

STREET-LEVEL BUREAUCRATS AS INNOVATIVE STRATEGISTS: AN ANALYTICAL APPROACH

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Abstract: *In recent years, the study of street-level bureaucracy has been developed as a major interest in diverse types of research on public policy, management, public administration, and politics. The scholars are particularly concerned with understanding discretion of street-level bureaucrats and finding useful means of measuring the impact of government on people. In this sense, on the one hand the paper describes and analysis strategies and mechanisms that street-level bureaucrats develop in order to deal with the strains imposed by internal and external context, and on the other hand presents the evaluation of the social workers from the street-level bureaucracy perspective and the impact of the mechanisms developed by street-level bureaucrats on clients. From a methodological standpoint, and taking into consideration the theoretical and normative framework from Romania, the research relies on comprehensive and systematic search of the vast literature on street-level bureaucracy and document analysis. Further, in order to complete the missing data the authors use the Law no. 544/2001 on free access to information of public interest for gathering information.*

INTRODUCTION

This paper is mainly informed by the street-level bureaucracy literature, which seeks to understand how and why policy implementation practices take their particular shapes at the street-level (Lipsky, 1980), and street-level bureaucrats act as an innovative strategists. Working within large rule-driven organizations but interact with the citizens daily, the street-level bureaucrats act as innovative strategists, determining how a policy is implemented in practice. In fact, although the decision is handed down by the decision-makers, the street-level bureaucrats interpret, amend or even ignore the decision when the situation demands.

There once was a period of very intense academic debate about the understanding of the phenomenon of implementation, and like most other stages within policy process, implementation stages is undergoing fundamental changes in many countries.

Policy arises from a process over time, which may involve both intra- and inter-organizational relationships. Public policy involves a key, but not exclusive, role of public agencies, where civil servants play a very important role due to discretion and expertise. In this context, some scholars (Lipsky, 1980; Weatherly, Lipsky, 1977; Prottas, 1979) suggest that policy implementation is the systematic street-level work that manifests the practical meaning of public policy, which often is rather different from the official meaning of the policy. Such findings show that public policy has both “practical” implications through the street-level

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implementation responses in addition to its “official” meaning described in formal policy documents.

THE CONCEPTUAL FRAMEWORK: OLD BUT STILL NEW

Street-level bureaucrats - definition

Thirty six years ago, Lipsky coined the terms “street-level bureaucracy” and “street-level bureaucrats”. The author called the street-level bureaucrats as front-line workers and gave the following definition “front-line workers are public service workers who interact directly with citizens in the course of their jobs, and who have substantial discretion in the execution of their work” ([1980] 2010: p. 3). The street-level workers constitute the link between the state and the citizens in the implementation process, and citizenship is therefore structured through the street-level bureaucratic encounters between the street-workers and the citizens (Lipsky, 1980).

In other words the street-level bureaucrats are public field-workers who are interacting directly with citizens in implementing and delivering public policies (Winter, 2003: p.2). Thus, in Lipsky’s view street-level bureaucrats are idealists who are attracted to working in public services because they want to do a job that they see as socially useful and worthwhile. Street-level bureaucrats are the public workers who have the face-to-face encounters with citizens when they deliver different sorts of public policy. Policemen, teachers, nurses, and social workers are regularly the professions referred to as typical street-level bureaucrats. In Downs’ terms (1969 in Sapru 2009: p.83) these can be represented by statesmen – motivated by a sense of the public interest which may be seen as a tool for increasing their power in achieving the objectives. From here, it can be drawn the following main features of street-level bureaucrats (Lipsky, 1969: p.2):

- are constantly called upon to interact with citizens in the regular course of their jobs;
- have significant independence in job decision-making;
- potentially have extensive impact on the lives of their clients.

A brief on policy implementation

The content of policy, and its impact on those affected, may be substantially modified, or even negated during the implementation stage, as Anderson points out “[P]olicy is made as it is being administered and administered as it is being made” (1975: p.79 in Hill, Hupe, 2002: p.7). According to Adamolekun (1983: pp.118-119) implementing public policy refers to the activities undertaken in the light of the public policy developed. In other words, the process of implementation consists on the process of conversion of the material, financial, ethnic, economic and human inputs into outcomes (goods and services). In this context, it is worth to note that in the early years of implementation studies, implementation has been described as one between the “top-down” and the “bottom-up” perspectives (Hill, Hupe, 2002: pp.220-227). However, nowadays there is a movement to bring near these two perspectives.

