on).
 9. The project implementing good practice as entered for the competition by an institution of public administration in a partner country shall be concerned with a Participant institution from which at least one Representative has previously taken part in the *SYNERGIA* Project's Education and Cooperation part.

§ 6

Project assessment

1. The competition as regards implementation shall be run by a team of experts indicated by the Director of KSAP, acting in the capacity of Competition Commission.
2. A project for the implementation of good practice taking part in a given competition shall be submitted at the time indicated on the *SYNERGIA* Project website for the given Edition of *SYNERGIA*.
3. Formal verification of a submitted project shall be a matter for *SYNERGIA*'s Project Team.
4. The Competition Commission shall assess a project from the substantive point of view and shall identify and select the best implementation project from among those submitted for the competition.
5. Where a competition also receives an entry or entries comprising the project(s) of a public-administration institution from outside Poland, these shall be subject to assessment on the same bases as projects from Polish Participants.
6. The Competition Commission shall identify the winning implementation project. Where the Commission indicates as the winner a project from a Participant in the public administration from a country other than Poland, it shall at the same time indicate the best implementation project developed by a Polish Participant of the given Edition of the Project.
7. Support for implementation shall be received by:
 - 1) the winning project, where this a project from a Participant from Poland, or else
 - 2) the best implementation project from a Participant from Poland, where the project recognised as having won the competition is from outside Poland.
8. As it assesses a project, the Competition Commission shall in particular heed the following criteria:
 - I. General criteria
 - 1) the innovative nature of the solution, i.e. planned practice relating to the management of an institution in public administration,
 - 2) the adequacy of the solution in respect of the need for change in the implementing institution,
 - 3) the universality of the solution, i.e. possibilities for it to be applied in other organisational units or others spheres of activity of the implementing institution.

II. Additional criteria

- 1) conformity between the project and the substantive areas involved,
- 2) a project objective defined appropriately in line with the needs of the institution,
- 3) results and indicators appropriate to the objective of the project and allowing the level of achievement of assumed results to be assessed,
- 4) definitions of tasks under the project that are again adequate in the light of its objective and planned results,
- 5) descriptions of the human resources necessary for implementation of the practice that are adequate in respect of the tasks identified,
- 6) descriptions of technical resources (including ICT solutions operating in support of the implemented project) that are adequate in respect of the tasks identified,
- 7) a budget for the project that is adequate in respect of the tasks identified,
- 8) a timetable for the project that is adequate in respect of the tasks identified,
- 9) a description of project risk that is adequate in respect of the objective, results and tasks identified.

§ 7

Project implementation

1. There shall be a possibility of a practice being implemented in all the institutions of a Consortium. The Leader of the Consortium at the implementation stage shall be the partner of the Beneficiary whose responsibility it shall be to implement in full, and to which non-financial and financial support shall be extended.
2. A multi-party agreement on participation in the Project's implementation-related part shall be signed by representatives of Consortium institutions as both Consortium Leader or partner(s).
3. The Beneficiary shall make available a model version of the multi-party agreement.
4. The period for implementation shall be as indicated in § 4 para. 7. Implementation may be pursued further following the completion of participation on the Project.

§ 8

The implementation team

1. The implementation of good practice is pursued by an implementation team.
2. The implementation team shall be founded and constituted in the manner adopted at the given institution; shall act by virtue of rules and principles binding therein and thereupon; and shall be subject to the said institution's organisational rules.
3. An implementation team shall comprise all the Representatives of a Polish Participant on the Project, who have already participated in that Project's Education and Cooperation part, irrespective of the post held in public administration following completion of that said part.
4. An implementation team as announced by a Participant from a Partner country shall include at least one Representative of the participating institution who has taken part in *SYNERGIA's* Education and Cooperation part.

5. In line with the specific nature of certain implementations, a team may co-opt additional members to participate in the implementation-related part, in particular where the implementation shall take place via the formula of the implementation Consortium.
6. A change in the composition of a team in the course of its implementation work shall require the submission of a reasoned opinion on this by the Participant, as well as acceptance of the change in question by the Chair of the Steering Committee.
7. The objective of the work of the team shall be the implementation of good practice in the Participant's institution as this has been developed within the *SYNERGIA* Project framework, with the application of own resources but also the support of the Beneficiary, insofar as this is extended by the decision of the Competition Commission.
8. The implementation team shall initiate and implement, save where the implementation project also foresees cooperation with other organisational units in the Participant institution in respect of tasks associated with the implementation of good practice.
9. Where an implementation team operates via the formula of the implementation Consortium, the competition entry shall indicate in the relevant application:
 - 1) the institution enjoying the status of implementation Leader under the Consortium,
 - 2) the identity of the institution in which the implementation of good practice is to ensue.

§ 9

Non-financial support for implementation

1. A project identified by means of a competition shall obtain non-financial support for the implementation, as extended on bases and under conditions laid down by the Beneficiary.
2. Non-financial support of implementation shall entail:
 - a. consultation with and advice from an expert nominated by the Beneficiary – and to an extent determined by the Beneficiary,
 - b. the supply of training to employees of the Participant, also on a basis determined by the Beneficiary.
3. Should it possess the additional financial means necessary, the Beneficiary may extend non-financial support to the implementation of those implementation projects evaluated highly in the course of the competition though not selected for implementation, whose implementation is nevertheless being pursued unilaterally by a Participant.

