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***Accessibility implementation
in public cultural institutions:
an opportunity or a legally
imposed necessity?***

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Abstract

This article is the result of research on the accessibility of cultural institutions in the Małopolska Region in Poland. The article aims to determine how the legal system solutions introduced in Poland translate into practical management activities within cultural institutions. The researchers have carried out an analysis of the existing data, focus group interviews, and questionnaires among cultural institutions in Małopolska. Although the analysed case is Polish, its purpose is to present the examples of implementing accessibility that may inspire other cultural institutions, including those based abroad.

The text addresses the impact of legislation on the implementation of accessibility, the role of organisers and coordinators of accessibility, and the issue of managing the entire process. It analyses the barriers that organisations face and the factors that influence accessibility. One of the most important conclusions of the research is that – besides financial aspects – sensitivity, openness, and networking are crucial. The article concludes with concrete recommendations aimed at improving the effectiveness of actions taken in this area.

Keywords: accessibility policy, public cultural institutions, Małopolska Region

Introduction

In Poland, over the past few years, authorities introduced legal, organisational, and financial changes to support the implementation of accessibility. These changes have affected the functioning of many public entities, including state, and local government cultural institutions. The institutions' task was to diagnose the level of architectural, digital, but also communication and information accessibility, and then implement the statutory requirements. However, there was no knowledge regarding the difficulties the institutions were facing when they wanted to implement the demanding provisions of the Act in a short period of time.

The implementation of accessibility is related to actions aimed at persons with special needs, which are understood very broadly, e.g., persons with various types of disabilities, of which – according to statistics – there are between four and seven million in Poland (i.e., 10–20%) but also, e.g., pregnant women, caregivers of small children (up to four years of age), persons with unusual growth, difficulties in communication, and limited mobility, or elderly people whose percentage is constantly growing (in 2020, 9.8 million Poles were 60 years or older, which constitutes 25% of society). Taking all these examples and statistics into account, it turns out that nearly half of Poles can be considered people with special needs. Therefore, not without reason, there is an urgent need to improve the quality of life of various target groups who – due to various motives – have limited access to public space. In recent years, we have observed changes aimed at adapting this space to the specific needs of the recipients by facilitating their access to, e.g., public services, public buildings, education, transport, health care, and culture. These changes have gained momentum with the

implementation of laws regulating accessibility in Poland. The direction of legal changes introduced in the country was undoubtedly influenced by the UN Convention on the Rights of Persons with Disabilities ratified by Poland on September 6, 2012 (UN, 2006)². This contributed to the creation of the first government programme *Dostępność Plus* (“Accessibility Plus”) (*Dostępność Plus*, 2018). The Polish government announced this programme in 2018 and adopted it by a resolution of the Council of Ministers. It was prepared for the period 2018–2025, and among its assumptions were the preparation of currently applicable laws.

In 2019, the government introduced two accessibility laws:

- the Act of April 4, 2019, on the digital accessibility of websites and mobile applications of public entities (*Ustawa o Dostępności Cyfrowej*, 2019), which sets out all the requirements in this regard. According to the law, digital accessibility consists in ensuring the functionality, compatibility, perceivability, and understandability of websites and mobile applications of public entities;

and

- the Act of July 19, 2019 on ensuring accessibility for persons with special needs (*Ustawa o Dostępności*, 2019), which is the first systemic solution under Polish law that obliges public entities to take a number of measures to improve the accessibility of their buildings, services or products. The indicated law came into force on September 20, 2019. During the almost two-year transition period, public entities were required to comply with the new regulations. Among other things, they had to appoint an accessibility coordinator by September 30, 2020, and prepare the first accessibility report by March 31, 2021 (Article 11 of the Act). The key date, however, was September 6, 2021, after which alternative access must be treated as an emergency situation, i.e., public entities must comply with the requirements of the Act and provide basic architectural, digital, and ICT accessibility. Furthermore, since September 6, persons with special needs have the possibility to file a complaint about the lack of accessibility.

In addition to legal solutions aimed at improving accessibility, authorities have also introduced financial support instruments to support implementation of the solutions. Government established the Accessibility Fund based on Article 35 of the Act on Ensuring Accessibility to Persons with Special Needs. It is a state purpose fund, at the disposal of the minister responsible for regional development. In practice, the funds are earmarked for tasks aimed at supporting activities to provide or improve accessibility for people with special needs, mainly in public buildings and multi-family housing. Simplified, the Accessibility Fund is money earmarked for preferential loans, with the possibility of redemption of up to 40% of its value – if certain conditions are met. The Fund’s resources come, among others, from EU funds, grants from the state budget and from the Solidarity Fund for the Support of Persons with Disabilities (Sobolewska & Wilk, 2021). By the end of 2020, authorities granted 30 loans for a total of PLN 10.8 million. In 2021, 30 million PLN is planned for this purpose. Along with the implementation of accessibility legislation in Poland, on February 16, 2021, Council

² The UN Convention on the Rights of Persons with Disabilities came into force on May 3, 2008.

of Ministers adopted the resolution on the “Strategy for Persons with Disabilities 2021–2030” (*Strategia*, 2021). This strategy contains directions for the development of social policy towards people with disabilities. Various areas are included in the strategy, including participation in cultural life and increasing accessibility of public cultural institutions. As Monika Dubiel writes (2020, p. 142): “The progress made in legislation is not yet on a par with the academic debate on accessibility. Given the fact that cultural accessibility in Poland is a relatively recent phenomenon, it still lacks profound investigation”. Therefore, the ambition of the research was to fill this research gap.

Before the law on ensuring accessibility for people with special needs came into force in the region that is the area of our research, already in 2016, there was the project “Małopolska: Empathetic Culture” (*Małopolska. Kultura Wrażliwa*, n.d.). It is the result of cooperation between the Culture Institution of the Małopolska Region and the Marshal’s Office of the Małopolska Region. This is the first systemic project in Poland implemented on a voivodeship scale, the main goal of which is to adapt the offer and space of cultural institutions to the needs of every person, including those with special needs, interested in active participation in cultural life. The project includes a number of activities aimed at increasing the accessibility of cultural institutions organised by the Małopolska Region. One of them was to create accessibility guidelines: specific instructions necessary to make an institution accessible. Organisations that meet the conditions and certain recommendations can obtain an accessibility certificate, which communicates to the recipient that the institution is prepared for their presence. Moreover, “Małopolska: Empathetic Culture” provides support and consultation, thanks to which people with disabilities and specialists in the field can check and evaluate newly introduced solutions and institutions can exchange their experiences (*Małopolska. Kultura Wrażliwa*, n.d.).