For Lipsky, policy implementation occurs in a context of conflict between front line workers and managers, in terms of the desire for top-down control and local opposition to this. But it also occurs in a context where policy has to be applied and understood alongside other policies, and has to be tailored to available resources, and adapted to changing, and individual circumstances. That is: “...complex tasks for which elaboration of rules, guidelines, or instructions cannot circumscribe the alternative” ([1980] 2010: p.15). Lipsky argues that policy

making can take place as much at street-level as it does through the traditionally accepted top down approach. This means that the traditional policy approach underlies the assumption that legislators are policy makers and bureaucrats are implementers who put policy goals into practice. Taking into account that policy are not self-executing, and public administration through civil servants or street-level bureaucrats put into practice the policies intended we remark that the role of front-line workers is fundamental on development and implementation of public policy. Thus, the street-level bureaucracy perspective asserts that it is the street-level workers within public organizations that ultimately decide what kind of services and benefits policy targets receive instead of formal policy.

In other perspective (Popescu, 2011: p.121) public administration is directly involved in carrying out the entire public policies process, and in certain cases, this can originate in new public policy proposals as regards its relationships with the agencies or ministry departments in charge with implementing the respective policies. Therefore, although at a first glance, the role of public employees (street-level bureaucrats) is simple: executing the rules, programs and policies established by policy-makers in accordance with law, they are needed to process claims, answer calls and deliver whatever services the law has authorized (Vinzant, Crothers, 1998: p.10). Front-line workers are individuals who feel how difficult it is to implement the intended program or public policy. As implementers of policies, street-level bureaucrats have immense understated capacity to change policy to either conform to the original design of said policies or follow a completely different agenda. The roles of street-level bureaucrats on policy-making are built upon two interrelated facets of their positions: (1) relatively high degrees of discretion and (2) relative autonomy from organizational authority (Lipsky, [1980] 2010: p.13) especially because of lack of resources, the legal and environmental constraints and also because of their beliefs, values, and desires. In this sense, based on front-line features and homo economicus salient the work performed by street-level bureaucrats is affected by three conditions:

- relative unavailability of resources, both personal and organizational;
- existence of clear physical and/or psychological threat;
- ambiguous, contradictory and in some ways unattainable role expectations.

The influence of street-level workers also introduces considerable uncertainty into the achievement of public policies. The final achievement of policy goals depends on the cooperation of policy makers, workers and citizens.

Role of discretion

Although the major dimensions of public policy levels of benefits, categories of eligibility, nature of rules, regulations and services are shaped by policy elites and political and administrative officials, the street-level bureaucrats exercise considerable discretion in their implementation. Discretion is the freedom that organizations and street-level bureaucrats are granted when they choose among a number of possible actions to take or not take when interacting with policy targets. Lipsky (1980) suggests that policy is actually made by street-level bureaucrats exercising discretion when performing their regular work duties.

The literature (Handler, 1986; Lipsky, 1980 apud Thorén, 2008) noted that discretion is necessary in many policy implementation processes. The reason is that most public policies, and welfare policies in particular, target situations that regularly are both so heterogeneous and so case specific that it would be almost impossible to create policies with the ability to embrace all

possible policy situations. Without some degree of discretion, policy would need to be so rigid and rule-bound that it would result in practices that would be inflexible and insensitive to individual differences and specific circumstances (Thorén, 2008). Thus, public policy is, in part, formulated and materialized through the street-level bureaucrats' discretionary practices (Thorén, 2008).

STUDYING THE STREET-LEVEL BUREAUCRATS IN CONTEXT

This section concerns itself with a case study from a specific policy area – social assistance (care). In general, the social assistance as a non-contributory basic component of the social protection system is achieved through financial incentives (doles, compensations and facilities) and social assistance services.

Structural and organizational aspects

In the context of decentralisation and European integration, in Romania, a number of institutions have been created to serve the best principles of social protection, including social assistance. Their organisation follows the principles of public administration' organisation. The public administration at central level is organised and function on the grounds of Law no.90/2001 regarding the organisation and functioning of Romanian Government and ministries, and in the territorial-administrative units is organised and function on the grounds of the principles of decentralisation, local autonomy, deconcentration of public services, eligibility of the local government authorities, legality and consultation of citizens in solving local matters of particular interest, mentioned by art.2 align. (1), Law no.215/2001. Based on this legal framework the territorial – administrative units are: (1) communes, (2) towns and municipalities (3) and counties.

In accordance whit the last census in 2011, in Romania are (NIS, 2013):

- 42 counties of Romania, including also Bucharest Municipality;
- 103 municipalities and 216 towns;
- 2861 communes and 12957 villages.

