



EUROPEAN SOCIAL POLICY NETWORK (ESPN)

Access to essential services for low-income people

Poland

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EUROPEAN COMMISSION

Directorate-General for Employment, Social Affairs and Inclusion

Directorate C — Social Affairs

Unit C.2 — Modernisation of social protection systems

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European Commission

B-1049 Brussels

European Social Policy Network (ESPN)

**ESPN Thematic Report on
Access to essential services for
low-income people**

Poland

2020

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Quoting this report: Szarfenberg, Chłoń-Domińczak, Sowa-Kofta, Topińska (2020). ESPN Thematic Report on Access to essential services for low-income people – Poland, European Social Policy Network (ESPN), Brussels: European Commission.

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Summary

There is no nationwide definition of essential services in Poland. There are also no specific rights in the Polish constitution that would ensure general access to essential services such as water, sewage and refuse collection, public transport, energy, the internet or a bank account. Some of these services are the responsibility of local authorities, within the general framework of the “communal economy” (*gospodarka komunalna*). Regulations on the provision of these services are included in the legislation covering the activities of local government as well as in specific regulations on individual services. These include, in particular, water supply, sewerage and cleaning services, energy, local public transport and telecommunications.

There are no measures regulating access to water that are specifically targeted at the low-income population. The costs of water provision and usage are decided locally, based on past usage costs. Local authorities typically grant universal subsidies related to water supply. People eligible for social assistance can be granted a targeted benefit (*zasilek celowy*) or housing allowance (*dodatek mieszkaniowy*) that can be used to partially cover accommodation costs, including the costs of water. Low-income households that do not pay their bills or use illegal water supplies may have their water supply cut off. In such cases, the provider has to ensure a substitute water supply.

A nationwide definition of low income in the context of essential services exists only in a demand-side instrument supporting access to energy. This takes the form of a lump-sum energy supplement (*zryczałtowany dodatek energetyczny*) introduced in 2014, which is granted to people who are entitled to housing allowance. The same approach was recently applied in determining the eligibility of owners of single-household dwellings to finance for up to 100% of the cost of thermal retrofitting. The income criteria used in this case are 2.6-2.7 times higher than the social assistance minimum-income threshold. In public transport there are nationwide discounts for train travel, but entitlements to these discounts are determined on the basis of non-financial criteria, including severe (or specific types of) disability such as blindness (including people with disabilities and their carers); age (very young children and students at schools and higher education institutions); and number of children raised (three or more). For public transport other than railways, and for other services referred to in this report, the criteria for determining very low income are applied locally, such as the special programmes of municipalities (*gminy*) for access to the internet for poor households, or free bank accounts. There are also other criteria which are applied locally to reduce financial barriers to accessing essential services, for example free transport for older people, or discounted tickets on local public transport for unemployed people registered with public employment services.

The concepts of transport, digital and financial exclusion are recognised in Poland. They are sometimes called “new exclusions” and empirical research on these problems is carried out. However, a closer link between the problem of income poverty and access to essential services has been established only in the case of energy (the concept of energy poverty). Therefore, when we consider the needs of low-income people to access essential public services, policies to protect against energy poverty seem to be best developed (see Sections 1.3.3. and 3).

The example of energy shows the multidimensionality of policies on access to essential services for low-income households. The policy mix on energy includes housing, energy, environmental and social policies. It has both a social dimension (poorer households and the excessive burden on them of energy expenditure) and a spatial dimension (cities with a smog problem, and with a large and ageing council housing stock without access to municipal heating networks). The corresponding measures therefore include both those supporting people on low incomes financially (such as benefits and allowances aimed at providing the means to purchase fuel) and those that encourage investment (such as supporting local authorities, and individuals living in single-household dwellings, that engage in the construction and renovation of technical infrastructure).

1 Overview of national/subnational measures aimed at supporting low-income people in accessing essential services

According to Principle 20 of the European Pillar of Social Rights (EPSR), everyone should have “the right to access essential services of good quality, including water, sanitation, energy, transport, financial services and digital communications”. Moreover, support for accessing such services should be available for those in need.¹ The importance of ensuring access to essential services is also well established globally in the framework of the United Nations 2030 Agenda for Sustainable Development and its 17 related Sustainable Development Goals (SDGs) which was endorsed in 2015 by all UN countries including all EU countries.² This report investigates the extent to which Principle 20 of the EPSR has already been implemented in the six services under scrutiny in Poland. The group of “those in need” is restricted in the report to people on a low income and low-income households.

The first section of the report presents an overview of the national situation across the different aspects of access to the six aforementioned essential services.

1.1 Definition of “essential services”

There is no nationwide definition of essential services in Poland. There are also no specific rights in the Polish constitution concerning access to essential services such as water, sewage and refuse collection, public transport, energy, the internet or a bank account. Some of these services are the responsibility of local authorities, within the general concept of the “communal economy” (*gospodarka komunalna*), which “includes, in particular, tasks of a public utility nature, the aim of which is to meet the collective needs of the population on an ongoing and uninterrupted basis through the provision of universal services” (BAiD 2012, p. 1). These tasks are defined in legislation regulating the activities of local government, including water supply, sewerage and cleaning services, local public transport and telecommunications (Article 7 of the Act on Municipal Self-Government).³ Detailed regulations governing the provision of these services are defined in separate pieces of legislation.

1.2 Definition of “low-income people” used in the context of access to services

A nationwide definition of low income exists only in the case of the demand-side instrument supporting access to energy; this takes the form of a lump-sum energy supplement (*zryczałtowany dodatek energetyczny*) introduced in 2014, which is granted to people who are entitled to housing allowance (*dodatek mieszkaniowy*). The income criterion for the latter is linked to the minimum pension. Housing allowance can be granted if the average monthly income per capita in the household in the three months prior to application does not exceed: 175% of the minimum pension for people living alone (from March 2019 the income limit was therefore 1,925 zł (€452.80) monthly), or 125% of the minimum pension for multi-person households (1,375 zł (€323.43) monthly). Such a definition of low income leads to values 2.6-2.7 times higher than those resulting from income criteria used in social assistance. Taking into account the fact that

¹ The EPSR was jointly proclaimed by the European Parliament, the European Council and the European Commission on 17 November 2017. For more information on the EPSR, see: https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en.

² The SDGs and their targets seek to realise the human rights of all, by promoting an integrated notion of sustainable development aimed at creating synergies between economic, environmental and social policies and objectives. For more information on the SDGs, see: <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>.