Moreover, the project offers educational activities. Workshops, webinars, staff training, articles discussing topics ranging from the technical aspects of ordering audio description and captioning to introductory information on Deaf culture. Through regular meetings of the project’s accessibility coordinators, institutions establish meaningful support networks. Employees gain a field to exchange information and experience, which is extremely helpful in building open organisations. Furthermore, the ideological aspect of the project is key as by emphasising the importance of human subjectivity, sensitivity to human needs, and education, it builds social awareness and shows the process of making cultural institutions accessible. Following the philosopher Martha Nussbaum, Magdalena Szpunar emphasises the importance of sensitivity in management. Szpunar points to the “chronic need to shape compassionate imagination, which makes it possible to understand the other person’s perspective” (Szpunar, 2018, p. 21).

All the activities of the project are addressed to the organisations which the voivodship organises. This is an interesting example of how accessibility can be effectively ensured at the regional level. In this case, decentralisation allows for the better identification of needs, faster contact between organisations, and regular meetings but also for increasing the sense of responsibility and empowerment.

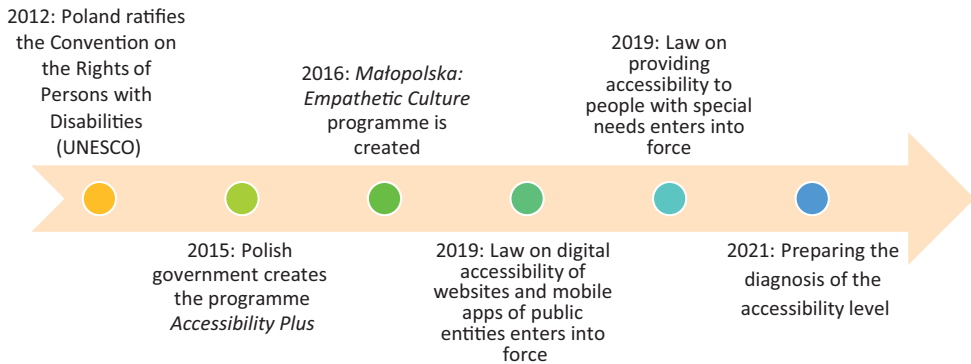


Figure 1. Accessibility implementation process in Poland

Literature review

The first step toward accessibility is the development of public policies and legislation that are consistent with international guidelines. The UN Convention on the Rights of Persons with Disabilities, 2006 (UN, 2006) takes precedence over existing legislation in Poland. Although mainly concerning people with disabilities (and not a broadly understood group of people with special needs referred to in the Polish Act), the Convention is the basis for building a balanced accessibility policy. The Convention refers to the social model of disability that results from environmental conditions and services (transport, education, culture, etc.) that are inadequately adjusted to the needs of persons with disabilities. The social model emphasises the importance of environmental barriers (i.e., disability is the result of interaction with the environment) rather than on the impairment itself, which may cause incapacity or dependence. In the social model, the focus is on the potential of the person despite the barriers and the disability is understood as a social problem rather than an individual problem (of the person or the family). Therefore, in the social model, it is crucial to focus on the adaptation of the environment and on the removal of architectural, communication, and digital barriers (Goering, 2015; Retief & Letšosa, n.d.; Shakespeare, 2010). This understanding of accessibility undoubtedly influences the development of public policies designed to ensure that a person with special needs has access to independent living on an equal basis with others in the first place.

Legislation is the first step toward accessibility and equality. In Poland, public institutions are required to consider the special needs of their audiences in the planning and operation of their activities, and to remove and prevent barriers to their use. A special type of public sector organisation are cultural institutions, whose organiser (founding unit) may be entities of national (e.g., the minister of culture or the head of the central office), regional (voivodeships), and local levels (powiats or municipalities). Cultural institutions as public entities have statutory and, earlier, constitutional obligation to conduct cultural activity. Moreover, cultural activities at the level of local government (voivodeships, powiats, municipalities) are tasks in the field of culture,

which belong to what is called own tasks (according to Article 9 paragraph 2 of the Act of October 25, 1991, on organising and conducting cultural activity). This means that specific entities are obliged to carry out such activities for their residents. They may not resign from such activity and must provide it with appropriate conditions for functioning, including financial conditions (Article 12 of the Act of October 25, 1991). Moreover, a feature of cultural institutions stemming from the essence of cultural activity is the realisation of public objectives set by law and specified by the organiser in the statute. Particularly in the sphere of culture, the constitutional principle of ensuring equal access to cultural goods is of significance (Mituś, 2019). This principle is closely related to the constitutional guarantee of non-discrimination regulated in Article 32 of the Constitution of the Republic of Poland, which states that we are all equal before the law and no one can be discriminated against in social, cultural, political, and economic life for any reason (Pluszyńska, 2015).

“Access is almost always a precursor to participation” (Laaksonen, 2010, p. 7). Moreover, access is a fundamental condition for participation in the cultural life of societies whose members have full rights and responsibilities. “Access to cultural services and expressions has slowly converted into the rationale of most cultural policies” (Laaksonen, 2010, p. 17). Scholars understand cultural policy as

a purposeful, systematic interference in the sphere of culture [...] conducted in order to achieve four basic objectives: maintaining the cultural identity of the nation; ensuring equal access to culture; promoting creativity and high quality of cultural goods and services; diversifying the cultural offer in such a way that each social group can find something worthwhile (Ilczuk, 2002, p. 12).

“In today’s cultural policy planning it is easy to establish the objective of making culture as accessible as possible” (Laaksonen, 2010, p. 18). As evidenced by the attempt to develop in Poland a model for ensuring accessibility of the offer and resources of cultural institutions for people with special needs, including ones with disabilities (*Model of ensuring accessibility of cultural institutions*, 2021). “However, it is harder to pin down exactly what that access entails” (Laaksonen, 2010, p. 18).

The introduction of legal regulations in Poland guaranteeing accessibility in terms of: architectural (buildings), digital (websites and applications), as well as information and communication accessibility (related to obtaining information about the activities of the institution and the possibility of taking part in them) by public entities, including cultural institutions, was certainly necessary. However, allow us to emphasise that while the conceptual and legal foundations put in place at the national level to promote and protect certain values are important, the real test comes in the real actions, when people must face several difficulties. Far from the framework of international guidelines and national policies, the legislator shifted responsibility for implementing accessibility to the local and regional environment. This is a result of the process of decentralisation, which has been taking place in Poland since 1989. Decentralisation which, especially in cultural activities, is now heavily criticised. As Katarzyna Kopeć argues, in Poland, a new process of recentralisation of cultural policy has taken place since 2015:

The system of cultural policy management decentralized after 1989 has still remained centralized in its nature. The reason for ‘more formal than substantial’ decentralization lies (at least partly) in the way administrative reforms shifted the responsibility for culture to regional and local governments (without adequate redistribution of financial resources) (Kopeć, 2020, p. 37).

