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**Social Responsibility of Organizations.
CSR 1.0, CSR 2.0 and what's next?**



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Layout: Barbara Łopusiewicz
Proof-reading: Barbara Łopusiewicz
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Introduction

The presented volume of the Research Papers, devoted to the social responsibility of organizations, refers to the Visser's concept of CSR 1.0 and CSR 2.0. The concept does not concern so much the computer science categories but the progress and need to redefine its role in society. It is worth emphasizing that the CSR transition has different features depending on a company and country. It is a complex and diverse process, both from the perspective of time and space.

Within the framework of scientific discussion held on the CSR transition, several key areas of changes are pointed out. Firstly, early CSR understanding, often identifying it with philanthropy, slowly gives way to partnership relations and cooperation based on good communication between a company and a community. Secondly, the initiatives now should not be a minimalist response to social and environmental stakeholders' expectations but should be initiated by company's initiatives included in strategic plans and well-thought-out investments. Thirdly, the actions marked by image aspects and "produced" by PR departments will no longer constitute a credible motives confirmation for taking pro-social initiatives by a company. Enterprises will be judged on actual credible initiatives in the area of environment, society and ethics. Fourthly, a specialization (although still valid) will be gradually replaced by performances integrated into core companies' operations. Fifthly, the effects of pro-social activity of enterprises, being visible as a form of a product or service, should not be any longer a niche project, but should be directed to a wide audience. In other words – it is about converting the "nice-to-have" product to the "must-have" one. Sixthly, the expansion of the CSR concept from the local initiatives to the global venture will allow a more culturally diverse and internationally applied concept.

Summing up the transition from CSR 1.0 to CSR 2.0, it is important to mention the five principles that constitute the new approach: *creativity*, *scalability*, *responsiveness*, *glocality* and *circularity*. It is worth noting that the content presented and discussed by the Authors of the Research Papers, directly or indirectly relates to the above-mentioned principles. For example, the issues discussed by J. Szumniak-Samolej, K. Bachnik and M. Andrejczuk refer to the principle of *creativity*. The *scalability* principle corresponds with the issues mentioned by D. Teneta-Skwiercz, E. Jastrzębska, N. Saadi and A. Skrzypek, J. Kroik and J. Skonieczny, M. Roszkowska-Menkes as well. The next principle – *responsiveness* – can be visible in the papers written by G. Aniszewska, W. Husztrak, D. Teneta-Skwiercz, K. Bachnik, E. Jastrzębska and J. Szumniak-Samolej. The core idea of *glocality* principle is represented in the papers of K. Bachnik, E. Jastrzębska, D. Teneta-Skwiercz, J. Szumniak-Samolej. The last principle – *circularity* – is visible in K. Bachnik's and J. Szumniak-Samolej's paper.

In response to upcoming changes and parallel emerging questions “what’s next?,” I present with pleasure the Research Papers of Wrocław University of Economics, which not only describe current problems connected with the CSR concept, but also point out the new perspective and directions of CSR.

At this point, I would like to address my thanks to the reviewers of the Research Papers, whose efforts in the form of comments and suggestions expressed in the reviews contribute also a special part to the CSR discussion held on the pages of the current volume.

Magdalena Rojek-Nowosielska

Wojciech Huszlak

Andrzej Frycz Modrzewski Krakow University
e-mail: whuszlak@afm.edu.pl

ECOMEDIATIONS IN MANAGING COMPANY STAKEHOLDERS¹

EKOMEDIACJE W ZARZĄDZANIU INTERESARIUSZAMI PRZEDSIĘBIORSTWA

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Summary: The company is functioning in a certain milieu and enters into relations with various groups: stakeholders. This assumption constitutes the basis of the theory of stakeholders and the background for execution of corporate social responsibility (CSR). Each company has its own set of stakeholders, characteristic only for it, each one of which has different expectations. They do affect the functioning of the company and constitute an important item determining the directions of company development. The company should thus be liable to its beneficiaries and meet their expectations. The literature stresses the role of managing relations with stakeholders. Satisfying the expectations may be done with various forms of mediation, with both external partners and internal groups of interests. The objective of the paper is to present the role of ecomediations as the method used in the process of stakeholder management that is aimed at satisfying expectations of company stakeholders. In the first, theoretical part of the paper, the literature is reviewed that is dedicated to the issues of stakeholder management, ecological conflicts and mediation, and the analysis is provided of the connections of these concepts taking into account creation of value for all stakeholders. In the empirical part, based on a case study, the author presented a special form of mediation: ecomediations (ecological mediations) in solving an ecological conflict.

Keywords: ecomediations, ecological conflict, stakeholder theory, stakeholder management.