On this structure has been built the institutional system for social protection and assistance. It can be noted that, at central level, all structures (agencies, departments, directorates and inspections are under the coordination of Ministry of Labour, Family and Social Protection, although their organisation is different, especially taking into account their scope and actions. In this context, the cooperation between these institutions can easily be influenced by the goodwill of actors and less by the mechanisms for collating social policies. Another issue, regarding the structure of social policy consists on fact that after reviewed the legal provision, General Directorate of Social Assistance and Child Protection is implementer of both policy and services and benefits, at county level. This role overlaps partially that of County Agency for Payments and Social Inspection (Magheru, 2010: 12).

At local level, the only institution with competences on social assistance is public social assistance services. The problem arises when the city hall does not create public service for social assistance. In this case the city hall remain in charge for social assistance. The law allows to replace the public social assistance services with a person in charge of social assistance (with a civil servant who become a street-level bureaucrat) generally responsible for managing the social

benefits at local level. In this case, the street-level bureaucrat interacts direct with the citizens in implementing social policy and uses his discretion power. The figure below represents a scheme of Romanian social assistance system (fig.1).

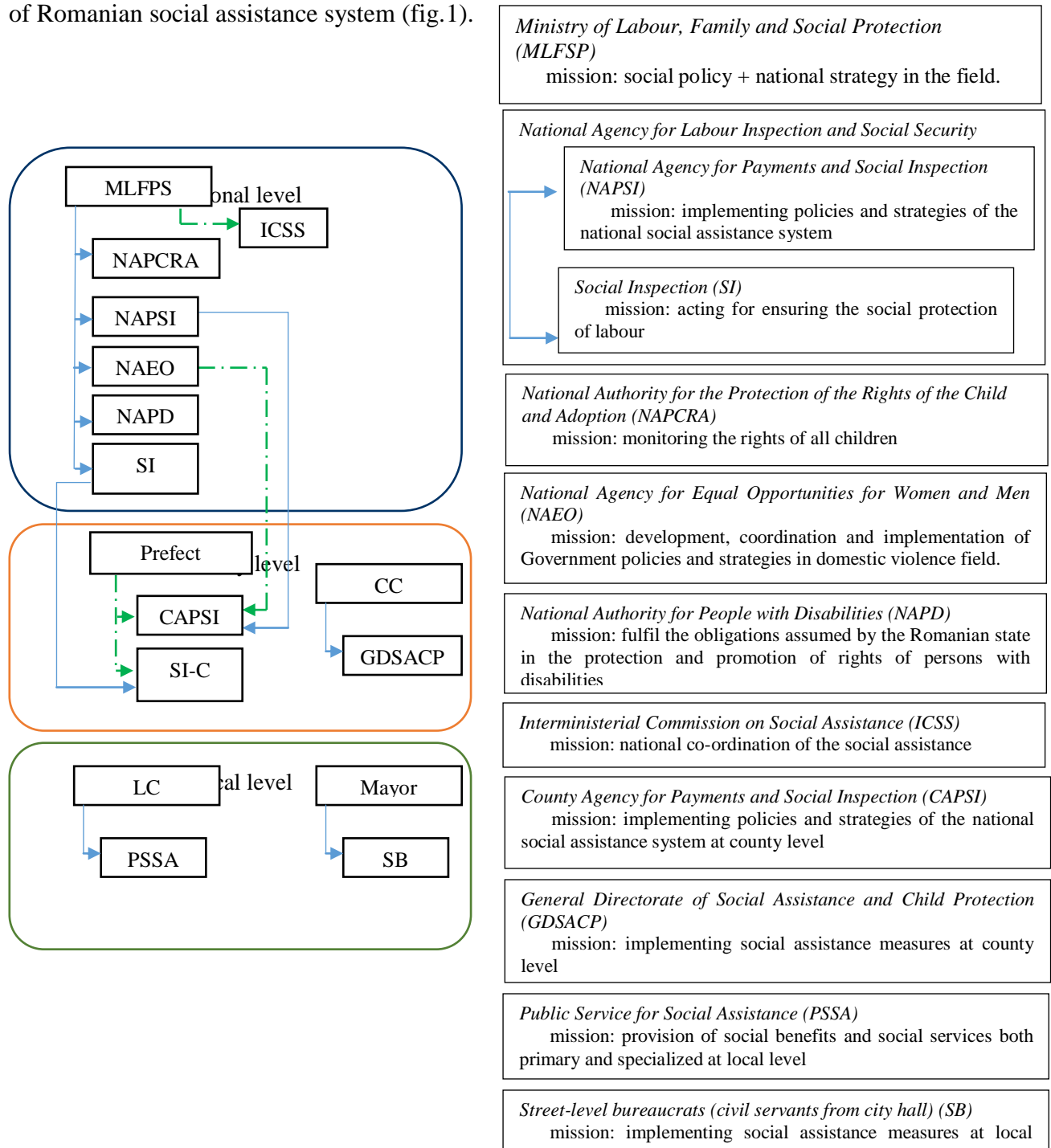


Figure 1: Representation of the social assistance hierarchical levels in Romania

Therefore, based on decentralisation principle, the public social assistance services with the city hall have the competence to develop social policies adapted to the local context and to implement them, at local level. Thus, there where are not public social assistance services, the street-level bureaucrats act as decision-makers policy, not only as an implementers. Moreover, although Law no.292/2011 on social assistance required every local government to establish public social assistance services (SPAS), its implementation has been delayed, especially in smaller rural municipalities.