³ Journal of Laws from 1990, item 95 as amended: <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19900160095>.

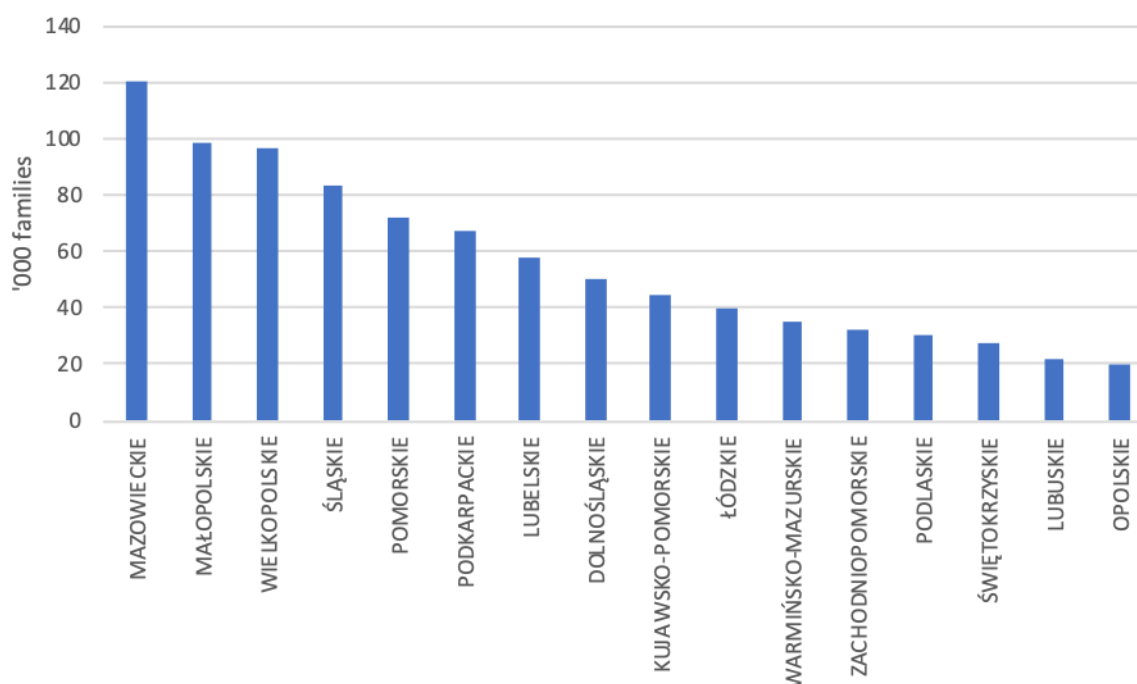
the lump-sum energy supplement is very low (see Section 1.3.3.), extending it to people who are not poor implies lower effectiveness in reducing energy poverty.

In the case of other services considered in this report where local measures supporting people living in poverty are applied – mainly in the context of public transport and internet access – there are no nationwide regulations defining low income. Locally defined measures mainly use social assistance levels as a reference point, which are 701 zł (€164.89) monthly for people living alone and 528 zł (€124.20) per person in multi-person households; or alternatively family benefits, which are slightly higher at 764 zł (€179.71) and 674 zł (€158.54) monthly respectively.

As far as discounts on tickets used in public transport or locally applied discounts for other services are concerned, entitlements are determined by reference to characteristics other than income, including severe (or specific types of) disability (e.g. blindness), participation in education (pupils and students), and family size (three or more children). Even though these characteristics are correlated with income poverty, a large percentage of households with people with disabilities, pupils and students or with three or more children are of course not income-poor.

Additionally, large families (with three or more children) can apply for the “large family card”, which gives them access to a range of public transport, digital and financial services at a reduced cost (see Figure 1). There were almost 900,000 families holding the card in 2019, ranging from more than 120,000 families in the Mazowieckie region to around 20,000 families in the Opolskie region. Discounts are offered on a discretionary basis by public bodies and private companies that join the scheme.

Figure 1. Number of families with large family card by Polish region in 2019



Source: Ministry of Family, Labour and Social Policy

1.3 Measures for facilitating access for low-income people to services

1.3.1 Access to water

Regulations on access to water are set by the Act on collective water supply and collective sewage disposal (*Ustawa o zbiorowym zaopatrzeniu w wodę o zbiorowym odprowadzaniu ścieków*) of 2001.⁴ It makes the provision of water an obligatory task of local government.

There are no specific measures, either in cash or in kind, facilitating access to water for the low-income population. The costs of water provision and usage are decided locally, based on the past usage costs. Local authorities can introduce a subsidy, either targeted at one population group or of universal character, to partially cover the costs of water. Typically, the subsidy is universal, covering the whole local population.

People eligible for social assistance, with incomes below the social safety net threshold – that is 701 zł (€167) monthly for persons living alone and 528 zł (€126) monthly per person (for households with two or more members) – can be granted a targeted benefit (*zasiłek celowy*) or housing allowance that can be used to partially cover accommodation costs, including the costs of water.

Providers of water and sanitation have a right to cut off services where people fail to make payments for at least two full billing periods, and in the case of unauthorised access to the water supply. This means that low-income households that cannot afford to pay their bills are at risk of losing access to running water. In such cases, however, the provider has to assure a substitute water supply.

Inequalities in access to water are observed between urban and rural areas. In rural areas with no access to a collective water supply, water is frequently obtained from individual water wells. Maintaining the quality of water from wells remains the responsibility of private households, which can be difficult for households with a low income. This increases the risk of low-income households living in rural areas using poor-quality water.

1.3.2 Access to sanitation

Access to sanitation services, including the sewerage system, is regulated in the same way as water supply, by the Act on collective water supply and collective sewage disposal (*Ustawa o zbiorowym zaopatrzeniu w wodę o zbiorowym odprowadzaniu ścieków*) of 2001.⁵ Similar to water supply, sanitation and sewage collection is an obligatory task of local authorities, and the costs of sanitation are set locally with no special tariffs, exemptions or in-kind provision for the low-income population. As mentioned earlier, a benefit covering some housing costs, including sanitation, can be granted to social assistance recipients.

According to Statistics Poland, only 41% of households in rural areas, compared with 90% in urban areas, had access to a collective sewerage system in 2018, although the sewerage network in rural areas is developing (GUS 2019b). In rural areas with no sewerage system, cesspits are used; in such cases the costs are fully covered by private households, including poor and vulnerable households.