Streszczenie: Przedsiębiorstwo funkcjonuje w otoczeniu i wchodzi w relacje z różnymi grupami – interesariuszami. Takie założenie stanowi podstawę teorii interesariuszy (teorii *stakeholders*), oraz podłoże do realizacji społecznej odpowiedzialności przedsiębiorstwa (CSR). Każde przedsiębiorstwo posiada określony zestaw własnych grup interesariuszy, charakterystycznych tylko dla niego, z których każda ma inne oczekiwania. Mają one wpływ na zachowanie przedsiębiorstwa oraz stanowią istotny element rozstrzygający o kierunkach rozwoju przedsiębiorstwa. Przedsiębiorstwo powinno być zatem odpowiedzialne wobec swoich interesariuszy i spełniać ich oczekiwania. W literaturze przedmiotu wskazuje się na rolę zarządzania relacjami z interesariuszami. Realizacja oczekiwań może odbywać się poprzez różne

¹ Article funded under the research task WZiKS/DS/2/2014.

formy mediacji, zarówno z partnerami zewnętrznymi, jak i wewnętrznymi grupami interesów. Autor, bazując na studium przypadku, zaprezentował w niniejszym artykule szczególną formę mediacji – ekomediacje (mediacje ekologiczne) jako metodę mającą na celu zaspokajanie oczekiwań interesariuszy przedsiębiorstwa.

Słowa kluczowe: ekomediacje, konflikt ekologiczny, teoria interesariuszy, CSR, zarządzanie interesariuszami.

1. Introduction

The company is functioning in the milieu in which there are elements related to its functioning. The elements of the surroundings with a direct effect include: stockholders, trade unions, suppliers and other persons and institutions which directly affect the given organisation. They have an increasing effect on the company, which requires a complex analysis of mutual interactions and co-dependencies.² Identifying and learning the aspects which have significance for achievement of the objectives of the company is of crucial importance.³ H.I. Ansoff defines the company as the centre of purposefully directed activities, interests and contracts and makes it responsible for achieving the objectives assumed autonomously to itself and to all the groups in its surroundings.⁴ The company, functioning in a specific place, community, enters into relations with these groups: stakeholders. This term was coined by Ansoff and Stewart in 1960s, and it was later developed by R.E. Freeman.⁵ These groups, depending on the adopted criteria, may be identified and classified differently. According to R.E. Freeman, stakeholders are “each group or person which may affect achievement of objectives of the organisation or on whose situation the organisation affects in achievement of its objectives.”⁶ He classifies stakeholders into *primary stakeholders* and *secondary stakeholders*.⁷ A. Chodyński proposes a broad approach to stakeholders, referring to them as “all entities without which functioning of the company would be impossible.”⁸ Considering the nature of the relations, A. Paliwoda-Matiolańska classifies stakeholders into: sub-decisive (all those who co-create the company: employees, stockholders, owners; those without

² B. Godziszewski, M. Haffer, M.J. Stankiewicz, S. Sudoł, *Przedsiębiorstwo. Teoria i praktyka zarządzania*, PWE, Warszawa 2011, p. 114.

³ J. Adamczyk, *Spoleczna odpowiedzialność przedsiębiorstw*, PWE, Warszawa 2009, p. 35.

⁴ H.I. Ansoff, *Zarządzanie strategiczne*, PWE, Warszawa 1985, p. 58.

⁵ J. Adamczyk, *Spoleczna odpowiedzialność...*, *op. cit.*, p. 46.

⁶ A. Crane, A. McWilliams, D. Matten, J. Moon, D.S. Siegel (eds.), *The Oxford Handbook, Corporate Social Responsibility*, Oxford University Press, Oxford 2008, p. 62.

⁷ R.E. Freeman, J.S. Harrison, A.C. Wicks, *Managing for Stakeholders. Survival, Reputation and Success*, Yale University Press, 2007, pp. 8–9.

⁸ A. Chodyński, *Odpowiedzialność ekologiczna w proaktywnym rozwoju przedsiębiorstwa*, Oficyna Wydawnicza AFM, Kraków 2011, p. 46.

whom the business could not exist in itself), contract stakeholders (their relation with the company has the nature of a formal contract: clients, cooperating parties and suppliers), and context stakeholders (various communities, social institutions; they perform the fundamental role in gaining good reputation and acceptance for the activities of the company).⁹

Y. Fassin differentiates between the traditional notion of the stakeholder (real stakeholder), pressure groups and regulators. He introduces the terms *stakewatches* and *stakekeepers*. Stakewatches are pressure groups which protect interests of real stakeholders (often by way of granted powers of attorney or intermediation), whereas regulators, e.g. standardisation, certification or control organisations belong to a group of stakekeepers. As a rule, the company has little effect on them.¹⁰