Meanwhile, the experience of other countries such as Finland and Sweden (Renko et al., 2021) or France and Italy (Santagati et al., 2020) indicate that decentralisation contributes to more effective implementation of cultural policies that are more responsive to the audience’s needs. Thus, we should ask how local and regional institutions have coped with the responsibility of implementing accessibility.

Material and methods

The subject of the study was digital, architectural, information, and communication accessibility in public cultural institutions in Poland, located in the territory of Małopolska. Polish institutions are an interesting subject of analysis because they are currently in the process of adapting to the recently introduced legal regulations on accessibility for people with special needs. The Małopolska Region has been chosen as a research area because it is characterised by a high density and diversity of cultural institutions on its territory, and it also stands out in terms of its activities for accessibility among others. In 2016, the Małopolska Regional Government initiated the project “Małopolska: Empathetic Culture”. It was the first systemic project implemented across the region with main objective to adapt the offer and space of cultural institutions to the needs of each person, including those with special needs, interested in active participation in cultural life (*Małopolska. Kultura Wrażliwa*, n.d.).

The surveyed organisations are institutions of national, regional, local level, co-developed by several organisers. They also differ in organisational form, including exhibition institutions, libraries, cultural centres, theaters, opera houses, concert halls, orchestras, and other institutions.

The aim of the article is to determine how the legal system solutions introduced in Poland translate into practical management activities within cultural institutions. We formulated the following research questions:

- Do the introduced legal regulations have a positive impact on the implementation of accessibility in public cultural institutions and why so?
- What practical measures are implemented in response to the legal regulations introduced? What are the implementation difficulties involved?

The research project was divided into the following phases:

- 1) Analysis of the data conducted to find information about the person who is the accessibility coordinator, the published self-assessment in the form of an accessibility declaration, and the report on the status of accessibility provided by the institution. By accessibility coordinator, we mean both individuals formally appointed to the position in accordance with the provisions of the Act and employees who informally serve in this capacity. Moreover, we also analysed 190

accessibility status reports on the websites of the institutions. The analysis allowed us to reach data created directly by the cultural institutions.

- 2) Focus group interviews in three groups, which included representatives of:
 - organisations assisting in the implementation of accessibility,
 - cultural institutions from Małopolska organised by municipalities or counties (powiats, local-level institutions)
 - Małopolska's cultural institutions organised by the Małopolska Region or the Ministry of Culture, National Heritage, and Sport (national and regional cultural institutions).

The purpose of the focus groups was to learn about issues and barriers related to the implementation of the Accessibility Act. By using this method, it was possible to delve deeper into particular issues. The conclusions from the focus groups formed the basis for the development of the survey questionnaire.

- 3) Conducting surveys, which aimed to identify problems and barriers related to the implementation of the Accessibility Act among cultural institutions in Małopolska. We sent questionnaires to 367 institutions, which were included in a database created previously by the researchers. We made efforts to include all public cultural institutions from the studied region. We received 83 correctly completed questionnaires (22% of the institutions surveyed). Among the questions in the survey were those regarding coordinators or persons responsible for implementing accessibility in cultural institutions, implementation of specific accessibility solutions, and external perspective and systemic solutions.

Results and discussion

The act's influence on accessibility implementation

The year 2021 in Poland was a time when public entities, including cultural institutions, faced the problem of accessibility in real life and applied the provisions of two key laws from the point of view of implementing accessibility. One of the statutory requirements was to carry out an internal evaluation of actions taken so far, including drawing up and providing accessibility declarations but also completing (in accordance with a uniform form developed by the minister responsible for regional development) and publishing on the institution's website a report on the state of accessibility assurance. In the first stage of our research, we attempted to analyse the data available on the websites of the cultural institutions of Małopolska and their Public Information Bulletins (PIB). Among other things, we were interested in whether cultural institutions published a declaration and a report on the state of accessibility. We were also concerned with whether institutions designated an accessibility coordinator, i.e., a specific person to contact. Although this is not a statutory requirement, from a management perspective the appointment of at least one person responsible for coordinating accessibility activities is essential.

In total, we surveyed 376 cultural institutions. Our analysis (as of mid-April 2021) shows that 28% of entities did not provide the name of an accessibility coordinator on their website or in PIB, 23% of institutions did not publish an accessibility declaration,

and 46% of institutions did not publish an accessibility status report (Figure 2). Importantly, 17% of the institutions did not do any of these things, i.e., did not appoint any coordinator or publish a declaration or a report. Notably, the cultural institutions that did not appoint a coordinator (105 out of 376 such institutions) also did not publish an accessibility declaration (71%) or a report on the state of accessibility (71%). Therefore, it seems that the appointment of a specific person to support the process of implementing accessibility in cultural institutions has a positive effect on the implementation of the statutory requirements.

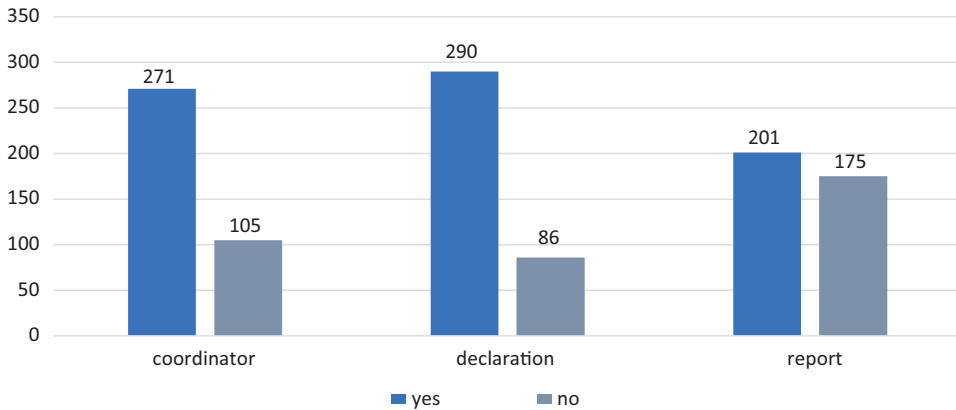


Figure 2. Have cultural institutions made available the personal data of accessibility coordinators, published accessibility declarations and reports? (n=376)

When we analyse the data in detail, the conclusion is that we may find the greatest number of deficiencies regarding the identification of persons who support the implementation of accessibility or the publication of declarations and reports among rural, urban-rural, and national institutions (Figure 3) as well as in cultural centres and libraries (Figure 4).