Waste collection is regulated by the Act on maintaining cleanliness and order in communities (*Ustawa o utrzymaniu czystości i porządku w gminach*) of 1996, with further amendments.⁶ Local authorities, which are responsible for waste collection,

⁴ Journal of Laws of 2017 items 328, 1566, 2180 and Journal of Laws of 2018 item 650.

⁵ Journal of Laws of 2017 item 328, 1566, 2180 and Journal of Laws of 2018 item 650.

⁶ Journal of Laws of 2019 items 2010 and 2020.

charge households based on the cost of waste disposal, the number of people in the household or the dwelling size. There are no exemptions or subsidies for the low-income population. Since August 2013 fees for waste collection have been paid directly to local authorities, as opposed to directly to waste collection companies. In 2020, charges for waste disposal are expected to rise significantly due to tighter requirements in relation to waste segregation and the postponement of an increase originally planned for 2016.

In the capital city (Warsaw), where the increase is expected to be particularly high, a discount of 55% will be introduced for households with total monthly incomes below 1,752.50 zł (€417.26), households of people aged 65 and over, and those of people with disabilities where the sole income is from disability or old-age pension and they are not eligible for housing allowance.⁷ Households that do not follow waste segregation rules are obliged to pay higher charges for waste collection.

1.3.3 Access to energy

Energy provision is the only essential service analysed in this report that has a poverty-related approach (see Section 3).

Under the Act on communal self-government (*Ustawa o samorządzie gminnym*),⁸ electricity and gas supply are the responsibility of local authorities. The energy Act (*Ustawa – Prawo energetyczne*) also requires local authorities to adopt a local planning document⁹ for electricity and gas supply.

In the energy Act there is only one direct measure designed to (at least partially) protect people on low incomes with regard to energy charges. This is a flat-rate energy supplement for vulnerable consumers, who are simply defined as those eligible for housing allowance. Therefore, no new definition of vulnerable consumers is introduced by the Act.

Access to housing allowance, and thus to the energy supplement, depends on: (a) an income criterion, based on the minimum pension (see Section 1.2); and (b) the surface area of the dwelling.¹⁰ The latter effectively excludes most inhabitants of detached houses.

In the period from 1 May 2019 to 30 April 2020, the monthly amount of the energy allowance was 11.37 zł (€2.65) for a single-person household; 15.80 zł (€3.68) for a household consisting of two to four people; and 18.96 zł (€4.42) for a household consisting of at least five people.¹¹ The average monthly per capita spending on energy by one-person households of disability pensioners, who are more at risk of poverty in Poland, was 133.20 zł (€31.04) in 2018 (88.68 zł (€20.67) for two-person households) (GUS 2019a).

Despite the fact that the energy supplements are very low, the government subsidy for them has not fully been used. The amounts actually spent in 2014-2016 were, respectively, 11.8%, 15.1% and 13.8% of the planned expenditure. This is one of the reasons why the Supreme Audit Office (*Najwyższa Izba Kontroli*) negatively assessed the activities of the Minister of Energy in this area. Recent research has shown that the incidence of energy poverty in the group receiving housing allowance was barely 6.9%,

⁷ <https://www.um.warszawa.pl/aktualnosci/radni-zadecydowali-o-nowych-stawkach-za-odbi-r-odpad-w>.

⁸ Journal of Laws of 1990 no 16, item 95

<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19900160095>.

⁹ Journal of Laws from 1997, no 54 item 348 as amended

<http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19970540348>.

¹⁰ The maximum normative usable floor area of an apartment or a single-family house depends on the number of household members. It is equal to 35 m² for a dwelling occupied by one person, 40 m² if there are two persons in the dwelling, 45 m² for three persons, 55 m² for four persons, 65 m² for five persons and 70 m² for six persons. The housing supplement can be claimed if the usable floor area of the dwelling does not exceed this maximum by more than 30%. It can also be claimed if it exceeds this maximum by up to 50% if the surface area of the rooms and kitchen is less than 60% of the total surface of the dwelling.

¹¹ Journal of Orders 2019, item 402: <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WMP20190000402>.

and the allowance itself (with a wider coverage than the energy supplement) reached only 1.3% of the energy-poor (NIK 2018). New solutions have therefore been proposed that do not involve a link to entitlement to housing allowance, for example a separate energy allowance (Boguszewski and Herudziński, 2018).

The government maintains that it is also fighting energy poverty by introducing (in 2017) a reduced tariff for individual consumers who switch to electricity to heat their homes (which requires additional investment) between 10 p.m. and 6 a.m. (tariff G12as). However, the main intention of this change seems to be to encourage households to switch to electric heating instead of solid fuel stoves (e.g. wood, coal) due to the smog problem. An additional condition for receiving the new tariff is that the amount of electricity used exceeds the amount of electricity consumed in the corresponding period in the preceding year. This measure in its original and modified version has been criticised as even more expensive for end-users, and ineffective as an incentive for switching to electricity-based heating (Wieczerek-Krusińska 2018).

Another instrument included in the toolkit for combating energy poverty is increasing the thermal efficiency of dwellings through retrofitting. The relevant Act of 21 November 2008, on supporting thermal retrofitting and renovation, was amended in 2018. The amendment (coming in force from February 2019) introduced changes addressing the difficulty of requiring poor households to contribute to the cost of retrofitting.¹² However, the Act assumes that help will only go to those areas where anti-smog resolutions are in force (Article 11c. 1.). Article 11d. 1 lays down an income criterion for assistance that is the same as that for housing allowance. Additionally, a property criterion was introduced – households whose property value exceeds 424,000 zł (€99,700) are not eligible for help.¹³ The assistance includes a grant for low-income households to finance the cost of a new boiler and thermal retrofitting, as well as tax reliefs for people who decide to exchange boilers for more energy-efficient ones.

The last instrument targeted at people on very low incomes is a discretionary purpose-specific allocation of social assistance benefit. The Act on Social Assistance says that this benefit may be granted, in particular, to cover part or all of the costs of purchasing food, medicines and medical treatment, fuel, clothing, essential household items, minor renovations and repairs in the apartment, as well as funeral expenses. The level of support provided is determined on a case-by-case basis, but some social welfare centres set a standard level.¹⁴

There is some discussion about changing the construction of the energy supplement. For example, there is an expert proposal by an independent research institute to better adapt the purpose-specific benefit for fuel to the specificity of energy poverty (Rutkowski et al. 2018).