The assumption that the company has relations with various entities (groups) which affect its functioning and remain under its effect, constitutes the basis of the theory of stakeholders, and the background for execution of corporate social responsibility of the company. Corporate social responsibility (CSR) means that the company manages commercial operations with the assumption of balancing interests of all company stakeholders, which takes into consideration multifaceted dialogue.¹¹ Social responsibility of a company is a process of identifying and activating changing expectations of the stakeholders in the management strategy, as well as monitoring the effect of this strategy on competitiveness and the value of the company in the market. Management compliant with the CSR idea is of strategic nature and is based on continuous and active dialogue with stakeholders, maintaining the principles of transparency and observation of the law in force. Corporate social responsibility means searching for balance between interests and needs of key stakeholders, and not only pursuing maximisation of profit. The literature indicates proactivity of CSR, as it goes beyond the regulations in force with its innovations, ecoefficiency, prevention of environment pollution, leadership related to the (natural) environment, including through analysis of the (ecological) life cycle of the product.¹² Voluntary assumption of responsibility by the company means building and implementing the strategy of social commitment which goes beyond legal obligations.¹³ Opponents of CSR state that it distracts the activities of the company from the basic purpose, that is bringing about profits for its owners. Execution of economic objectives is often determined with meeting expectations of the surroundings of the company, and taking social objectives

⁹ A. Paliwoda-Matiolańska, *Odpowiedzialność społeczna w procesie zarządzania przedsiębiorstwem*, C.H. Beck, Warszawa 2010, p. 59.

¹⁰ Y. Fassin, The stakeholder model refined, *Journal of Business Ethics* 2009, vol. 84, 1, pp. 113–135;

¹¹ A. Chodyński, *Odpowiedzialność ekologiczna...*, *op. cit.*, pp. 50–51.

¹² A. Chodyński, W. Huszłak, Ecological security of a business and execution of corporate social responsibility assumptions, *Ekonomika, Journal for Economic Theory and Practice and Social Issues* 2014, Nis, no. 4, pp. 1–13.

¹³ J. Adamczyk, *Spoleczna odpowiedzialność...*, *op. cit.*, p. 43.

into consideration (including ecological objectives) may be a way to improve economic results and is conducive for long-term development. It has to be noted that achieving social objectives is dependent on good economic condition of the company.

The theory of stakeholders has also its opponents. The literature quotes a number of arguments against it, e.g. client, the basic objective of the company, is to bring about profits to its shareholders; the company is a purely economic organisation, not acting on moral causes; the pursuit to create value for all stakeholders is related to incurring expenditures, which may reduce the profits of the company; expectations of owners are clearly formulated in the business world, whereas interests of other groups may be contrary.¹⁴

2. Research methodology

As the research method, critical analysis of the existing theoretical concepts related to the issues of stakeholder management, ecological conflicts and mediation has been assumed. Then, the analysis of the connections of these concepts was performed, taking into account creation of value for all stakeholders, including based on ecological criteria. The analysis covered also determination of the possibility of using soft methods in pursuit to meet expectations disclosed in the situations of ecological conflicts. The case study method has also been used. For this purpose, the example of *Central Sewage Treatment Plant in Kozięglowy in the agglomeration of Poznan* was used. The assumed thesis reads: Mediations may constitute a method used to pursue expectations of company stakeholders in the situations of ecological conflict.

3. Company–stakeholders relations

Relations with stakeholders, depending on their type, may vary in nature, being unintentional and unwanted as well as purposeful and demanded. J. Adamczyk classifies relations of the company with stakeholders into primary and secondary ones. The primary relations include relations of the company and all direct relations with stakeholders, which are necessary for it to perform the main function, that is to provide goods and services for society. For example, stockholders, shareholders and creditors provide capital; employees provide work; suppliers provide raw materials, materials and energy; distributors, retailers provide products to customers interested in their buying. Secondary relations, in turn, result from the effect of the execution of the objectives of the company on society. This group may include social communities and their local, national and international institutions. Relations of this type may refer to social demands, the possibility of creating image and building trust. The relations

¹⁴ E. Piwoni-Krzeszowska, *Zarządzanie wartością relacji przedsiębiorstwa z rynkowymi interesariuszami*, Wydawnictwo Uniwersytetu Ekonomicznego we Wrocławiu, Wrocław 2014, pp. 49–50.

with these groups often exceed the scope of the market, thus the problems related to them cannot be solved by market mechanisms. The manifestations of such activities may come in the form of community interventions and request to the government for help in solving problems and meeting their expectations.

The company, as an open system, draws resources from the surroundings and is subject to the impact of external groups. Their effect may be direct or indirect. In the case of a direct effect, stakeholders themselves will decide about access to the given resource. An indirect impact occurs in the case of developing alliances between stakeholders, which may affect the functioning of the company. The key importance comes with the degree of dependency on the resources of a given stakeholder: the higher dependence, the stronger control and effect on the functioning of the company the stakeholder has. The literature quotes three attributes which determine the degree of the effect of stakeholders on the company and the level at which their expectations are taken into consideration. These are: power, legitimisation and urgency.¹⁵ It has to be noted that managers perform the critical role, because the perception of the attributes of the stakeholders has bearing on respecting their expectations.

4. Types of company stakeholders in the context of the natural environment and ecological conflicts

The prospective stakeholders in the relations with companies from the point of view of perception of the natural environment may be specific persons and groups for whom the environment is a value in itself; thus they are interested in its protection and rational management over its resources; these may also be persons, groups (e.g. the community), which directly are affected by or are endangered with the negative impact of the company on the environment. Another group may be organisations, ecological movements, coalitions, which want to have effect on the ecological policy and developing environment-friendly attitudes and social behaviour.