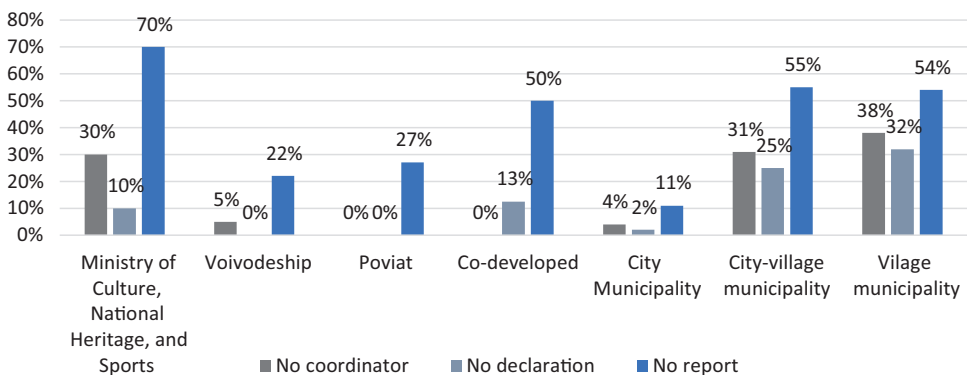


Figure 3. Deficiencies on the institution's website – according to the organisers (n=376)

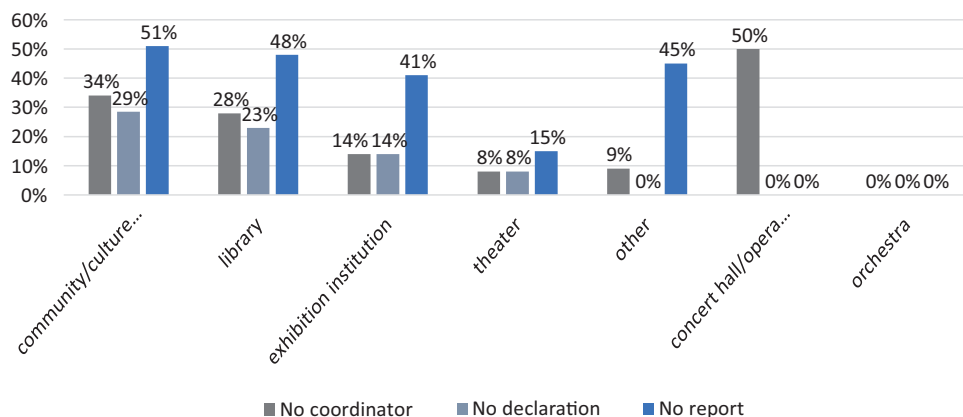


Figure 4. Deficiencies on institution websites by organisational form (n=376)

Our preliminary analysis shows that among the 376 cultural institutions surveyed, 17 had no websites at all, and 42 institutions did not maintain a Public Information Bulletin. This is important, as the lack of an institution's website or PIB not only makes it difficult but even impossible to contact the public and meet some of the statutory requirements related to accessibility.

Not much time has passed since the implementation of the Act, so we cannot analyse the actions taken by cultural institutions and assess the actual impact of the legal regulations on the process of accessibility implementation. Nevertheless, based on the declarative statements of employees in the cultural sector, we obtained knowledge on how the content and scope of the introduced regulations are evaluated by the environment and whether the legal regulations, according to the respondents, have a positive impact on the implementation of accessibility.

Participants of the focus group research noted both advantages and disadvantages of the regulations introduced. The interviewees emphasised that, on the one hand, the act was badly constructed but on the other hand, it was extremely necessary because it forced institutions to take certain actions. Thanks to the Act, the difficulties of people with special needs were recognised, which the interviewees often stressed as an added value of the introduced regulations. The focus group research shows that the introduction of the Act also forced the implementation of positive organisational and management changes. The interviewees highlighted that the Act is an indisputable document which is often a formal argument facilitating the implementation of accessibility. In the interview, focus research participants also accentuated the large role of the programme "Małopolska: Empathetic Culture", indicating that making changes in accessibility is a process that has been ongoing in some institutions for several years. As a result, regional cultural institutions in particular have not shown such great difficulties in implementing the provisions of the Act. For these institutions, the introduced regulations proved beneficial, as they indicated areas that could be further improved, which had not been thought of before. Moreover, in a way, the Act plays a control role of previous activities and motivation for further work.

On the other hand, the introduction of regulations raises major concerns. First, in the focus research interviewees underlined that the law is very demanding and difficult to implement in a short period of time and comes without support, which paradoxically may cause a slowdown of activities as institutions are limited to minimal effort. Interviewees further emphasised that the law is vague, inconsistent but also difficult to analyse and, therefore, prone to misinterpretation. Moreover, according to interviewees, the introduction of regulation has resulted in more bureaucracy and an emphasis on quantity rather than quality, which in the longer term may be “counterproductive” as public entities focus on implementing the law rather than accessibility. There is concern especially about the provisions on complaints and penalties for lack of accessibility, which according to interviewees are too radical. Sometimes, this leads to a lack of understanding of the subject among directors of cultural institutions responsible for the implementation of accessibility, who focus only on ensuring that there are no negative consequences of the actions taken.

Respondents who were asked to rate their attitude towards the Act on a scale from 0 to 10 (where 0 meant “negative assessment” and 10 meant “positive”) and to justify their assessment expressed similar opinions. Most institutions (49%) note both positive and negative effects of the Act (i.e., respondents marked answers on a scale between 4 and 6; see Figure 5). Respondents stressed that, on the one hand, the Act imposed organisational changes but on the other hand, it did not increase the awareness of employees, recipients, and the institutional environment about the real goals of supporting people with special needs.

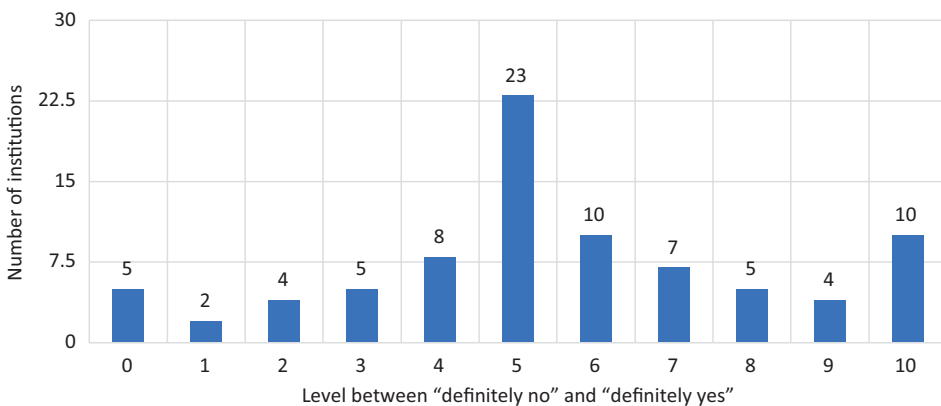


Figure 5. Has the introduction of the Act had a positive impact on the implementation of accessibility? (n=83)

Among the respondents who indicated the positive effects of the introduced laws (31%) as many as 90% emphasised that the legal regulations first of all call for action. The respondents also claimed that thanks the law introduced clear guidelines and procedures (18%) and that the regulation itself caused people to pay attention to the issue of accessibility (13%).