The energy advisory service has been developed within the framework of a project financed by 2014-2020 EU funds. However, this counselling general covers both individual and institutional clients. It can be used by low-income individuals, but they are not its primary recipients.¹⁵ There are no in-kind benefits for access to energy by low-income households.

¹² Journal of Laws from 2008, No 22 item 1459 as amended <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20082231459>.

¹³ Within the framework of the project implemented by the National Fund for Environmental Protection and Water Management (NFOŚiGW) 'National system of advisory support for the public sector, housing and enterprises in the field of energy efficiency of RES', social workers from the social assistance centres were trained on the effective use of energy and possibilities of obtaining funds for the replacement of inefficient, environmentally threatening heating sources. On criticism about the effectiveness of this measure see: <http://polskabezsmogu.pl/7-pomoc-ubogim>.

¹⁴ Miejski Ośrodek Pomocy Społecznej w Dąbrowie Górniczej: <http://mops.com.pl/formy-pomocy/dziecko-i-rodzina/dzial-pomocy-srodowiskowej/swiadczenia-pieniezne/zasady-przyznawania-zasilkow-celowych-okresowych>.

¹⁵ For a short description of this project in Polish, see: <http://nfosigw.gov.pl/o-nfosigw/doradztwo-energetyczne>.

1.3.4 Access to public transport

The shrinking of the non-urban bus transport network is a well recognised problem of transport exclusion (*wykluczenie transportowe*, or *wykluczenie komunikacyjne*) in Poland. The 2010 reform regulating public transport was supposed to tackle it; but an assessment after several years was very critical and included numerous recommendations for changes (Wolański 2016 and Wolański, Mrozowski and Pieróg 2016).¹⁶ Another issue raised in the public debate is the decline of the railway network (Trammer 2019).

Measures supporting access by low-income people to public transport are not well developed. They are limited to reduced price or free tickets, in most cases for certain disadvantaged groups, such as people with disabilities or members of large households, whose income level can be low. Measures directly targeting low-income people may be found rather occasionally, mainly at subnational level.

National level

At the national level, tariff reductions in public transport are regulated by the Act on entitlement to reduced fares of 1992, as amended (*Ustawa z dnia 20 czerwca 1992 r. o uprawnieniach do ulgowych przejazdów środkami publicznego transportu zbiorowego*).¹⁷ These reductions apply to railway and inter-city bus transport, but usually do not include express lines. The reductions are obligatory on all operators, including the private ones, offering collective transport, and are refunded from the state budget. The Act includes a list of groups – such as war veterans, police officers, children and students – entitled to reduced-tariff or free transport. The category of “low-income people” is not explicitly listed. The vulnerable groups that have access to the reductions include, most importantly, people with disabilities, who are often poor. They are entitled to a reduction ranging from 37% to 95% of the full ticket cost, depending on the degree or type of disability (e.g. blindness).

Nationwide, clients of means-tested social assistance may be granted a credit ticket (*bilet kredytowany*) which allows for free travel, assuming that the purpose of such travel is clearly specified and approved by a social worker. This benefit is provided according to the Social Assistance Act of 2004, as amended (*Ustawa z dnia 12 marca 2004 r. o pomocy społecznej*).¹⁸ However, very few such tickets are granted. According to the Ministry of Family, Labour and Social Policy, in 2018 only 411 people received credit tickets, out of almost 1.3 million social assistance beneficiaries. One reason is the complex bureaucratic procedure, limiting demand for this type of support. In addition, credit tickets are provided for railway transport only, and this also reduces potential interest in such support.

¹⁶ See also a discussion about the ninth attempt to amend this regulation: *Reforma transportu zbiorowego. Podejście dziewiąte*, *Gazeta Prawna*, 20 November 2018.

https://serwisy.gazetaprawna.pl/samorzad/artykuly/1356190_reforma-komunikacji-zbiorowej.html. This was another failure, and the government was unable to proceed with it before the elections of 2019, despite extensive consultations and efforts: <https://legislacja.rcl.gov.pl/projekt/12308601/katalog/12493172#12493172>.

¹⁷ *Journal of Laws* from 1992 No 54 item 254, as amended.

¹⁸ *Journal of Laws* from 2004 No 64 item 593, as amended.

Subnational level

Reduced-tariff or free tickets on public transport, which is organised at subnational level, may also be provided and financed by local authorities. Provision of public transport benefits is discretionary and therefore actual arrangements vary across the country.¹⁹ Reductions are applicable to social assistance recipients, unemployed people, people with disabilities and large families.

Recipients of social assistance are given reduced-cost transport in some municipalities, usually large cities (e.g. Łódź, Kraków, Warsaw), which facilitates access by low-income people to public transport. However, additional criteria are often applied. In Warsaw, for instance, social assistance recipients who are offered free public transport must have signed a contract with the social assistance services or be participating in an individual programme for leaving homelessness (*indywidualny program wychodzenia z bezdomności*). In Kraków, they may purchase a monthly ticket at reduced price (40% reduction). In Łódź, the discount for a monthly ticket reaches 75%. In each case, documents from social assistance centres are needed to prove the right to a discount. At the same time, there are many municipalities and cities that do not provide this type of support (e.g. Lublin, Gdańsk, Szczecin).

Provision of reduced-tariff or free tickets for the **registered unemployed** is more common (e.g. Bydgoszcz, Kraków, Rzeszów, Szczecin, Warsaw, and others). In most cases, the price reduction is set at 50%. In each case, clear additional restrictions are imposed, such as daily time limits for travelling, and not being eligible for unemployment benefits. Many cities also support **people with disabilities** in accessing public municipal transport, offering it for free or at a reduced tariff. Specific arrangements are similar, but details differ depending on municipality.

In some regions (*voivodships*) **holders of the national large family card** are entitled to buy tickets at reduced price, and this may be treated as a measure that (mildly and indirectly) facilitates access by low-income people to public transport. At the moment, transport companies from eight regions (out of 16 in total) provide discounts. Usually the discount rate is between 5% and 10%.

There are no advice/training or information services on access to public transport for low-income households.