Currently, the natural environment is being increasingly regarded as the stakeholder. This requires including in the discussion of stakeholders relations management, along with creation of the map of stakeholders relations, arrangements, expectations and attributes of the individual stakeholders. Unfortunately, these attributes are related mostly to consequences of irresponsible human behaviour, which requires special attention paid to the role of stakeholders from the point of view of safety of the company.¹⁶

¹⁵ R.K. Mitchell, B.R. Agle, D.J. Wood, Toward a theory of stakeholder identification and salience: Defining the principle of who and what really counts, *The Academy of Management Review*, vol. 22, no. 4 (10.1997), pp. 853–886.

¹⁶ A. Chodyński, Środowisko naturalne jako interesariusz w koncepcjach odpowiedzialnego biznesu, *Przegląd Organizacji* 2012, 1, pp. 21–25.

The survival of the organisation is related to the natural environment, which affects business strategies. Thus, there is a clear relation (unity) of the natural environment with economic aspects, with which the natural environment becomes the stakeholder in the basic understanding (*the core stakeholder*). Under these circumstances, exclusion of the natural environment as the stakeholder will result in serious implications related to, among others, accessibility of resources (raw materials, water, air, energy). The natural environment thus becomes *the core economic stakeholder* or *the ultimate stakeholder*, depending on the balance of powers in the relation of the organisation with the natural environment and the situation at hand.¹⁷

The natural environment is present as the silent stakeholder, or even as the primary stakeholder, on behalf of which other stakeholders act and make decisions (local communities, local government institutions, international institutions, media, commercial organisations). A. Chodyński emphasises the fact that individual stakeholders share their roles to which ecology contributes as a factor binding stakeholders together. For example, employees may also appear in the role of clients or members of a local community. This means that when they take different roles, they present different pro-ecological expectations.¹⁸

5. Stakeholder management

Execution of activities addressed to achieving company objectives may be supported by positive relations with those persons or groups which affect these objectives or are subject to their effect. The nature and frequency of these relations need to be managed, which includes the following stages: identification of stakeholders, diagnosis and classification (their potential for threat and cooperation), formulation of the strategy of management of relations with key stakeholders and effective implementation of these strategies.

Each company has its own set of stakeholder groups, specific only for it, and then it should analyse the relations of the company with these stakeholders. This is the result of the fact that there is not one closed catalogue of stakeholders. J. Adamczyk describes six stages of the analysis of relations:¹⁹

1. creating the map of relations of the stakeholders;
2. mapping the arrangements of the stakeholders;
3. identifying expectations of the stakeholders;
4. determining the type of power of the stakeholders;
5. designing the matrix of priorities;
6. monitoring the stakeholders.

¹⁷ N. Haigh, A. Griffith, The natural environment as a primary stakeholder: the case of climate change, *Business Strategy & the Environment* 2009, vol. 18, 6, pp. 347–359.

¹⁸ A. Chodyński, *Odpowiedzialność ekologiczna...*, *op. cit.*

¹⁹ J. Adamczyk, *Spoleczna odpowiedzialność...*, *op. cit.*, p. 89.

It is interesting to note the stage concerning identification of stakeholders' expectations (characteristics of commitment, e.g. market-related, non-market). The proper diagnosis allows adjustments of own actions and meeting their expectations. Often times, interests of both parties are contradictory and constitute a source of conflicts. Therefore, balancing of interests among those interested is emphasised in managing which takes into consideration the theory of stakeholders. Different groups of stakeholders have different expectations, e.g. employees are interested in obtaining the appropriate, satisfactory remuneration, owners (stockholders) expect increase in the value of the company, clients count on quality, satisfactory prices, and government institutions demand observation of legal standards effective in the given country and worldwide, as well as active co-partnership in supporting development at the local and national level.²⁰

Guidelines or standards may be used in the process of managing relations with stakeholders, e.g. the AA1000 standard that consists of three parts. Each of them supports the company in a different stage of management of relations with stakeholders. The first AA1000 APS determines the three basic rules related to management of relations with stakeholders, i.e. inclusivity, materiality and responsiveness, which determine the optimum framework of stakeholder management and may be used as the input material for development of policies and activities in this respect. AA1000 Stakeholder Engagement (AA1000SES) is a typical toolbox "how to" presenting the process of engaging stakeholders, including in a dialogue form. The third part, AA1000 AS (Assurance), constitutes a tool to enable verification ensuring credibility of the executed actions and the sustainable development report.²¹

The effect and execution of the expectations of stakeholders constitute an important element determining directions of company development. It is important to notice that pro-active development of the company occurs in continuous interaction with stakeholders.²² Decisions of the company may have positive and negative effect on society, which is why activities of the local community often determine whether the given company will continue developing. For example, regulations related to the protection of the environment may be related with too high costs and, as a consequence, result in closing down the company and losing jobs. It should thus be responsible to its stakeholders and meet their expectations. Execution of expectations of different groups of stakeholders may be done by means of various forms of negotiations, including the special form of eco-mediations.²³

²⁰ Cf. J. Adamczyk, *Spoleczna odpowiedzialność...*, *op. cit.*, pp. 87–88; A. Paliwoda-Matiolańska, *Odpowiedzialność społeczna...*, *op. cit.*, p. 61.