Respondents cited the lack of support and increased frustration due to the lack of resources for the Act and the imposition of requirements with no concrete examples of solutions (7%) as the main negative effects of implementing the Act. According to respondents, the regulations are unclear, and the multitude of expected outcomes makes the Act “unimplementable”, especially for small institutions.

When looking for an answer to the question of whether the introduction of legal regulations has had a positive impact on the implementation of accessibility, we should note another aspect particularly often emphasised by the focus group participants. Although the law sets high requirements on which public entities focus, the sense of sensitivity to the needs of others is simultaneously lost in the entire process of implementing accessibility. According to some people, the introduction of any legal regulations will not lead to positive changes in accessibility if the implementation process omits the aspect of education, building sensitivity from an early age. At the same time, interviewees stressed that the introduction of regulation has unfortunately exposed the flaws in our legal culture, which implies that we need sanctions to implement accessibility. To a certain extent, the opinion of the interviewees was confirmed by the surveys we conducted. As one of the positive aspects of the implementation of the law, the respondents mentioned precisely the “top-down enforcement”, namely, the need to treat accessibility as an ongoing process that develops the potential of the facility (23%). Therefore, it seems that, at least for some public cultural institutions, imposing requirements and punishments is the only motivation to act. However, the question remains unanswered as to what quality of action we can talk about in this case and whether it goes hand in hand with sensitivity to the needs of others.

Managing the accessibility implementation process

Managing the implementation of accessibility requires planned and coordinated actions. Especially, when we consider that it was only the introduction of current legislation that initiated actions in this area. According to the act on ensuring accessibility for persons with special needs, the accessibility coordinator is responsible for developing an action plan to improve the provision of accessibility. However, the Act does not regulate the deadline by which the plan should be developed. Nor does the Act specify a time horizon for such a document. Our research showed that only 35% of the institutions surveyed have developed an action plan to improve accessibility for people with special needs. In the case of regional institutions, this was 45% of the surveyed organisations. Therefore, it seems that the implementation of accessibility in cultural institutions is rarely of a strategic nature with a set direction of actions, spread over time, and consistently implemented.

The planning process requires rationality and analytical skills. It is necessary to find a balance between the desired state of accessibility of a cultural institution and the resources currently possessed or possible to obtain in a changing environment. The implementation of the strategic plan is mainly aimed at achieving results in a certain time perspective. Therefore, we asked the respondents – who confirmed in an earlier

question that the cultural institution where they work has an action plan for improving accessibility (29 people) – what the projected time horizon for this plan is. The survey shows that cultural institutions that decided to target their accessibility activities most often formulated a plan for the next year or up to three years (55%) (Figure 6). A two- to three-year action plan is optimal, as it is relatively controllable from a management perspective and allows for implementation in a constantly changing external environment.

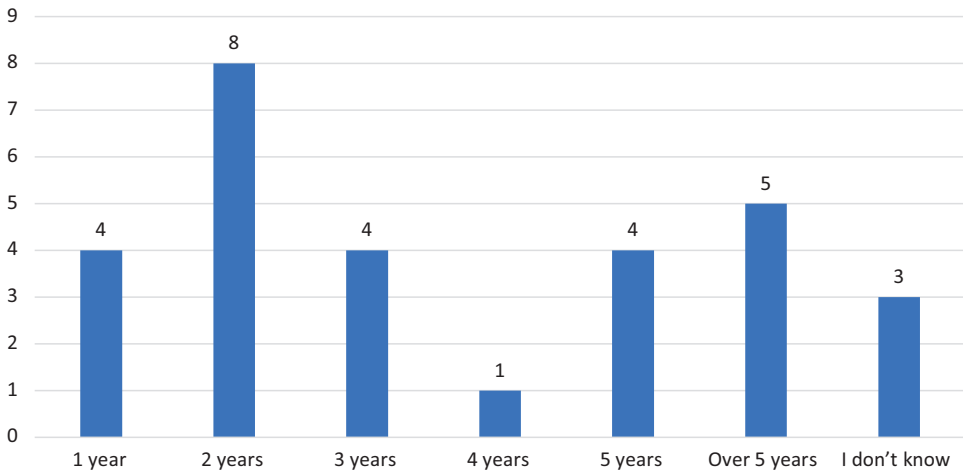


Figure 6. How long does the action plan to improve accessibility for people with special needs last? (n=29)

We also sought to clarify when the process of implementing the action plan created to improve accessibility provision began. Also, 29 respondents answered this question confirming that the institution actually has such a plan. Most cultural institutions (69%) began implementing the created plan in 2020 or 2021 (Figure 7). The indicated year does not seem to be insignificant, as it coincides with the deadline for the introduction of current regulations regarding the provision of accessibility for persons with special needs by public entities. Thus, we may conclude that the introduction of the current laws in this case became an impetus for change. However, we should clearly emphasise that we made no attempt to make a qualitative assessment of the changes introduced or planned. Therefore, it is difficult to assess whether the definition of legal requirements influences a real increase in the accessibility of public cultural institutions.

Respondents indicated that one of the most important resources needed to implement accessibility in an institution are financial resources. Noteworthy, accessibility activities are not a mandatory item included in the budgets of public cultural institutions. And because of this voluntariness, we were interested in whether implementing accessibility is part of the overall financial strategy of public cultural institutions? Therefore, we asked respondents whether the organisation has a dedicated budget for implementing accessibility, and if so, what are the amounts involved?