1.3.5 Access to digital public services

Digital exclusion (*wykluczenie cyfrowe*, or *e-wykluczenie*) is a well known concept in Poland; see for example Batorski (2009). It has been empirically studied as part of the independent social diagnosis research, which was carried out in the years 2000-2015. Every year Statistics Poland (*Główny Urząd Statystyczny*) publishes data on various aspects of internet use in Poland (the latest: GUS 2019c, 2019d). According to these studies, between 2015 and 2016 the situation was improving in the area of financial barriers to internet access, such as excessive equipment costs (incidence down from 27-28% to 22% in 2019) and excessive access costs (down from 19-21% to 15%). In 2019, there were 1.7 million households (13.2% of all households) in Poland without access to the internet. About 36% of them (605,500) declared that they did not have access to the internet due to the high costs of equipment or access, and 74% (445,800) of these people were in the bottom two income quintiles. In 2019, among those receiving social assistance, 31% (313,700) had not used the internet in the previous three months before the survey was conducted. The main reasons for not using the internet were excessive costs, lack of equipment or lack of skills (36% of those who did not use the internet). Among people with disabilities, 41% (939,100) had not used the internet in the last three months of 2019.

¹⁹ Detailed information about tariffs is available on the websites of the municipal transport companies.

Internet access and the ability to use it are important for access to public services. Citizens can use numerous electronic public services through the integrated government platform ePUAP2.²⁰

Private companies are the most frequent internet access providers in Poland. In 2019, depending on the bandwidth, the costs of using fixed-line internet access services for individual customers ranged from a minimum of 24.41 zł/€5.74 per month (for 2 MB/s to 10 MB/s) to a maximum of 212.40 zł/€49.96 (for over 1.2 GB/s). The average cost of use, including all operators and all bandwidths, was 64.97 zł (€15.28) per month (UKE 2019). Expenditure on all communications by single-person households of disability pensioners (who are at greater risk of poverty) amounted to 56.57 zł (€13.31) per month in 2018, and 45.85 zł (€10.71) in two-person households of this type. These amounts were therefore higher than the minimum market prices for fixed-line internet access, but lower than the average cost, not to mention the cost of faster connections.

The main legislation regulating local government's discretionary powers in the provision of internet access is the Act on supporting the development of telecommunications services and networks (*Ustawa o wspieraniu rozwoju usług i sieci telekomunikacyjnych*).²¹ This states that: "A local authority may, in order to meet the collective needs of a local government community... provide, with the use of its telecommunications infrastructure and networks, services to... end users" (Article 3.3.c). In this way, communes may respond to the need for internet access in their locality by providing internet services free of charge or at a reduced price. However, the activities of municipalities in this area are subject to restrictions. The services provided must be proportionate and non-discriminatory and only in public places (Articles 6 and 7). The connection speed must not be lower than that specified in a separate regulation. Since December 2018, this minimum bandwidth has been 30 MB/s. Before that date, the Office of Electronic Communications (*Urząd Komunikacji Elektronicznej – UKE*), the market regulator in this area, authorised speeds as low as 512 KB/s or 1 MB/s. Municipalities finance the construction of the relevant infrastructure, and the running costs of such services, mainly with EU funds.²² A municipality willing to offer access services must obtain the permission of the UKE. An example is the service offered by the Myszków municipality to a strictly defined social group – 100 households – considered to be digitally excluded. The download speed is no more than 2 MB/s and the upload speed is no more than 512 kb/s.²³

Projects funded by the European Social Fund (ESF) aimed at reducing digital exclusion among poor households (2007-2013) also provided training for parents on how to use computers and the internet to deal with everyday matters, and on the usefulness of information technology in children and young people's education. There were also projects that aimed at organising extracurricular IT training for children and young people from the poorest households.²⁴

1.4 Access to financial services (Directive 2014/92/EU)

The first research on financial exclusion in Poland was conducted by the National Bank of Poland in 2006 and 2010, and presented by Koźliński (2009) and Błądowski and Iwanicz-Drozdowska (2010).

The use of banking services in Poland has increased in recent years. Between 2006 and 2009 the share of adults holding a bank account in Poland increased from 48% to 77%,

²⁰ ePUAP2 <https://epuap.gov.pl/wps/portal/strefa-klienta>.

²¹ Journal of Laws from 2010, item 675 as amended:

<http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU20101060675/U/D20100675Lj.pdf>.

²² During the 2007-2013 period, it was regulated by Programme Operacyjny Innowacyjna Gospodarka 2007 – 2013, 8. Oś priorytetowa: Społeczeństwo informacyjne – zwiększenie innowacyjności gospodarki, Działanie 8.3, Przeciwdziałanie wykluczeniu cyfrowemu – eInclusion.

²³ <https://bip.uke.gov.pl/decyzje/bezplatny-internet/decyzja-prezesa-uke-dla-gminy-myszkow,16.html>.

²⁴ <http://www.opschorzow.pl/programy-i-projekty/przeciwdzialanie-wykluczeniu-cyfrowemu---einclusion.html>.

though it was still at 77% in 2012 (Liszewska 2014). According to World Bank estimates for 2014, as many as 22% of adult Poles did not have their own bank account. By 2017, this had declined to 13.3%.²⁵

Among people who did not have a bank account in 2009, some 45% declared that they would like to pay no fees for internet banking or a debit card, while 30% would accept a fee ranging from 1 zł to 3 zł (€0.20 to €0.60) per month (Kozłiński 2009).

An Act of 30 November 2016 implemented in Poland the EU Payment Accounts Directive 2014/92/EU (PAD), giving people the right to open and use a payment account with basic features.²⁶ The Act required banks to provide accounts free of charge (Chapter 7). The first five cash transfers and ATM operations in a month were also to be provided without fees. Further operations could be subject to charges, but these had to be at a reasonable level. Banks are not allowed to limit access in any way depending on, for example, citizenship, place of residence or the level of someone's income. These provisions came in force in February 2017.

The PAD allows national regulations to permit moderate fees for basic bank accounts. In Poland, the requirement for cost-free accounts reflected the high share of adults that did not have a bank account, as mentioned before. Cost-free basic accounts are mainly targeted at people who believe that they have too low an income to set up a personal account.

1.4.1 Access to other financial services

Besides the bank accounts established according to the PAD, there is also legal provision for special family bank accounts which are exempt from any legal enforcements, such as bailiff execution. These were introduced by an Act of 10 June 2016 amending the Act on a Family and Guardianship Code and some other Acts.²⁷ Banks are obliged to provide family bank accounts. There are no charges for opening them, or for withdrawals made in the bank's branches or ATMs. However, only income from benefits (such as social assistance benefits, family benefits or payments to foster families) may be paid into a family account, directly by transfer from the entities providing them. This provides increased protection for low-income households that receive social transfers.