²¹ www.accountability.org (date of access: 28.01.2016).

²² A. Chodyński, *Odpowiedzialność ekologiczna...*, *op. cit.*, pp. 62–63.

²³ W. Huszлак, B. Pasiut, Negocjacyjne formy realizacji oczekiwań interesariuszy w rozwoju przedsiębiorstw, [in:] A. Chodyński (ed.), *Biznes odpowiedzialny wobec interesariuszy*, Oficyna Wyd. AFM, Krakowska Akademia im. Andrzeja Frycza Modrzewskiego, Kraków 2013, pp. 82–103.

6. Ecomediations as a method of meeting stakeholders' expectations

Nowadays, changes in decision systems and structures of companies, caused with the necessity of company's adjustment to increasing competitiveness of the markets, produce ever increasing requirements for the members of the organisation in the scope of their autonomy in tasks execution. The increasing autonomy and professionalisation of the members of the organisation, in turn, contribute to increase in trust and loyalty of the partners in the value creation chain. As a result of such trends, the need arises to base management in modern organisations on "soft" methods and techniques of management, which promote broader employee participation in the management processes, open communication and developing consensus between partners. One may thus assume that mediations may become increasingly important in the processes of stakeholder management.

Mediations belong to alternative methods of settling disputes, which are collectively called ADR (*Alternative Dispute Resolution*).²⁴ According to the European Parliament and Council Directive, *mediation* means "organised proceedings of voluntary nature, irrespective of its name or definition, in which at least two parties of the dispute strive to achieve agreement in order to solve their dispute, using the help of the mediator; the proceedings may be initiated by the parties or suggested or ordered by the court or by the law of a member country."²⁵

Some definitions of mediation emphasise their similarity to negotiations. They perceive the structured form of negotiations with participation of a third party (the mediator), whose task is to support or even direct their course (assisted negotiation). The example of the definition of this type is proposed by Ch. Buehring-Uhle, which constitutes "not-binding intervention of a third party which helps the parties of the dispute in negotiating the arrangement."²⁶

Mediations constitute a mid-way form between negotiations and arbitration. They are used in the situations when the parties of the conflict cannot achieve agreement by themselves, but there is no need to refer to arbitration. Mediations may have formal and informal nature. In the case of informal mediation, the mediator does not have legal authorisation, unlike with formalised mediation (e.g. employee mediations). The basic principle of all mediations, irrespective of their content, is that the mediator does not have the power to allow making statements of being right or not, and the more so about default and penalty. Table 1 presents the position of mediation among various methods of settling conflicts, depending on the degree of formalisation.

²⁴ S. Pieckowski, *Mediacja gospodarcza*, Difin, Warszawa, pp. 26–27.

²⁵ Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters.

²⁶ Ch. Buehring-Uhle, *Arbitration and Mediation in International Business*, The Hague 1996, p. 273.

Table 1. Position of mediation in conflict management

Informal procedures committing solely the parties of the conflict				Informal procedures committing a third party		Legal (public) procedures committing a third authoritative party		Procedures including application of external force	
Avoiding conflict	Informal discussion and solving problems	Negotiations	Mediations	Administrative decisions	Arbitrage	Court	Statutory decisions	Direct non-violent actions	Violence

➔

Intensity of conflict and tendency to adopt solutions of the win-lost type

Source: Ch.W. Moore, *The Mediation Process: Practical Strategies for Resolving Conflict*, Jossey-Bass, San Francisco 1996, p. 7.

A broad overview of types, forms and characteristics of mediation is presented by S. Pieckowski²⁷ and E. Gmurzynska and R. Morek.²⁸ Mediations are used in various areas. Some are used most often, namely: civil law cases (business-related), family issues, penal cases, juvenile cases, individual disputes and employee collective disputes, as well as solving social conflicts.²⁹

Social mediations are used in the case of the last type named. The increase in interest in this form of mediation results from disappointment with the court system and from the search for more efficient methods of enforcing justice. More and more often the methods are used which are based on dialogue and attempted resolving of antagonisms based on reasonable communication. Complexity is one of the characteristic features of social conflict: many parties, inter-group conflicts, multitude of issues, technical complexity, unbalanced powers and resources held by different groups of interest.³⁰ They may refer to the issues related to management of natural resources, social policy or regional development.

The tool which has been gaining in significance in recent years is eco-mediations, which are also called environmental or ecological mediations. Their objective is to develop a pro-environmental solution acceptable by the interested parties with

²⁷ S. Pieckowski, *Mediacja gospodarcza...*, *op. cit.*, pp. 26–38.

