

# H4 Consulting Brief

## Limited Discretion

Many public programs are designed centrally, but implemented locally, and public trust can be diminished if rules seem to be inconsistent or opaque. Local managers are not always clear how much discretion they have to adapt programs to local needs. Some apply their understanding of the rules strictly, while others interpret guidelines more freely. Without a clear game plan, managers find it hard to define the limits of their authority on the field.

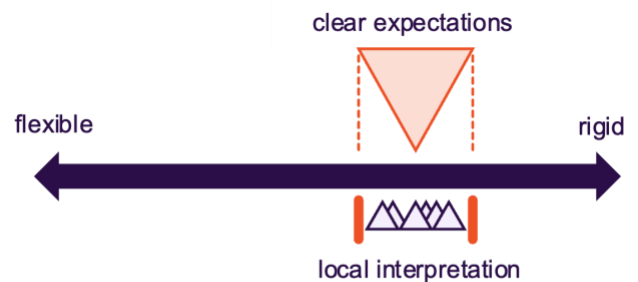
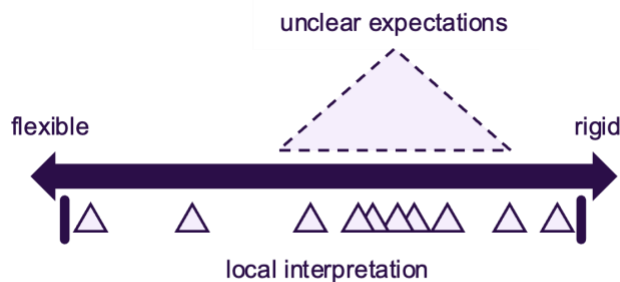
People expect public policy to be fair and consistent, regardless of who applies a policy. They expect things like eligibility criteria for programs like income support, for example, to be the same for everyone.

People also expect public policy to meet local needs, which means that some programs need to be more flexible. For example, managers of disaster recovery programs need to respond to pressing issues in real time. People who need help right now should get it, without delays to juggle strict eligibility criteria.

Program designers consider broad policy goals and implications, but usually cannot anticipate every local pressure, perspective, or decision required to achieve those goals. Local discretion leaves space to shape delivery around experience on the ground.

A grey area for local adaptation can be a deliberate design feature, but policy direction is not always perfectly clear about the limits, or goals, of local discretion. Without clear parameters, some managers tend towards a broad interpretation of a policy's objectives and adapt programs that should have rigid rules. Others may define their work more narrowly, and too rigidly enforce guidelines that were intended to be flexible. This unwarranted local variation can reduce fairness by granting or denying entitlements inappropriately, increase overall costs, and even encourage abuse for personal advantage.

When the rules differ for different people and places, that uncertainty undermines trust. Programs and people get bad reputations and critics have a field day.



Decision makers, and the public, need clear guidelines about the rules and how they will be applied. Those guidelines should explicitly define the limits, intent, and considerations around any local discretion.

People making, and receiving, policy interpretations in practice need to know when and how a rule will be enforced strictly, like eligibility for income support, or when there is room for flexibility. For example, teams may have modest discretionary budgets to support people who have been unemployed for a long time to address individual barriers to employment.

Practical implementation guidelines can be, and usually are, more detailed and technical than messaging to the public. But, to maintain the integrity of programs and public trust, they must be consistent.

Policy design and implementation guidance that explains clearly the scope for, and limits on, local discretion, can reduce the risk of inconsistent interpretation and application. Managers with clear boundaries are more confident exercising their full discretion, and programs are more fair, more efficient, and more likely to help the intended beneficiaries to achieve the intended goals.

Consistent, transparent decision-making also builds public confidence in the fairness and integrity of publicly funded programs. It helps programs to reach their intended beneficiaries, while restricting unfair access or abuse for personal advantage.

Making sure everyone understands the hard rules, and any house rules, is a game changer for public policy.

To find out more about how you can use this approach in your organisation, contact us: [info@h4consulting.com.au](mailto:info@h4consulting.com.au)  
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