

Street-level bureaucrats' discretion between individual and institutional factors: The analysis of the minimum income policy implementation in two Italian regions

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Funding information

Università degli Studi di Milano-Bicocca,
Grant/Award Number: 2019-CONT-0073

Abstract

The article provides and empirically tests an analytical model that considers the relationship between the discretionary power of street-level bureaucrats (SLBs) and the institutional and organisational structures at meso and macro levels. The proposal maintains a bottom-up perspective in the analysis of discretionary practices; at the same time, it highlights the relevance of multilevel governance systems as institutional spaces in opening and constraining the room for *manoeuvre* of SLBs. The analytical model is tested to comparatively analyse the implementation of the Italian guaranteed minimum income (Reddito di Cittadinanza) in two different regional welfare systems. The analysis focused on the practices and perceptions of the “navigators”, a new professional group introduced to implement the same policy. The fieldwork pointed out different spaces for and forms of discretion, highlighting that different institutional arrangements affect discretion and the variability of practices; however individual and professional group factors coupled with similar external constraints nuanced this variability with the emergence of common ones. In this article, the analytical model allowed to consider in a comparative perspective how institutional factors,

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besides individual and professional ones, influence discretion.

KEYWORDS

accountability, discretion, discretionary practice, local welfare, multilevel governance, street-level bureaucracy

1 | INTRODUCTION

The concept of street-level bureaucracy (SLB) was introduced in the Seventies and Eighties of the last century and has since experienced an important development in terms of empirical research and theoretical reflection, as much as to give rise to a specific research approach (Brodkin, 2012; Hupe, 2019, 2022; Hupe et al., 2015; Lipsky, 1980). One of the key elements of this interest is the discretionary power (discretion) that characterises the work of street-level bureaucrats through which they shape and reshape normative provisions, concretizing public policies (Evans et al., 2020; Rice, 2013).

Lipsky (1980), who first developed the concept of SLB, framed it within a precise theoretical project starting from the idea that the implementation of public policies is neither linear nor rational. Within this project, street-level bureaucrats (SLBs) represented the link between citizens and government, and he defined them as people employed by the government who (1) constantly interact with citizens in their job, (2) have independence in their work, and (3) have an impact on the citizens' life (Lipsky, 2010). The core argument was that SLBs need to develop some strategies to deal with the strains imposed by these conditions, some routines defined as regularised patterns of actions within their discretionary power. This means that the discretionary power of SLBs is crucial, and it is of great interest when it is not random but structured by factors that have a systematic influence.

Since then, great attention has been given to these factors. Firstly, scholars have considered individual factors shaping discretion - both of SLBs and users - such as education, values, ethical stances, professionalism, and instrumental rationality (Loyens & Maesschalck, 2010; May & Winter, 2009; Taylor & Kelly, 2006). During the Nineties and the first decade of the new Millennium, in the wake of the many institutional changes that mainly occurred in Western societies, an increased interest in organisational factors emerged. These studies highlighted the tensions created within street-level organisations (SLOs) (Brodkin, 2011, 2012) when they must adapt to new objectives oriented to efficiency and accountability, without losing sight of the performance in terms of effectiveness, flexibility, innovation, and productivity (Maynard-Moody & Musheno, 2003; van der Aa & van Berkel, 2015).

In more recent times, attempts to provide comprehensive frameworks have been developed, trying to keep together the factors affecting discretion at the individual, organisational and system level (Hupe et al., 2015; Hupe & Evans, 2020; Paraciani & Rizza, 2021; Rice, 2013). Nevertheless, the question of how and to what extent variation in discretion patterns is attributable to person-bound variety or differences in institutional settings at the macro level remains opaque (Hupe & Buffat, 2014).

Notwithstanding the difficulties to link in an effective way factors at the micro level with phenomena at the meso and macro levels, the more recent approaches seemed particularly useful to better understand the public policies' implementation processes and the role of SLBs in a scenario of deep transformations of welfare systems. These transformations were at the core of the welfare states literature shedding light on the rescaling processes and their consequences and highlighting how local welfare systems (LWS) are affecting the planning and delivering of public services (Andreotti & Mingione, 2016; Kazepov et al., 2022; van Berkel, 2020). Local welfare systems have increasingly become important elements of the macro level, which have however remained less analysed in street-level literature; on the other side, the local welfare literature has rarely dealt with issues concerning SLBs, without fully understanding and considering their contributions in shaping and implementing the new local welfare systems.