²⁸ E. Gmurzyńska, R. Morek (eds.), *Mediacje. Teoria i praktyka*, Wolters Kluwer, Warszawa 2014, pp. 175–191.

²⁹ Cf. N. Doherty, M. Guyler, *Mediacja i rozwiązywanie konfliktów w pracy*, Oficyna Wolters Kluwer, Warszawa 2010; E. Gmurzyńska, R. Morek (eds.), *Mediacje...*, *op. cit.*; A. Binsztok (ed.), *Mediacje gospodarcze*, Wydawnictwo Marina, Wrocław 2015.

³⁰ A. Gójska, *Mediacja w konfliktach społecznych*, [in:] E. Gmurzyńska, R. Morek (eds.), *Mediacje. Teoria i praktyka*, Wolters Kluwer, Warszawa 2014, pp. 379–396.

observation of the principle of permanent sustainable development.³¹ They are focused on solving ecological conflicts isolated from social conflicts due to the subject matter of the dispute between stakeholders, which is the natural environment in a broad meaning. Their application is not always regarded as a tool of intervention nature, but also as a method of prevention.³²

The very term of ecological conflict is often mistaken with the term “environmental impact” or “degradation of the environment.” This problem is due to the fact that each negative impact on the environment does not trigger conflict. Thus, a conflict situation requires a social entity (a person, a group) to appear to disclose the negative impact on the environment, contradictory to its opinions or interests, or the expectation of the possibility of its occurrence in the future. The preventive nature of conflict situations is important.³³

The terms “environmental” and “ecological” conflict are used interchangeably in reference to any dispute which includes management over animated and non-animated resources, on which people rely. These include, among others, disputes related to: pollution of air and water (the level of emission pollution, trans-national travel of pollutants, breakdowns, disasters), the landscape and protection of the wild nature (location of unwanted facilities), the mining industry (wood, oil and gas, minerals), the food industry (e.g. husbandry of animals, fishery and genetic engineering, fertilisers and pesticides), protection of endangered species, reduction of waste and treatment, global systems (e.g. climate, ozone), as well as smell noxiousness.³⁴

Ecological conflicts refer to antagonistic relations which result from the occurrence of real or prospective conflict of interests. The foundation of these conflicts are unlimited expectations of society as regards consumption of material and intangible goods, as compared with limited possibilities of their satisfaction. They may cause undertaking activities of collective nature in the form of, e.g. groups of interest, whose objective is coming good.³⁵

³¹ E. Spiroska, Mediation and Conflict management – creative strategy towards sustainable development of the society, *Journal of Sustainable Development* 2014, vol. 5(10), pp. 83–98; G. Siedel, The role of business deal making and dispute resolution in contributing to sustainable peace, *American Business Law Journal* 2007, vol. 44(2); J. Odidison, *Sustainable conflict resolution – an objective of ADR processes*, 2003. Available on the Internet: <http://www.mediate.com/articles/odidisonj2.cfm> (date of access: 26.09.2015).

³² A. Gójska, *Mediacja w konfliktach społecznych...*, *op. cit.*, pp. 379–396.

³³ M. Kistowski, Społeczne konflikty ekologiczne jako sposób łagodzenia wpływu działalności człowieka na środowisko przyrodnicze, [in:] E. Rydz, A. Kowalak (eds.), *Świadomość ekologiczna a rozwój regionalny w Europie Środkowej*, Wydawnictwo Naukowe Akademii Pomorskiej w Słupsku, Słupsk 2008, pp. 170–180.

³⁴ B. Rakoczy, Mediacja w sprawach uciążliwości zapachowych, [in:] T. Rakoczy (ed.), *Przyszłość mediacji w polskim systemie prawa*, Wydawnictwo KUL, Lublin 2014.

³⁵ I. Rumianowska, Konflikty ekologiczne a działania zbiorowe w zakresie użytkowania i ochrony środowiska przyrodniczego, *Ekonomia i Prawo* 2012, vol. VIII, no. 1, pp. 89–105.

The causes of these conflicts may be lack of or insufficient information, real conflicts of interests or perceiving them as contradictory (prospective), differences in values or conflict-causing relations between the entities based on prior aversion or enmity.³⁶ In Poland, according to M. Kistowski, the main cause of conflicts and ecological collision is insufficient recognition of the issues of protection of the environment in the process of designing locations for human social and economic activities and locations of investments.³⁷

The group of environmental conflicts should also include the so-called spatial conflicts. They arise in the situation when one party wants to maintain a specific function of the given territory (place), whereas the other party strives to change it, or when both parties strive to change the specific condition (function), but the objectives or methods of the change differ.³⁸ The literature refers also to the fact that the source of spatial conflicts is unsatisfactory supply of space with specific features, advantages and resources against demand for this space, which result from the necessity of satisfaction of specific social needs. Another source of these conflicts is also competition of the values for which space is the medium, e.g. nature values with economic values.³⁹

Intractable conflicts are one of the types of ecological conflicts.⁴⁰ Its characteristic feature is extended duration and cyclic nature of conflictual events (protests, rallies, even violence), intensity, conviction of the lack of possibility of solution, and often resistance against solution of the conflict. Mediations may be useful in this type of conflicts, but solution of such a conflict may include the most significant issues in the form of an agreement or recommendation, which will be implemented after the proper formalisation.⁴¹

³⁶ J.D. Priscoli, Public involvement, conflict management, means to EQ and social objectives, *Journal of Water Resources Planning and Management* 1989, vol. 115, no. 1, pp. 31–42.