The analysis carried out in 2014 by the World Bank, covered 279 cities with fewer than 50,000 inhabitants and 2,861 communes, a total of 3,140 local authorities, and showed that over 34 percent of local governments in rural areas and 8 percent in very small cities (those with fewer than 10,000 inhabitants) had not set up the relevant services but has instead added to the responsibilities of existing staff. The development of primary social services has been hindered by a lack of financial resources at the local level, by the hiring freeze and wages limits in the public sector (as part of the austerity policies implemented in the 2008 to 2010 period), by a failure to use flexible forms of employment (part-time staff), and by a lack of effective training of staff.

Public social assistance services are severely understaffed in rural and small urban areas. In most rural communities there are just one or two staff members with social assistance duties (and very few professional social workers) to meet the needs of a population usually spread over between 2 and 40 villages. In small urban areas (those with fewer than 20,000 inhabitants), SPAS usually consist of one professional social worker and an additional two to three people with social assistance duties (NSSIPR, 2015-2020: p. 45).

Thus, in the light of the new legal provision (law 292/2011) the street-level bureaucracy on social assistance consist on the follow administrative organisation (table 1):

Table 1: Administrative organisation of SPAS

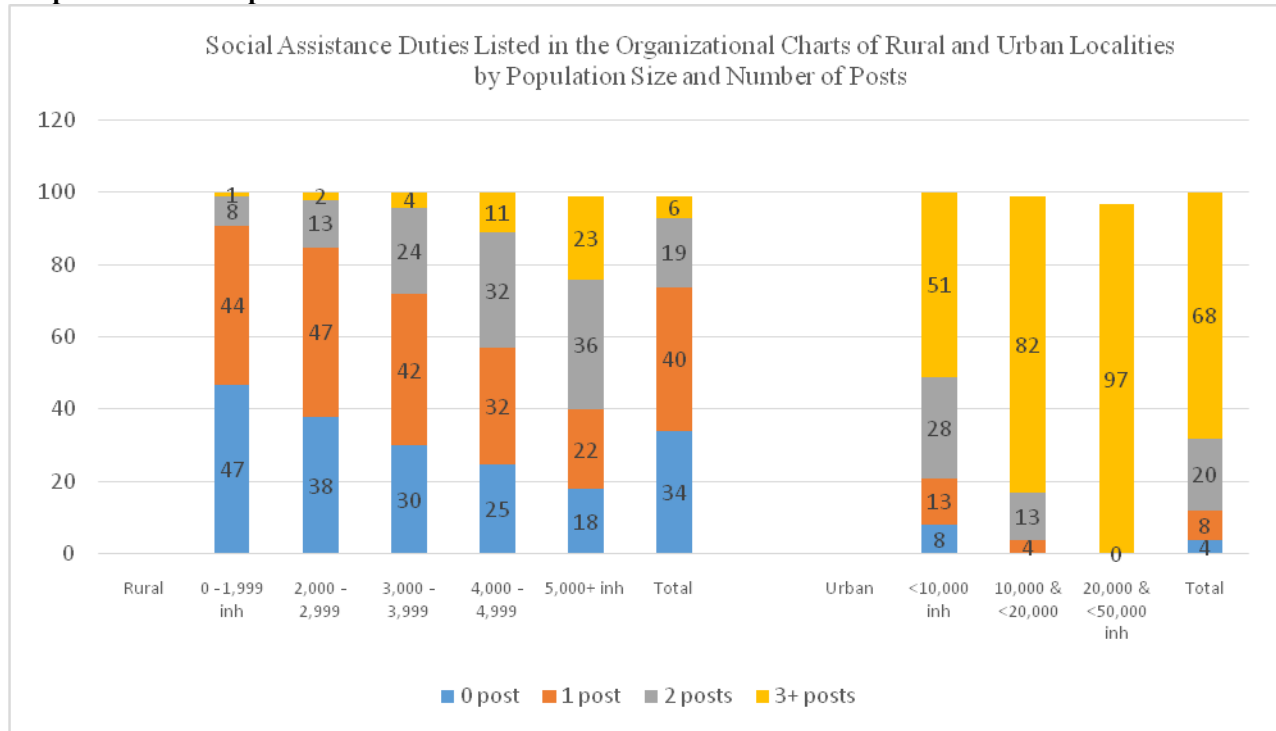
Type of administrative-territorial unit	Direction	Service	Compartment	Office	No specialized structure	Total	Number of localities
Rural							
0 - 1,999 inh		4	46	3	47	100	751
2,000 - 2,999		6	54	3	38	100	782
3,000 - 3,999		10	57	4	29	100	603
4,000 - 4,999		13	60	3	24	100	326
5,000+ inh		1	66	5	18	100	399
Total		8	55	3	34	100	2,861
Urban							
<10,000 inh	2	33	48	9	8	100	134
10,000 & <20,000	7	46	41	7	0	100	91
20,000 & <50,000 inh	29	63	6	2	0	100	54
Total	8	43	38	7	4	100	279