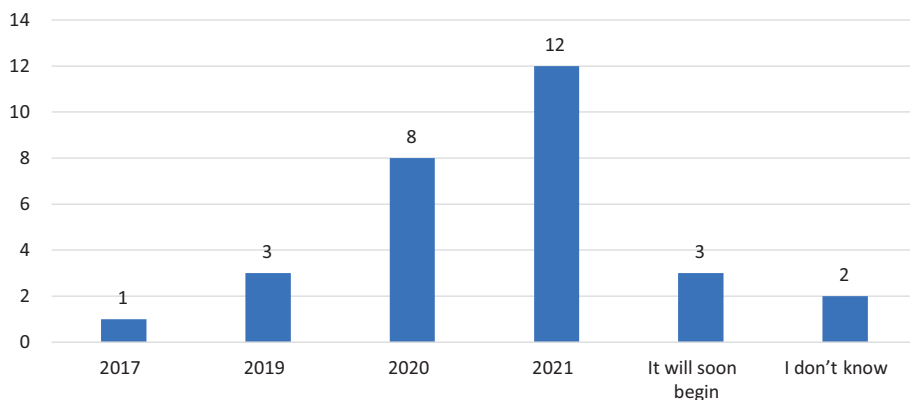


Figure 7. When did the process of implementing an action plan to improve accessibility for people with special needs begin? (n=29)

The survey showed that only 10% of the surveyed cultural institutions had a specific budget for implementing accessibility, half of which were regional institutions. However, this budget usually oscillated around 11–50 thousand PLN (40%), i.e., 2.5–11 thousand EUR. Noteworthy, the amount of the budget designated for the implementation of accessibility does not depend on the size of the institution and the number of employees (Figure 8). However, it seems that taking into account the needs of the institutions, especially those related to eliminating architectural barriers (which, as indicated in the summary of the accessibility reports, are numerous), the level of budgets allocated for accessibility is low.

We are puzzled that although financial resources are considered by the respondents to be crucial in achieving accessibility goals, this area of activity was not included in the budget plans of the entire institution of culture. Future research should ask about the reasons for this state of affairs.

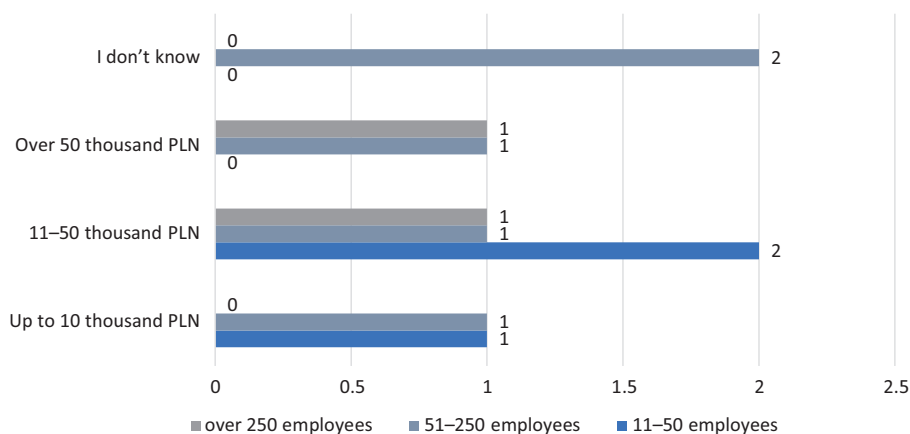


Figure 8. What is the amount of money that the cultural institution allocates to accessibility implementation on annual basis? (n=10)

Implementing accessibility is always about people, so it is important to involve cultural staff and people with special needs in the whole process. Formally, the director of a cultural institution is responsible for implementing the Act's provisions related to accessibility. However, especially in larger institutions with several dozen employees, it is necessary to delegate tasks in order to implement them efficiently and effectively. As the results of the survey indicate, 70 of the 83 surveyed institutions (84%) named a person responsible for implementing accessibility. Only six respondents became full-time accessibility coordinators; the rest had to share these tasks with other ongoing responsibilities. Among these, respondents most often cited activities related to managing the institution or working in the education department. In the case of regional institutions, on the other hand, this was the case for all surveyed organisations but only one of them employed a full-time coordinator.

In turn, as indicated by focus group participants, the addition of accessibility-related duties to the existing scope of responsibilities in some cases negatively affected the quality of work. Respondents emphasised that they lack the time to perform all their duties, so they work overtime. Above all, there is no time to plan activities and reflect on what is worth implementing in terms of accessibility. This results in duties being carried out without any reflection on their meaning, which in the long run may even contribute to professional burnout.

If we take a closer look at accessibility coordinators, we see that it is a relatively new position in the surveyed institutions (Figure 9). The vast majority of surveyed institutions (71%) appointed a person responsible for implementing accessibility in 2020 or 2021, so this was a direct result of the law coming into force. The remaining institutions created the coordinator position in 2019 or earlier. Two respondents did not answer this question. The point of reference was 2016, the beginning of the project "Małopolska: Empathetic Culture". The research shows that only three institutions created the position of accessibility coordinator before 2016. In summary, before the law came into force, the person responsible for implementing accessibility was appointed in 21% of all cultural institutions, while in the case of regional institutions this percentage was as high as 82%.

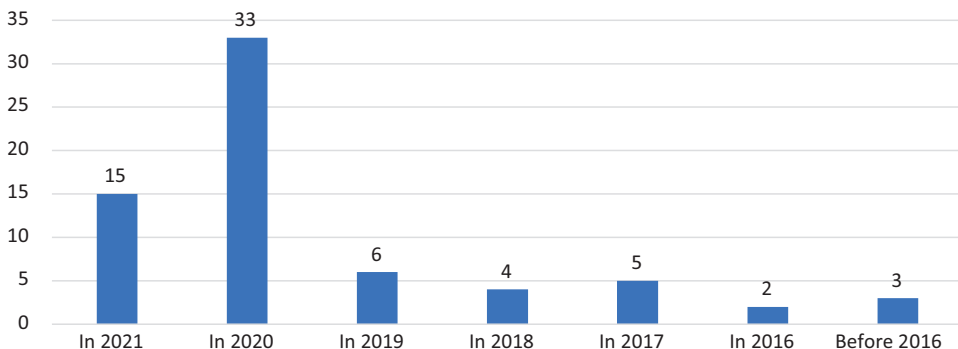


Figure 9. The year when the entity appointed the person responsible for implementing accessibility (n=68)

In our research, we wanted to find out whether the implementation of accessibility in public cultural institutions is participatory in nature. First of all, we checked whether the implementation of accessibility involves a team of employees or whether this task rests in the hands of one person. The experience of other organisations shows that it is good when the implementation of accessibility is a team effort:

It is also vital to establish a team responsible for the inclusion of disabled individuals, and to appoint an ambassador responsible for coordination. [...] experience shows that such a team works best if they have been appropriately trained and if the team's regular meetings are attended by an external expert who provides advice and inspiration (Dąbrowski, 2019, p. 78).

The survey found that only 7% of institutions had made the decision to establish a dedicated accessibility team.

Aware that it is not possible or very difficult to form a team, especially in smaller institutions, we wanted to ascertain whether other staff members are involved in implementing accessibility besides the accessibility coordinator himself or one person designated to do so. As many as 77 respondents answered this question, of which 44 (57%) said that more than one person was involved in implementing accessibility.