³⁷ M. Kistowski, Społeczne konflikty ekologiczne..., *op. cit.*, pp. 170–180.

³⁸ M. Furmankiewicz, J. Potocki, Przyroda a gospodarka – konflikty ekologiczne w zagospodarowaniu przestrzennym Sudetów, [in:] M. Furmankiewicz, J. Potocki (eds.), *Problemy ochrony przyrody w zagospodarowaniu przestrzennym Sudetów*, Jelenia Góra 2004, pp. 7–20.

³⁹ J. Kołodziejski, Uwarunkowania przestrzenne ochrony środowiska przyrodniczego, [in:] *Planowanie przestrzenne jako narzędzie ochrony środowiska przyrodniczego*. Biuletyn KPZK PAN 1988, z. 139, pp. 8–73; J. Kołodziejski, *O przyszły kształt polskiej przestrzeni*, Wszechnica PAN, Wydawnictwo PAN, Zakład Narodowy im. Ossolińskich, 1995.

⁴⁰ G. Burgess, H. Burgess, *Environmental Mediation: Beyond the Limits Applying Dispute Resolution Principles to Intractable Environmental Conflicts*, Conflict Research Consortium, Working Paper 94–50, February 2004.

⁴¹ J.E. Innes, Evaluating consensus building [in:] L. Susskind, S. McKernan, J. Thomas-Larmer (eds.), *The Consensus Building Handbook, A Comprehensive Guide to Reaching Agreement*, Thousand Oaks, CA, Sage Publications, 1999, pp. 375–399.

7. The mediation process in the example of Central Sewage Treatment Plant in Kozięgłowy (Aquanet)

This paper has applied the quality methods of the case study. Its advantage is the possibility of gaining the holistic view of the examined phenomenon, including it with all its complexity and all determinants, both internal and external. Case study is a method which consists in examining in detail one or several cases with the use of all the possible research techniques.⁴²

Selection of the company for the case study resulted from the occurrence of a conflict situation in which the main dispute issue was the reduced microbiological quality and smell noxiousness for the residents of the areas neighbouring COŚ Kozięgłowy (Central Sewage Treatment Plant in Kozięgłowy). The residents, convinced of harmful effect of the operation of COŚ, often complained and expressed their dissatisfaction caused by the above noxiousness. The climax of dissatisfaction of the residents was the intention of filing a collective lawsuit against the company, with the demand of damages for loss of health by the residents due to the operations of the Central Wastewater Treatment Plant.

The mediator was the key informer in the presented study. The unit of the analysis was the mediations in the dispute, that is a series of events which took place since the time of ordering the mediator with solution of the dispute until writing down the record completing the mediations. The description of the situations was based on determining the factors which affected origination and the course of the conflict: behaviour of the parties of the conflict, which significantly (negative or positively) affected its course. The source of the information was the COŚ materials published on the website,⁴³ reports related to the impact of COŚ in Kozięgłowy, the material collected during the interviews with the mediator.

The causes of the conflict situation include legal aspects (lack of legal regulations in the scope of emission of odours and bio aerosols), spatial aspects (proximity of residential settlements, lack of the possibility of isolation of the facility from the surroundings), and technical aspects (faulty operation of some elements, e.g. filters).

The entity to the order of which the mediation process was executed was Centralna Oczyszczalnia Ścieków (COŚ). COŚ is located in the north-eastern part of the poznański county, in Kozięgłowy, in the Czerwonak commune, and occupies the area of ca. 60 ha. It is a mechanical-biological treatment plant with increased removal of biogens and complete processing of the produced wastewater sludge. The facilities of this treatment plant allow reception of 200,000 m³ (200 m litres)

⁴² D. Silverman, *Prowadzenie badań jakościowych*, Wydawnictwo Naukowe PWN, Warszawa 2008, p. 168.

⁴³ www.aquanet.pl.

of wastewater per day, up to 260,000 m³/day in the rainy season. The receiver of the treated wastewater is the Warta river.⁴⁴

The largest issuer of odours in COŚ (77% of smell noxiousness) is the installations and facilities related to sludge management, i.e. the temporary storage yard (4 sludge beds with the total area of ca. 10 ha), on which sludge not dried in Stacja Termicznego Suszenia Osadów (Thermal Sludge Drying Station) was deposited until May 2011. The remaining 23% of smell noxiousness came from 4 primary settling tanks (15%), 6 bioreactors (5%) and air-tight facilities (3%).