Source: author based on World Bank "Social Assistance Services at the Community Level" Survey, May 2014 apud Tesliuc et. al. 2015

Into the above administrative organisation of Public Social Assistance Services (SPAS) it can be found a number of street-level bureaucrats who have the competences to implement the

social policy and to deliver the social services. However they have a lot of duties in this filed at local level their number is low. A view on that can be found below:

Graph 1: Number of posts



Source: author based on World Bank “Social Assistance Services at the Community Level” Survey, May 2014 apud Tesliuc et. al. 2015

Procedural aspects

According to Law no.292/2011 of social assistance, the system of benefits is achieved through transfers in cash or kind as: (a) gratuitousness; (b) subsidies; (c) doles and preferential loans. There are several criteria according to which the benefits can be classified, but in this paper we are looking to their goal. Based on their goal, the benefits can be classified as follow:

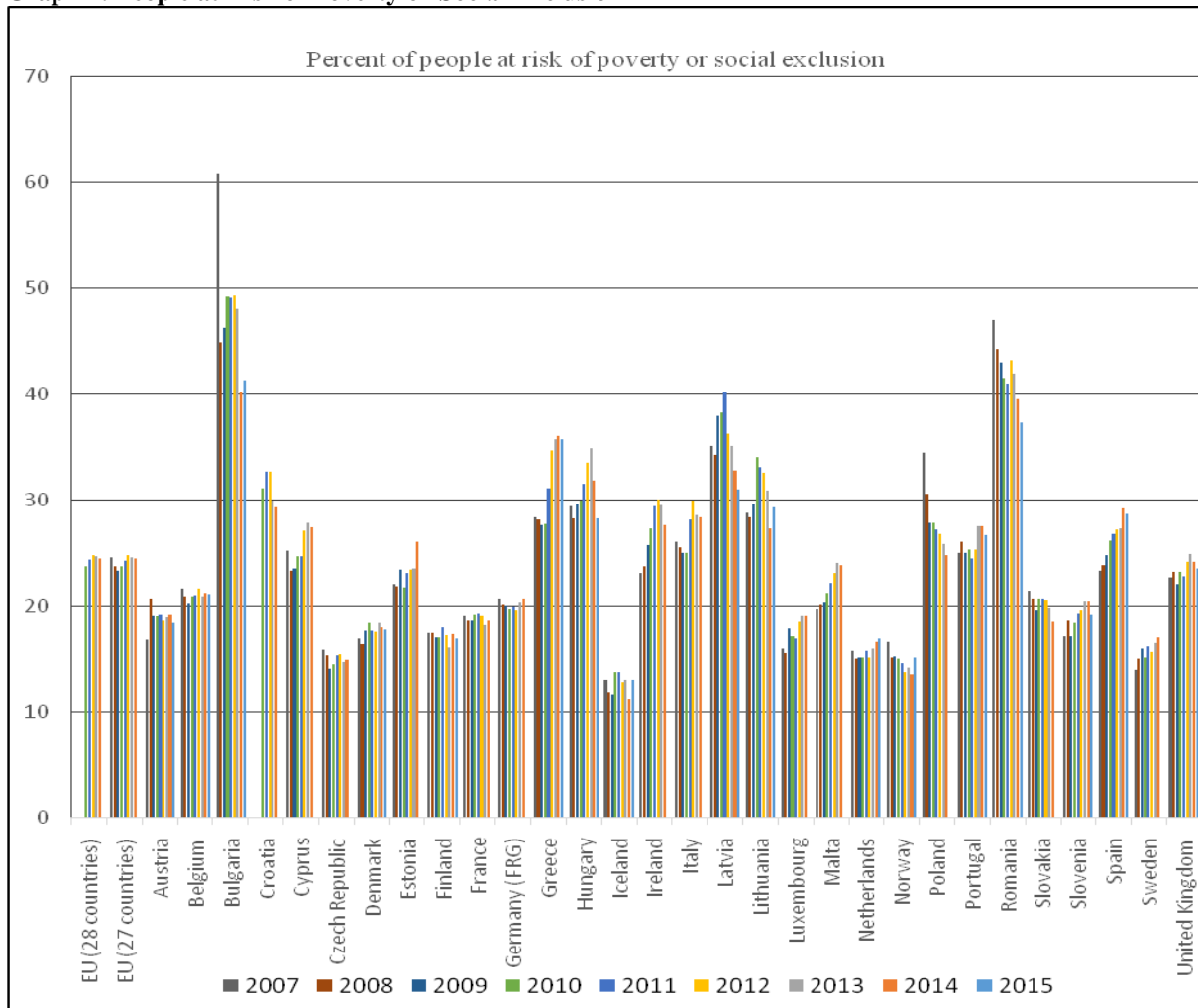
- social assistance benefits for preventing and combating the poverty and social exclusion risk;
- social assistance benefits for supporting the family and children;
- social assistance benefits for supporting people with special needs;
- social assistance benefits for special situations.