§ 10

Financial support for implementation

1. A project identified by means of a competition may receive financial support for the implementation of good practice.
2. Financial support shall be extended by virtue of a multi-party agreement concluded between the Beneficiary and the Participant, or, in the case of a Consortium, between the Beneficiary and the members thereof.
3. Details as regards the rules under which and means by which financial support is actually conferred shall be as laid down in the multi-party agreement, also in line with the legal status of

the unit implementing a project, as well as the specifics of the tasks planned in the context of the process whereby good practice is actually implemented.

4. Financial support shall be conferred solely for tasks associated with implementation of the project, as described in the competition entry and as accepted by the Competition Commission.
5. Financial support shall be conferred in situations provided for in law and for purposes set out in legal provisions.
6. A Participant may not submit claims in respect of the said financial support.
7. The conferment of financial support shall proceed in accordance with regulations detailing the ways in which components of assets of the Treasury of the Republic of Poland are to be managed and allocated.

§ 11

Completing participation in the implementation-related part

1. Participation in the implementation-related part shall be compulsory for Project Participants from Poland and shall represent a prerequisite for completed participation on the *SYNERGIA* Project.
2. Completed participation on the implementation-related part shall be deemed conditional upon:
 - 1) the submission of the implementation project within the framework of the Project's internal competition (the Project Participant's team),
 - 2) implementation, by the team of the Project Participant, at the Participant's institution, of the project arising, should this be selected by the Competition Commission for implementation.
3. Non-completed participation in the implementation-related part by a Participant from Poland shall denote non-eligibility on the part of that Participant, with this further denoting returns in respect of all costs of participation of the Representative incurred up to the given time during the Project's Education and Cooperation part, as well as all costs of support extended during the project implementation stage.
4. A Participant shall return the costs of individual participation of all Representatives under the Project, in respect of the whole period of participation of the said Representatives respectively through to the moment of submission of an implementation project for the internal competition or else the passing of the deadline for submission of the said project in the internal competition, or else the passing of the deadline for project implementation, where the Competition Commission has selected a project for implementation.
5. The return of individual costs shall apply to the participation of all Representatives of a Participant irrespective of the date on which this cost arises, including in respect of transport, accommodation, expenses or one-off payments, insurance and board – in Poland, Latvia, Bulgaria and Hungary – as well as other costs incurred by the Beneficiary and Partners in connection with organised participation of a Representative on the Project.

§ 12

The Peer-Learning Conference

1. Each Edition of implementation shall be followed by a Peer-Learning Conference at which participation of the Participant's Representative shall be compulsory.
2. Likewise, the completion of the implementation-related part of the last Edition of the *SYNERGIA* Project shall be followed by a Peer-Learning Conference that shall sum up all of the Editions of the Project and entail the presentation of all the implementations pursued, along with conclusions as to the ways in which these have been put into effect. Participation on the part of the Participants' Representatives shall again be compulsory.
3. The objective of the Peer-Learning Conference shall be mutual learning and the conveying of conclusions in regard to action taken by teams in the course of their implementation work. At a Conference, Participants' Representatives shall present their post-implementation reports. By virtue of rules laid down in the implementation agreement, a Participant shall achieve a transfer to the Beneficiary of material authors' rights to the report on the implementation of good practice, in particular as regards the rights to publish in print or electronic form, and to post online.
4. During the Conference, participants shall acquaint themselves with the conclusions of the "shadow reports" assessing implementation, as prepared by SYNERGIA's external Consultants.

§ 13

Good practice as developed

1. In the first phase, good practice shall be processed as a summary compiled by SYNERGIA's Lecturers in their report following each session of the Educational and Cooperation part. The description in question shall offer basic information on the practice, as well as objectives and effects relating to its implementation.
2. The said descriptions of practices as made ready by Lecturers shall constitute a basis for work on managerial solutions within the framework of subject-related Workshops during SYNERGIA's Peer-Learning Sessions.
3. Analyses developed by Representatives of Participants in the course of Peer-Learning Sessions shall, together with remarks and conclusions in respect of the descriptions of good practice prepared in Lecturers' reports, form a basis for the compiling of reports that collect together recommended management practices in the form of mini-manual of good practice made ready by an expert.
4. The descriptions of good practice drawn up within the SYNERGIA Project framework shall be widely accessible, in particular thanks to their being published successively at www.synergia.ksap.gov.pl.

§ 14

The protection of personal data during the implementation-related part

1. Personal data shall be gathered indirectly by KSAP from a Project Participant from Poland or a public-administration institution from a Partner country, as these announce their implementation teams.
2. The Beneficiary shall comply with obligations as regards the provision of information arising out of Art. 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free

movement of such data, and repealing Directive 95/46/EC (the General Data Protection Regulation), as these relate to indirect gathering of personal data in regard to Participants' Representatives, the Representatives of a public-administration institution in a Partner country and other persons participating in the Project's implementation-related part.

§ 15

Equality of opportunity

1. The implementation-related part of the Project shall be pursued and delivered with objectivity and transparency upheld, in line with the principle of equal treatment of all participants.
2. The implementation-related part shall likewise be pursued with full respect for the principle of equal opportunity between genders.
3. The implementation-related part of the Project shall also give effect to the principle of equality of access for the disabled.

§ 16

This Ordinance shall enter into force on 10 February 2021.