In March 2011, the company appointed the team for reduction of emission of odours, whose tasks include execution of the programme for reduction of smell noxiousness. Within the programme, investment projects (including providing air-tightness of the primary settling tanks), development projects (searching for the best available methods and technology, tests of technology, maintaining effectiveness of operation of the existing devices), development projects (enhancing knowledge and competencies by way of: training events and study trips, cooperation with suppliers of technology, research centres, chemical laboratories, olfactometry laboratories; introduction of olfactometry tests, providing own measuring instruments (a portable laboratory, the software for modelling spreading of odours), social projects (including contact with residents, ongoing information, open door, cooperation with inspection teams, cyclic meetings) have been adopted for execution.

Within the solution of the conflict situation, the company ordered interdisciplinary and innovative studies in four subject blocks, conducted according to the strictly specified research methodology for the individual components of the executed work. The subject matter of the study was assessment of technology and correctness of functioning of COŚ, odour impact of the Central Wastewater Treatment Plant (degree and reach), microbiological tests and assessment of the sanitary condition of air and water around COŚ. The subject matter of the study was also health evaluation of the residents (a questionnaire) and analysis of the health documentation of the selected part of the population from the neighbourhood of COŚ. The multidimensional ecomediation process was run along the research process. Since the beginning of the work, the community was informed on the ongoing basis on the course of the work and the scope of execution of the odour reduction programme. Press conferences were the basic source of information, during which the interested parties, including, among others, local community, associations representing the residents, television and regional press had the possibility of participation in the discussion and access was provided to the information in the scope of the execution of the work. Experts from the team of scientists participated in the process of providing information. Information was provided also on the websites of Aquanet and Wrocław University

⁴⁴ K. Zwoździak (ed.), *Analiza oddziaływania instalacji i urządzeń Centralnej Oczyszczalni Ścieków w Koziegłowach koło Poznania*, Politechnika Wrocławska Instytut Inżynierii Ochrony Środowiska Zakład Ekologii, July 2012.

of Technology, related to, among others, the course of the work, press conferences, the date of measurements of the basic emission sources of odour in the area of COŚ, the conducted tests in the field in microbiology, olfactometry, and questionnaires.

In the scope of eco-mediation, all the interested parties were included in the course of execution of the task. In July 2011, the mayor of the city of Poznań appointed a team of experts for environmental tests of the impact of COŚ on the surroundings. The team included, among others, representatives of the city of Poznań, of the Czerwonak commune and of Aquanet.

The mediation team conducted a number of talks with the local community, the “Żyj Normalnie” Association and local government authorities. Several open meetings with the local community were also held, during which the results of the tests were discussed, including in the COŚ premises (“open door”). One of the meetings was called “the health days,” and its objective was the presentation of the results of the current work in the context of health examinations, the possibilities of health consultations with the interested parties and providing the interested persons the opportunity of voluntary filling in the health questionnaire in consultation with specialists from Wrocław Medical University.

The results of the tests showed that effectiveness of wastewater treatment in the mechanical and biological stages was good, and the treatment plant met the requirements of the water use permit. There were no indications of simultaneous impact of one source of emission of odour and microbiological contamination. As a result, the obtained results of the tests and a set of recommendations allowed the introduction of the relevant strategy for pro-ecological activities within the repair programme, including a solution acceptable by all the parties in the conflict. The repair programme, included implementation of COŚ modernisation, among others by way of designing the insulation zone and eco-tonic belts of protection vegetation, change of the wastewater sludge storage process, optimisation of the bio filtration process as well as implementation of the system of further air-tight sealing of the facilities of the process line in the municipal system of wastewater treatment. With all these activities, it was possible to calm down the moods of the local community and to ensure the preliminary improvement of the image of COŚ.

8. Summary

Environmental mediations are not common in Poland. The analysis of the COŚ case showed that the mediation process should be executed in reference to the activities which allow comprehensive diagnostics and modelling of solutions acceptable by all the parties in the conflict. The presented ecological conflict may be called difficult to solve (intractable). From the legal and technical point of view, the company had nothing to be challenged. For the residents, noxiousness limited their quality of life, the improvement of which was only possible by changing the place of residence. With the employed environmental mediations (eco-mediation), the dialogue platform could be created between the company and the local community. Achieving the effect

in the form of mitigating the dispute and preventing opening of court proceedings (a collective claim) was possible with integration of soft methods (mediation) with research methods.

One should be aware, however, that the undertaken mediations are not a one-time event, but are part of the continuous process of committing their stakeholders and searching for solutions acceptable socially and satisfactory for all the interested parties.

The following aspects are important in the mediation process: awareness of responsibility for contributing to create a conflict; the knowledge how to develop competencies leading to solving a conflict; the current and complete information for stakeholders about the activities aimed at the solution to a conflict and transparency of such activities.

The presented case study shows that the role of eco-mediation was crucial at the stage of shaping the image of COŚ and searching for socially acceptable solutions with further programmes executed by Aquanet.

Undertaking future studies concerning the use of ecomediation in the process of stakeholder management in a broader group of companies and determinants of their execution is worth consideration.

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