The measures to prevent and combat poverty and social exclusion risk are part of the general multidimensional actions of the social inclusion process. Thus, the social assistance benefits for preventing and combating the poverty and social exclusion risk have the goal to ensure the minimum financial measures necessary for daily living and to supplement the incomes or means of the single persons and families who do not have sufficient resources to meet a minimum standard of living, and are based on testing the livelihoods conditions. According to legal provisions (art.54, align.2, Law no.292/2011) the minimal standard of living represents the limit expressed in money that ensure the basic needs, such as: food, clothing, personal hygiene,

maintenance and cleaning of the house, and is established in relation to poverty limit using the methodology from European Union level (NSSIPR, 2015-2020).

In this sense, the persons and families who do not have sufficient resources get, in general from local level, different kinds of social benefits. Romania has three means-tested programs that support the income of the poorest people - the Guaranteed Minimum Income (GMI), the Family Support Allowance (FSA), and the Heating Benefit (HB), but the main benefits is the guaranteed minimum income called, at the time being the minimum social insertion income. The guaranteed minimum income as social benefits was regulated by Law no.416/2001, in accordance with European Union’s regulations and Member States practice. According to the People at Risk of Poverty or Social Exclusion (AROPE), an aggregated indicator used by Eurostat, the poverty level is represented into the below graph:

Graph 2: People at Risk of Poverty or Social Exclusion



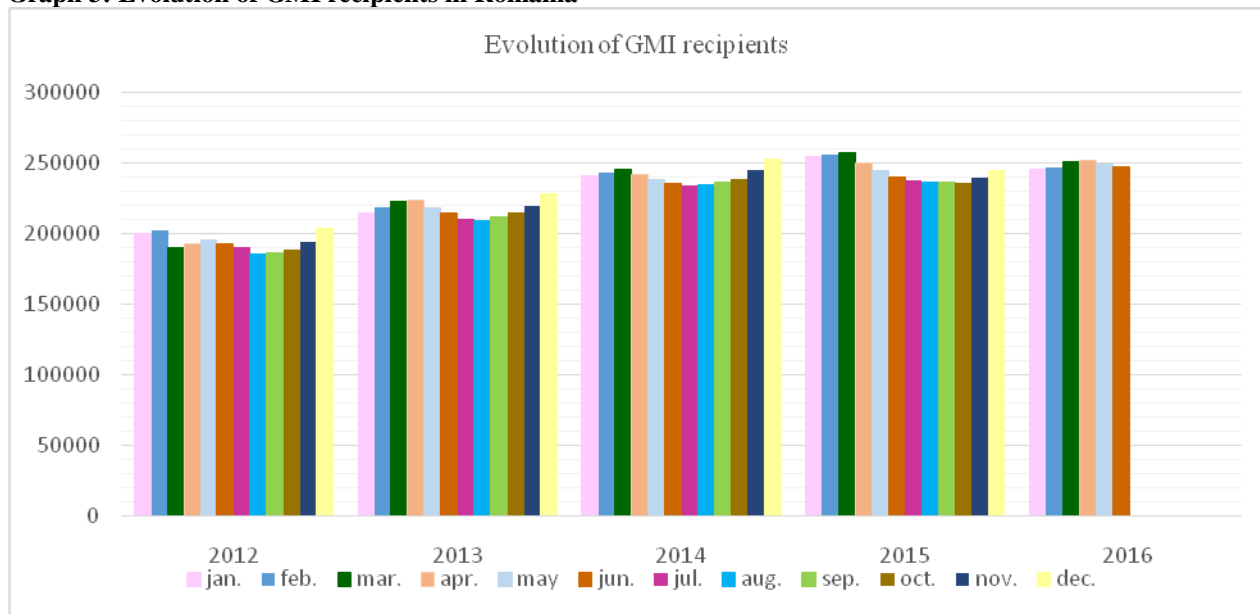
Source: Eurostat

The GMI is targeted to the poorest 5 percent of the population, the FSA to families with children in the poorest three deciles, and the HB to families in the poorest 60 percent of the

income distribution. Although these programs are targeted to the population with low incomes and means, the eligibility criteria vary from program to program (NSSIPR, 2015-2020).

Concerning the procedure, before November 2013, each of the three programs used a different means-test procedure. However, since November 2013, all three programs use a single methodology to test the means of the households (formal income, imputed informal agricultural income, and asset filters). However, other differences in eligibility criteria remain in terms of the assistance unit (household or family); whether or not an equivalence scale is used; the recertification period (three months for the GMI and the FSA and the cold season for the HB); and the payment method (directly to the beneficiary or transferred to the service provider in the case of district heating users). A glance on the evolution of GMI recipients can be found in the below graph:

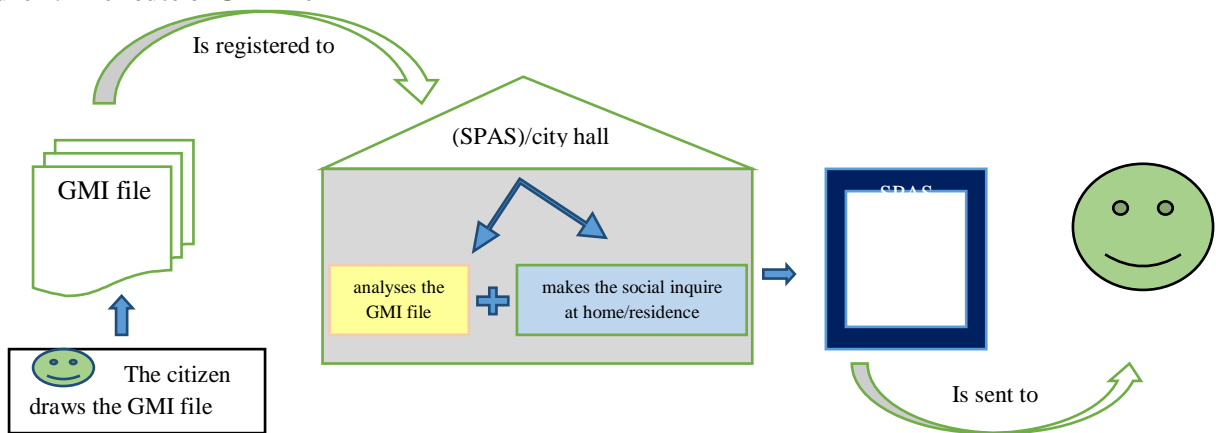
Graph 3: Evolution of GMI recipients in Romania



Source: author based on NAPSI data

In response to a low coverage, the government has simplified access to these programs and increased their benefit levels. The new measures have included unifying means-testing criteria. To increase the poverty reduction impact of the means-tested programs, the Government of Romania prepared a legislative and regulatory framework to consolidate the three current means-tested programs (the GMI, the FSA, and the HB) into a single program – the Minimum Social Insertion Income (MSII) program (NSSIPR, 2015-2020). This new program will be implemented no later than 2018. For getting the GMI the persons who meeting the eligibility criteria have to follow the below legal procedure.