Large families holding the National Large Family Card also have access to reduced tariffs for bank accounts or mortgage loans offered by financial institutions participating in the programme. These include banks that offer their services at a national level (Deutsche Bank Polska, Pekao SA, Bank Ochrony Środowiska SA, Santander Bank SA) as well as local cooperative banks (15 banks in the regions of Podkarpackie, Opolskie, Wielkopolskie, Pomorskie, Świętokrzyskie, Warmińsko-Mazurskie, Lubelskie, Kujawsko-Pomorskie).

Another important consequence of the limited access of low-income households to bank loans is the high level of indebtedness of these households. With limited access to bank loans, they often resort to institutions that charge them excessive interest rates. To prevent these practices, the Act of 20 July 2001 on consumer credit, in force until 18 December 2011, determined the maximum interest rate that could be charged by a financial institution and the sum of all amounts in commissions and fees. The maximum interest rate could not exceed – on an annual basis – four times the level of the Lombard rate of the National Bank of Poland.²⁸

²⁵ <https://data.worldbank.org/indicator/FX.OWN.TOTL.ZS?locations=PL>.

²⁶ Journal of Laws from 2016, item 1177 as amended:
<http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU20160001177/T/D20161177L.pdf>.

²⁷ <http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU20160001177/T/D20161177L.pdf>.

²⁸ Journal of Laws of 2001 No. 100, item 1081 as amended.

2 National/subnational policy frameworks and reforms

2.1 National/subnational policy frameworks

The main long-term strategic document of the previous and current government is the Responsible Development Strategy, adopted in 2017.²⁹ This contains a separate section on poverty reduction and combating social exclusion. It does not mention directly issues related to exclusion from the essential services referred to in this report. However, it does contain a package of measures for improving access by rural residents to basic public services, and for improving service quality. These services include public transport, water and sewerage, and internet access.

Improving access to basic public services was mentioned in the context of measures for areas at risk of permanent marginalisation (p. 202). Within the territorial approach, one objective was to improve local public services, but this mainly concerned quality monitoring in general, without reference to the problem of exclusion (p. 211).

Regarding internet access, the National Broadband Plan (updated in 2018) that is complimentary to the Responsible Development Strategy set a strategic objective to ensure universal access to the internet with a speed of at least 30 Mb/s by the end of 2020, and a speed of at least 100 Mb/s for 50% of households.³⁰

In the area of transport, the main objective is to increase access, but among many investment measures, it is difficult to find any specifically targeted at people on low incomes or at people with characteristics such as disabilities. Universal access to energy is also mentioned as an objective to be achieved, but energy poverty is not referred to. However, action to increase the energy efficiency of housing also reduces energy expenditure in poorer households (p. 329).

Many similar issues were also included in the National Strategy for Regional Development 2030 adopted in 2019; for example, improving public services by promoting the social economy as a source of innovation in provision for people at risk of social exclusion (p. 84).³¹ Measures were aimed at developing the infrastructure supporting public services, including transport, municipal facilities (in particular water supply, sewage disposal and waste management), social facilities and electronic communications (pp. 59-64). One report found that, in all strategic documents, the topic of digital exclusion was the most often mentioned (Bogdanov 2013).

It should be underlined that in earlier strategic national documents the subject of availability of services within the meaning of this report did not appear. For example, the National Programme for Counteracting Poverty and Social Exclusion (*Krajowy Program Przeciwdziałania Ubóstwu i Wykluczeniu Społecznemu*), adopted in 2014 by the government of the PO-PSL coalition (the current opposition), did not refer to the issue of access to essential services as one of the policy challenges.

2.2 Ongoing or announced reforms

Local authorities address the housing needs of poorer residents through their own housing stock. If this housing is not energy-efficient, the costs are incurred by households that do not have the means to do so. Local authorities may benefit from central government subsidies for thermal retrofitting, but the take-up of such funding is low. There are two main barriers. First, the subsidies are insufficient in relation to the existing thermal retrofitting needs. The second barrier is the obligation on local

²⁹ Strategia Odpowiedzialnego Rozwoju <https://www.gov.pl/web/fundusze-regiony/informacje-o-strategii-na-rzecz-odpowiedzialnego-rozwoju>.

³⁰ Narodowy Plan Szerokopasmowy: https://www.gov.pl/documents/31305/436699/Narodowy_Plan_Szerokopasmowy_-_aktualizacja.pdf.

³¹ Krajowa Strategia Rozwoju Regionalnego 2013 <https://www.gov.pl/web/fundusze-regiony/krajowa-strategia-rozwoju-regionalnego>.

authorities to take out loans to finance projects; this risks pushing authorities over their debt limits. The government's response to this problem is to amend the Act on supporting thermal retrofitting and,³² so that 70% of the costs of thermal retrofitting for energy-poor single-household dwellings are covered by the Fund for Thermal Retrofitting and Renovation at Bank Gospodarstwa Krajowego (BGK), and 30% by the municipality. The municipality may apply for the house owner to cover a part of the expenses, up to a maximum of 10% of the project costs; however, it is possible that the municipality covers this amount in exchange for public work provided by the house owner.³³ In addition, from 2019, taxpayers who own or co-own a single-household dwelling are entitled to a personal income tax credit covering expenditure on thermal retrofitting of single-household dwellings. (including purchase of building materials, equipment and services) completed within three years from the end of the tax year in which the first expense was incurred. Low-income people living in single-household dwellings that are energy-inefficient can combine both the cost coverage and the tax credit measures. The owners of apartments in typical multi-household buildings (blocks) do not benefit from the tax credit.³⁴

After the recent failure to amend the main public transport legislation (the Act on public transport) the only ongoing reform in this area is the establishment of the state fund supporting the development of bus companies operating at subnational (regional) level – see the Act on the development of bus transport of 2019 (*Ustawa z dnia 16 maja 2019 o Funduszu rozwoju przewozów autobusowych o charakterze użyteczności publicznej*).³⁵ It is estimated that about 60% of Polish municipalities do not provide any type of public transport at all, and this leads to the high level of transport exclusion mostly affecting low-income people (Dulak and Jakubowski 2018).

³² Ustawa o wspieraniu termomodernizacji i remontów. Nowelizację ustawy o termomodernizacji poparł rząd, Miesięcznik Architektura-murator ONLINE, <https://www.muratorplus.pl/biznes/prawo/ustawa-o-wspieraniu-termomodernizacji-i-remontow-najpierw-pogramy-pilotazowe-aa-82AD-nTWq-MnK2.html>.

³³ Ibidem.