Thus, the research shows that 60% of the cultural institutions surveyed treat the implementation of accessibility as a team effort and requiring the involvement of multiple staff members. In the next question, we tried to clarify who exactly is involved in implementing accessibility. This question was open-ended and received answers from 50 respondents. All the answers confirmed that the institution had an accessibility team or involved more than one person in the entire process. The survey showed that people involved in the process – in addition to the coordinator himself – most often are substantive staff, management, and the technical department, including people responsible for maintaining the website of the cultural institution (Figure 10). It is interesting to note that the respondents emphasised the significant role of cultural institutions' directors, who were largely responsible for implementing accessibility. Their openness to and understanding of the subject was an additional support but also a motivator for the activities.

We should note that four respondents admitted all employees are involved in implementing accessibility. These institutions included two libraries with up to 10 employees, a culture centre with 11–50 employees, and an exhibition institution with over 250 employees. It is worth mentioning that while cultural institutions are willing to involve many employees in the accessibility implementation process, they are reluctant to work with volunteers in this regard. Only 16% of institutions admitted that they undertake such joint activities.

Continuing the theme of participatory approach in the implementation of accessibility, we also tried to find out whether cultural institutions cooperate with the external environment in this area. The survey found that 42% of the surveyed organisations are constantly collaborating with some group of people and/or an NGO for people with special needs. This result is not very optimistic because it means that a large part of cultural institutions (58%) implement accessibility without preparation for or survey of the local environment needs.

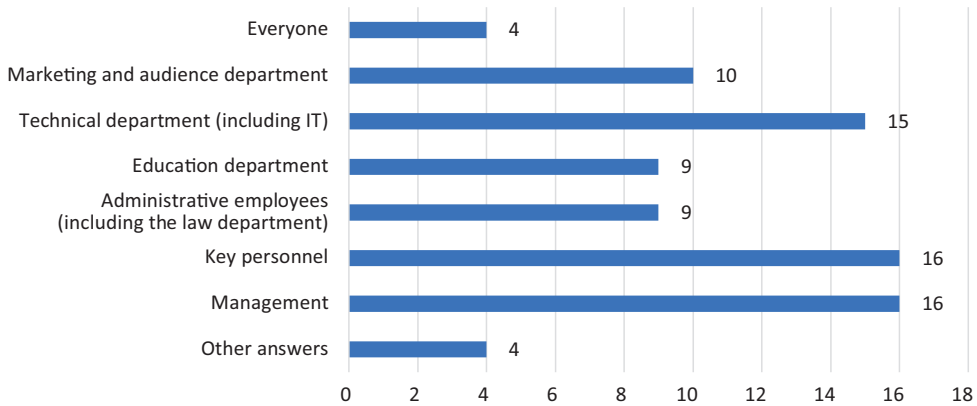


Figure 10. Who else is involved in implementing accessibility besides the coordinator? (n=50)

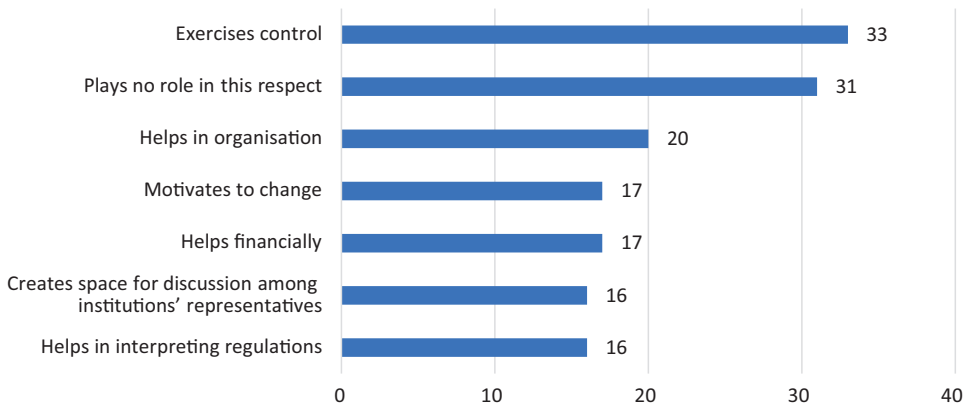


Figure 11. What role does the cultural institution organiser currently play in implementing accessibility? (n=83)

The above statement was reinforced by further results of our analysis. In the next question, we asked the respondents whether the cultural institutions in which they work conduct research on the specific needs of their audiences and/or employees. Only 8% of the respondents answered this question in the affirmative (seven institutions, of which three were organised by the Małopolska Region). The respondents indicated that they mainly researched audience satisfaction, offer attractiveness, and architectural or programme accessibility. The respondents conducted mainly surveys (four cultural institutions) but also interviews and focus group studies. The analysis showed that conducting consultations and surveys by cultural institutions was neither practiced nor within the responsibilities of those responsible for implementing accessibility. We should consider this fact worrying, as it may mean that public cultural institutions are focused solely on implementing the provisions of the Act without additional reflection. Therefore, the organisation's actions may not meet the

expectations of people with special needs, and thus may be ineffective.

Under the current law, state and local government cultural institutions are required to provide accessibility. We were interested in whether the organisers of these institutions have any special role in the process of implementing accessibility. This question allowed multiple choice and received answers from all respondents (Figure 11). The survey shows that according to the respondents, the organiser mainly exercises control (40%) or has no role in this regard (37%). Moreover, some of the respondents said that the organiser helps organisationally (24%) and financially (20%), but also motivates to change (20%), helps in the interpretation of regulations (19%), and creates space for discussion among different institutions' representatives (19%). Notably, 11% of the respondents claim that the organiser only exercises control. We emphasise this because such an approach is not conducive to the implementation of accessibility in the long run and creates fear of negative consequences.

Conclusion

The Lesser Poland Voivodeship, where we conducted the study, stands out from other Polish regions in terms of its accessibility activities. The project “Małopolska: Empathetic Culture” aimed at regional cultural institutions meant that some institutions in the Lesser Poland region have, in a sense, become familiar with the topic of accessibility and have been acquiring knowledge and experience in this area for several years. The activities undertaken by the region's cultural institutions were often voluntary in nature and were not bound by formal requirements. In implementing accessibility, cultural institutions could count on the support of the Małopolska Institute of Culture, which undertook advisory and training activities. Moreover, the project involved building a network of cooperation and creating a database of good practices. Our study revealed that in many aspects, the region's cultural institutions were at a much more advanced stage of accessibility implementation than institutions run by other organisers.