Figure 2: The route of GMI file



Source: author based on legal provisions

Therefore, the GMI is given on application and affidavit, accompanied by documents regarding the family composition and income achieved in the previous month by its members. The application and the affidavit with documents regarding the family composition and income achieved by its members are recorded into a specialised register at city hall (SPAS) where the citizen has the home or residence. The application for GMI are solved in 30 days from registration by street-level bureaucrats (persons from Public Social Assistance Services or other persons designated through order of the mayor). In order to address the application for GMI, the mayor, mandatory orders the social inquiry at home or residence of the citizen to verify the situation resulting from the information contained in the documents.

The social inquiry is carried out by street-level bureaucrats from SPAS or persons responsible with social assistance from mayor specialized apparatus within 15 working days from the date of registration. Information from at least two persons who know the financial, social, civil and material situation of the petitioner for finishing the social inquiry. The street-level bureaucrats (the persons who made the social inquiry) have the responsibility for the social inquiry content.

Although the Government Decision no. 50/2011 gives a template (a documents in which the street-level bureaucrats have to fill) for social inquiry, the quantitative aspects of this give the opportunity to street-level to use their discretion power and to apply in various way (from case to case) the social policy.

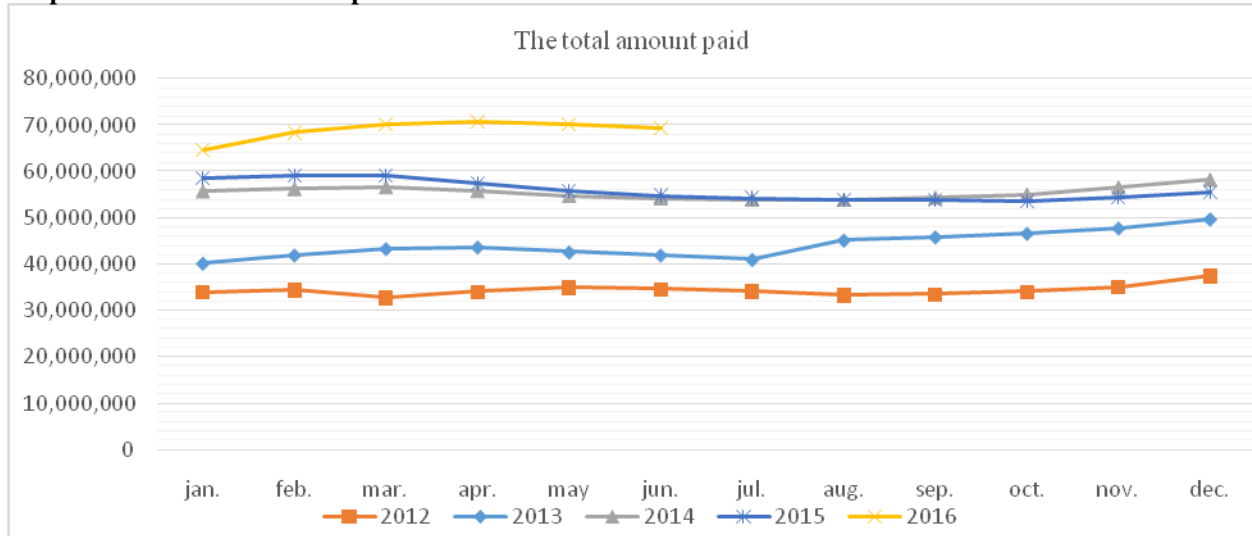
Based on GMI file and social inquiry the mayor carried out the final decision which is sent to applicant. All documents are stored at the city hall.

CONCLUSIONS

The street-level bureaucracy perspective asserts that it is the street-level workers within public organizations that ultimately decide what kind of services and benefits policy targets receive instead of formal policy. The current study showed that due to their discretion power and expertise the street-level bureaucrats have the possibility to adapt the policy to the context during implementation. For example, the social inquiry that street-level bureaucrats carry out for approving the guaranteed minimum income represents a proof in this sense.

Regarding the role of street-level bureaucrats on implementation of social policy, especially on the guaranteed minimum income program, the analysis emphasises that these act as innovative strategists in co-production and distribution of social benefits and services. In the framework of social policy, in 2012-2016 period, Romanian authorities spent (approved social aid – GMI) as follow:

Graph 4: GMI – total amount paid



Source: author based on NAPSI data

In Romania, economic recovery, improved labour market conditions and increased support to vulnerable categories have resulted in a steady decline in poverty rates. Increased allocations to the minimum guaranteed income, family benefit and heating benefit programs, as well as increases in the minimum wage, have contributed to the decline in poverty. Limited progress was made in introducing the minimum insertion income, which would simplify social assistance, while a law designed to strengthen the link between social transfers and employment activation measures is still under debate in the Parliament.

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