³⁴ <https://www.e-pity.pl/ulga-termomodernizacyjna-ocieplenie-domu>.

³⁵ Journal of Laws of 2019 item 1123.

3 A focus on access to energy

As mentioned above, problems of access to energy are strongly associated in Poland with problems of financial poverty. For several years now, advanced empirical analyses of energy poverty have been conducted, and new solutions have been proposed. Government policy in this area has also been changing in recent years, although so far its proposals have been criticised as inefficient and insufficient.

The concept of energy poverty is not mentioned in Polish legislation. However, the government considered it so important that in 2017 a Taskforce for the Reduction of Energy Poverty in Poland was established by the Minister of Energy.³⁶ One of the goals of the team is “initiating and coordinating activities aimed at developing a legal definition of energy poverty, as well as a unified method for diagnosing this problem and defining a statistical model necessary to monitor the phenomenon of energy poverty in Poland” and “development of proposals for the amendment of legal acts necessary for effective implementation of public policy in the field of energy poverty reduction and protection of vulnerable social groups”.

In the Polish literature, the concept of energy poverty has been defined as follows: “A household is energy-poor if it has difficulties in meeting its energy needs because of low income or housing characteristics” (Sałach and Lewandowski 2018, p. 1). The estimated incidence of energy poverty in Poland in 2012-2016 was 14% in 2012, falling to 12% in 2016, when it affected 4.6 million people. People that were both income-poor and energy poor was 6.6% of the total population (ibid.) .

Energy poverty does not only affect the income-poor – in 2016, 5.6% of the Polish population (2.1 million people) lived in energy poverty, but not in income poverty (Sałach and Lewandowski 2018, p. 1). At that time, 6.6% of Poland's population (2.5 million people) were poor in terms of both income and energy. A large proportion (20%) of the rural population are energy-poor, and they constitute two thirds of all people living in energy poverty. One quarter of people living in energy poverty are retired and disability pensioners. One in three farmers are energy-poor. Farmers make up almost one fifth of all people affected: this is related to living in energy-inefficient single-household dwellings (uninsulated walls and roofs, unsealed windows, old stoves) with a large surface area (Rutkowski et al. 2018).

Several causes of energy poverty in Poland have been identified in a policy paper summarising the research in this area (Rutkowski et al. 2018). On the one hand, the study identifies those causes related to residential dwellings: their poor technical condition leading to low energy efficiency, and the high cost of improvements. Another group of causes is related to the heating infrastructure: dwellings without access to cheap heat sources from the municipal heating network. The third group of causes concerns the behaviour of end-users within households: a lack of knowledge and of energy-saving skills, leading to unnecessary energy consumption. The last group concerns households' income: lack of funds for thermal retrofitting and for purchasing energy-efficient household appliances. In this respect, access to and sustainable use of energy has been linked to: housing policy (e.g. support for renovation and high energy standards in new dwellings); energy policy (e.g. support for more efficient energy use); district heating policy (e.g. expanding its scope); environmental policy (e.g. support for replacing old heating technology); education and training policy (e.g. training in how to save energy at home); and social policies (e.g. advisory social work, and energy and heating benefits for poorer households). It is therefore clear that benefits for the poorest, especially at their current low level, cannot on their own solve the problems of energy poverty.

Among the various instruments for counteracting energy poverty, the following have been implemented (see Frankowski, Ośka and Regulski 2018):

³⁶ For more information about this Team, see: <https://www.gov.pl/web/aktywa-panstwowe/o-ministerstwie-zespoly-rady-komisje-komitety-zespol-do-spraw-ograniczenia-ubostwa-energetycznego-w-polsce>.

-
- subsidies for thermal retrofitting and renovation of dwellings (since 2019, including poorer households living in detached houses according to the income criteria for eligibility for housing allowance);
 - subsidies for the development of district heating networks (projects financed from EU funds);
 - development of energy counselling (the national system of such counselling has been operating since 1 February 2015);
 - benefits for poor households, reducing the burden on them of charges for energy and heating (energy allowance, special purpose allowance for fuel).

The Polish policy on energy poverty can therefore be seen as a multidimensional approach to problems of access to essential public services. It is subject to improvements as the measures implemented so far continue to be evaluated. As a result, it is constantly changing and its effects are still difficult to assess. However, the mix of policies implemented have the potential to contribute to a significant reduction in energy poverty and thus increase the availability of energy for poor and low-income households.

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Annex

Table A1: Essential service – Water

1) Definition of “low income” used in the context of the delivery of the service in the country:³⁷

There is no definition of low income in Poland used in the context of delivery of this service.

2) Measures aimed at facilitating access for low-income people to water (for hygiene purposes, cooking) in the country:

	National (*)	Subnational	
		Regional (only if <i>no</i> for national) (**)	Local (only if <i>no</i> for national) (**)
Reduced tariffs	No	No	No
Cash benefits	No	No	No
In-kind benefits	No	No	No
Advice/training or information services	No	No	No
Provision of a basic/uninterrupted supply	No	No	No

(*) For each measure: Does the measure exist in the country at national level (“Yes”/“No”)?

(**) **Only** if the measure does not exist at national level **and** if the service is organised at subnational level: Does the measure exist at regional level (Yes in all regions; Yes in most regions; Yes but only in a few regions; No)? And at local level (Yes in all local entities; Yes in most local entities; Yes but only in a few local entities; No)? Important: if a measure exists as a **general social support measure**, not specifically aimed at facilitating access for low-income people, the answer is “No”.

³⁷ **National definition** used in this context (most frequently used definition if there is more than one definition). **Only if** there is no national definition **and if** the service is organised at subnational level, most common definition used in this context at regional (if any) or local (if any) level.

Table A2: Essential service – Sanitation

1) Definition of “low income” used in the context of the delivery of the service in the country:³⁸

There is no definition of low income in Poland used in the context of delivery of this service.

2) Measures aimed at facilitating access for low-income people to sanitation (i.e. systems for taking dirty water and other waste products away from dwellings in order to protect people's health) in the country:

	National (*)	Subnational	
		Regional (only if <i>no</i> for national) (**)	Local (only if <i>no</i> for national) (**)
Reduced tariffs	No	No	Yes-few
Cash benefits	No	No	No
In-kind benefits	No	No	No
Advice/training or information services	No	No	No

(*) For each measure: Does the measure exist in the country at national level (“Yes”/“No”)?