In the case of municipal, county but also ministerial institutions, only the introduction of legal regulations at the national level gave the impetus for the implementation of accessibility. Our research shows that institutions face various difficulties in setting down legal requirements. One of the biggest obstacles is the lack of finances, both for the introduction of solutions such as architectural or technological but also for training. Moreover, insufficient funds cause staffing difficulties, hence tasks related to the implementation of accessibility are delegated to existing employees as extra work. Sometimes, these employees do not have the experience and sufficient qualifications to perform these tasks. They also do not have sufficient knowledge about the specific needs of the recipients. Both the interviewees and the respondents indicated that although the law defines the actions that should be taken, there is no information on how the actions should be performed. Furthermore, there is no specialised body to which people with special needs can turn for help if they have doubts about accessibility. All this makes the staff responsible for implementing accessibility feel overly stressed with their new responsibilities. The lack of time proved another

barrier, especially the too short a period of time between the Act's entry into force and its implementation.

The legal regulations that have been introduced have undoubtedly had a positive effect on the implementation of accessibility in that this area has been noticed and organisational and management actions have been taken by the institutions to ensure that at least the minimum statutory requirements are implemented. However, the consequence of the imposed requirements is that accessibility is sometimes treated as just another task to be performed and management and organisational actions are limited to "ticking off" the requirements of the Act to avoid penalties. The launched actions often lack sensitivity to the specific needs of their recipients. Therefore, the implementation of accessibility should not be limited to the introduction of legal regulations. According to the respondents, education should be particularly important in this area. This includes both systemic education on the subject: from preschool and early school education to the training of specialists at universities and on supplementary courses. Moreover, the matter requires raising awareness regarding the presence of people with special needs in cultural institutions with the same – equal – rights to other recipients.

Discussion

Legislation is the first step toward justice and equality but it is still not enough (Isaac et al., 2010). As Yeo indicates, most policies targeting people with special needs revolve around disability prevention, rehabilitation, and individual support, less often do these actions concern anti-discrimination and rights-based legislation (Yeo, 2001). "The real issue behind exclusion is the insensitive attitude of society. Even a stringent law can do very little unless there is a change in the mindset of people and a willingness to accept and respect (disabled) people" (Isaac et al., 2010, pp. 629–630). The research we conducted provides evidence that accessibility in the cultural sector requires a legal framework that provides a foundation, along with an environment and a sense of social responsibility for the society as a whole.

Disability-related cultural public policy currently emphasises reducing the number of people experiencing exclusion in accessing culture. "In disability-related social policy 'access' and 'participation' have become synonyms for inclusion" (Wilson, 2006, p. 24). Bringing down the barriers of accessibility to culture can only be done by a joint and integrated effort of government, local governments, NGOs, public institutions, and all those who work on behalf of people with special needs. We should not treat these actions as philanthropy but as social responsibility. Moreover, the process of implementation of accessibility requires time and support (Dąbrowski, 2019, p. 78). Although the respondents indicated that financial support was particularly important, the experience of the project "Małopolska: Empathetic Culture" shows that what is of particular importance is substantive support, which helps to understand and gain awareness regarding the needs of people with disabilities.

The decentralisation policy of the state makes local and regional institutions responsible for the implementation of accessibility. Legal instruments introduced at

the national level play a leading role but the real problem is how to transform these instruments into effective actions. Cultural institutions must react quickly to the various challenges of implementing accessibility. Considering the legal guidelines, they must take care of physical access and enable cultural participation. Cultural policy on the local/regional level must have a strong ethical dimension. This dimension plays a key role in strengthening social cohesion, participation, democracy, equality, and a sense of belonging to the community (Laaksonen, 2010).

In the process of implementing accessibility, the institutions that play a special role are culture and, indirectly, public cultural institutions responsible for running cultural activities. “Culture has a strong impact on the construction of social cohesion and how people relate to each other in a society or in a community” (Laaksonen, 2010, p. 20). Participation in cultural life is closely linked to the ability of citizens to develop a sense of responsibility in areas such as respect for others, non-discrimination, equality, social justice, protection of diversity and heritage, and curiosity about other cultures.

Recommendations

Implementation of accessibility at the national, regional, or local level is a process that requires control in order to adapt to changes in the environment and correct errors. Our research allowed us to formulate several recommendations aimed at improving the effectiveness of actions taken so far in this area. Although the recommendations result directly from the research conducted in Poland, they may become an inspiration for those who develop cultural policy in the field of accessibility in other countries:

- Financial accessibility support system.

Creation of special grant systems aimed at ensuring accessibility (especially in the architectural dimension). Increasing targeted subsidies for institutions for activities related to accessibility. Introducing the requirement to allocate part of the institution’s budget exclusively to activities related to accessibility (this also applies to grant programmes).

- Creating a support system – especially at the regional level – for the interpretation of current legislation.

Cultural institutions, especially those based in rural municipalities, have insufficient resources for legal support. The introduced provisions of the law have proved difficult to interpret and, consequently, problematic to implement.

- Evaluating actions taken by institutions, while considering qualitative changes and more.

Monitoring the accessibility measures taken by cultural institutions is limited to a quantitative check of the measures taken or facilities implemented. There is no assessment as to whether the introduced changes contribute to increased accessibility and meet the needs of the audience.

- Building a network of those responsible for implementing accessibility in cultural institutions, experts, and NGOs working for people with special needs.

The implementation of accessibility should be participatory. A full understanding

of the specific needs of audiences is not possible without being reflected in the quality of the relationships built with the environment of public cultural institutions.

- Organising training sessions on accessibility addressed to employees of cultural institutions.

Implementing accessibility requires cultural institutions to adapt to changing conditions and cultural staff to continually improve themselves, thus acquiring new skills. This requires ongoing staff training, teamwork, and encouragement to find new ways to increase the level of accessibility.

- Developing a catalogue of good practices (database) on accessibility.

Implementing accessibility requires clear goals and objectives. Creating a catalogue of good practices to build on generates enthusiasm and motivation.

- Conducting educational activities (already in early childhood) to raise awareness of the needs of others.

Building sensitivity to the needs of others are the pillars of implementing accessibility. These activities should, therefore, take place at an early stage of education, because only an empathetic society can create an environment without exclusion.

- Developing volunteerism – both among and for people with special needs.

Volunteering develops empathy and sensitivity, helps establish valuable relationships, and facilitates the acquisition or development of skills. The development of volunteering corresponds to the development of social competencies, which are crucial for the implementation of accessibility.

In conclusion, we wish to add one more recommendation of a research nature. The aim of this article was to determine how the legal solutions introduced in Poland translate into practical management activities within cultural institutions, both at the regional and local levels. In order to answer the question whether the implemented measures were effective, we should analyse another group of stakeholders in this process, namely, the recipients of the institutions' activities, i.e., people with special needs. For only by responding to the real needs of the public of cultural institutions will we be able to prove the effectiveness of these institutions' accessibility.

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