(**) **Only** if the measure does not exist at national level **and** if the service is organised at subnational level: Does the measure exist at regional level (Yes in all regions; Yes in most regions; Yes but only in a few regions; No)? And at local level (Yes in all local entities; Yes in most local entities; Yes but only in a few local entities; No)? Important: if a measure exists as a **general social support measure**, not specifically aimed at facilitating access for low-income people, the answer is “No”.

³⁸ **National definition** used in this context (most frequently used definition if there is more than one definition). **Only if** there is no national definition **and if** the service is organised at subnational level, most common definition used in this context at regional (if any) or local (if any) level.

Table A3: Essential service – Energy

- 1) Definition of “low income” used in the context of the delivery of the service in the country:³⁹

The income criterion is based on the minimum pension. This results from the rules for the lump-sum energy supplement (*zryczałtowany dodatek energetyczny*) introduced in 2014, which is granted to persons who are entitled to housing allowance (*dodatek mieszkaniowy*). Housing allowance can be applied for if the average monthly income per person in the household in the last three months prior to the application does not exceed: 175% of the minimum pension for people living alone (from March 2019 the income limit was therefore 1,925 zł/€452.80), or 125% of the minimum pension for multi-person households (1,375 zł/€323.43).

- 2) Measures aimed at facilitating access for low-income people to energy (to light dwellings, heat or cool dwellings, use home appliances) in the country:

	National (*)	Subnational	
		Regional (only if <i>no</i> for national) (**)	Local (only if <i>no</i> for national) (**)
Reduced tariffs	Yes		
Cash benefits	Yes		
In-kind benefits	No	No	No
Advice/training or information services	No	Yes-all	Yes-few
Provision of a basic/uninterrupted supply	Yes		

(*) For each measure: Does the measure exist in the country at national level (“Yes”/“No”)?

(**) **Only** if the measure does not exist at national level **and** if the service is organised at subnational level: Does the measure exist at regional level (Yes in all regions; Yes in most regions; Yes but only in a few regions; No)? And at local level (Yes in all local entities; Yes in most local entities; Yes but only in a few local entities; No)? Important: if a measure exists as a **general social support measure**, not specifically aimed at facilitating access for low-income people, the answer is “No”.

³⁹ **National definition** used in this context (most frequently used definition if there is more than one definition). **Only if** there is no national definition **and if** the service is organised at subnational level, most common definition used in this context at regional (if any) or local (if any) level.

Table A4: Essential service – Public transport

1) Definition of “low income” used in the context of the delivery of the service in the country:⁴⁰

There is no definition of low income in Poland used in the context of delivery of this service.

2) Measures aimed at facilitating access for low-income people to public transport in the country:

	National (*)	Subnational	
		Regional (only if <i>no</i> for national) (**)	Local (only if <i>no</i> for national) (**)
Reduced tariffs	No	No	No
Cash benefits	No	No	No
In-kind benefits	No	No	No
Advice/training or information services	No	No	No

(*) For each measure: Does the measure exist in the country at national level (“Yes”/“No”)?

(**) **Only** if the measure does not exist at national level **and** if the service is organised at subnational level: Does the measure exist at regional level (Yes in all regions; Yes in most regions; Yes but only in a few regions; No)? And at local level (Yes in all local entities; Yes in most local entities; Yes but only in a few local entities; No)? Important: if a measure exists as a **general social support measure**, not specifically aimed at facilitating access for low-income people, the answer is “No”.

⁴⁰ **National definition** used in this context (most frequently used definition if there is more than one definition). **Only if** there is no national definition **and if** the service is organised at subnational level, most common definition used in this context at regional (if any) or local (if any) level.

Table A5: Essential service – Digital public services

1) Definition of “low income” used in the context of the delivery of the service in the country:⁴¹

There is no definition of low income in Poland used in the context of delivery of this service.

2) Measures aimed at facilitating access for low-income people to digital public services (e.g. digital post, digital fiscal services, digital social security services, digital healthcare appointments) in the country:

	National (*)	Subnational	
		Regional (only if <i>no</i> for national) (**)	Local (only if <i>no</i> for national) (**)
Reduced tariffs	No	No	Yes-few
Cash benefits	No	No	No
In-kind benefits	No	No	Yes-few
Advice/training or information services	No	No	No
Provision of a basic/uninterrupted supply	No	No	No

(*) For each measure: Does the measure exist in the country at national level (“Yes”/“No”)?

(**) **Only** if the measure does not exist at national level **and** if the service is organised at subnational level: Does the measure exist at regional level (Yes in all regions; Yes in most regions; Yes but only in a few regions; No)? And at local level (Yes in all local entities; Yes in most local entities; Yes but only in a few local entities; No)? Important: if a measure exists as a **general social support measure**, not specifically aimed at facilitating access for low-income people, the answer is “No”.

⁴¹ **National definition** used in this context (most frequently used definition if there is more than one definition). **Only if** there is no national definition **and if** the service is organised at subnational level, most common definition used in this context at regional (if any) or local (if any) level.

Table B1: Essential services – Summary table

- 1) Measures aimed at facilitating access for low-income people to the different services that exist at national, regional and/or local level in the country
- 2) Broader policy framework under which all or some of these measures are organised in the country
- 3) Ongoing or announced reforms of the measures and/or related frameworks aimed at (further) enhancing effective access to the service for low-income people in the country

	1. Measures (NAT, SUBNAT, BOTH, NONE) (*)	2. Policy framework (**)		3. Ongoing or planned reforms (Yes/No)
		National (Yes/No)	Subnational (Yes/No)	
Access to water	NONE	No	No	No
Access to sanitation	SUBNAT	No	No	No
Access to energy	BOTH	Yes	Yes	Yes
Access to public transport	NONE	No	No	Yes
Access to digital public services	SUBNAT	No	No	Yes
Access to basic financial services (***)	Not applicable	No	No	Yes

(*) This column summarises the response provided in Tables A1-A5 above. "NAT" means that all the measures that exist in favour of low-income people are national measures; "SUBNAT" means that there are no national measures but some of/all the measures that exist are subnational measures; BOTH means a mix of NAT and SUBNAT; "NONE" means that there are no measures, be it at national or subnational level.

(**) Is there a broader national policy framework under which all or some of these measures are organised in the country for some of/all the services under scrutiny ("Yes"/"No")? **Only if** there is no such national framework for one service **and if** the service is organised at subnational level: Is there a broader subnational policy framework under which all or some of these measures are organised for this service ("Yes"/"No")?

(***) Open and use payment accounts with basic features (Directive 2014/92/EU).

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