This article aims to strengthen the dialogue between SLB and LWS literature, providing an analytical model of the discretion elements of SLBs that considers the reciprocal relationship between discretionary power (agency) and structures at meso and macro levels. In particular, the objective is to show how the practices of discretion are embedded in institutional spaces, which open room for *manoeuvre* for discretionary practices, and to what extent these count in shaping them.

The Italian case is particularly suitable to investigate these issues with the recent introduction of a national and standard measure, the guaranteed minimum income (Reddito di Cittadinanza, RdC), within a fragmented and highly territorialized welfare state, as it provides a quasi-experiment. In this contribution, we present some findings of a case study based on document analysis and 41 in-depth interviews with SLBs in the period between 2020 and 2021 in two Italian regions, Lombardy and Emilia Romagna, characterised by two different local welfare systems. Three fundamental questions have oriented our research activities: (1) Can we still identify common or diversified discretionary practices in the implementation of a national measure in the different regional welfare models? (2) Can we identify some mechanisms working at the three levels (system, organisational, individual) of explanation to understand these commonalities or variations? (3) How do the different levels interact and with what outcomes in terms of discretionary practices? We will not be able to answer all three questions exhaustively in the article, but we will explore some aspects that will allow us to identify factors able to put forward answers in a more organic way to question one and, at least in part, to question two. In particular, our findings point in the direction of the existence of diversified forms of discretion, which seemed in some cases strictly linked to factors at macro levels, while, in other cases, they seemed better explained by individual or work-group factors, transversal to the institutional contexts.

The article is organised into five sections. The first section theoretically grounds the empirical research by defining the concept of discretionary practices while considering how the literature on SLB and local welfare can fruitfully integrate. The second one proposes our analytical framework to consider the local, organisational, and individual levels of analysis. The third section presents the Italian national measure of the minimum income and the different welfare systems it is nested within; it also describes the specific SLBs who were in charge of implementing the measure. The fourth section describes the research design and the empirical study. The fifth one delves into the SLBs' practices through the respondents' accounts. Conclusions close the contribution.

2 | STREET-LEVEL BUREAUCRATS' DISCRETIONARY POWER WITHIN LOCAL WELFARE SYSTEMS

The literature on SLB has stressed the importance of SLBs' discretion as a core factor in implementing public policies (Chang & Brewer, 2022). Over the years, the discretionary power of SLBs has been addressed and defined in several ways (Hupe & Evans, 2020; Thomann et al., 2018; Tummers & Bekkers, 2014). The focus has been on identifying the factors that make up discretionary power, how that power is exercised, and its consequences. The literature highlighted: the "inevitability" of SLBs' discretion; the possible agency-accountability trade-offs; the range of actions and tactics that SLBs use for exercising discretion (Evans et al., 2020; Gofen, 2014; Gupta et al., 2022; Zacka, 2017). When dealing with SLBs' discretion, all studies highlighted the tension between two opposite needs: the necessity to control and reduce discretion on the one hand, and the need to enhance the empowerment of SLBs on the other. The balance is far from easy and considering the conditions under which discretionary power is exercised has become crucial.

Kazepov and Barberis (2013) defined three types of discretion according to the relation to law: *intra legem* discretion develops when spaces are left to professional SLBs to translate policy objectives into concrete practices; *extra legem* discretion when SLBs fill, with their own decisions, the gaps left by regulation; *contra legem* discretion when their actions go further regulatory provisions. There is thus an intrinsic relationship between rules, "which specify the duties and obligations of officials", and discretion, "which allows them freedom of choice of action" (Hill, 2013: 237).

While many categorisations of discretion refer to the micro-practices of SLBs, Hupe and Buffat (2014) focused on the levels at which discretion was generated and worked, identifying two kinds of discretion: *as granted* and *as used*. Most of the studies within the SLB approach refer to discretion as used, and “the focus is on behaviour, in a given setting” (2014: 551). The discretion as granted is the space of freedom to act that an actor has as a result of prescriptions by rule makers. Discretion as used therefore can be strongly affected (dependent) by the discretion as granted and the latter deserves much more attention as it shapes the conditions for the other one (Hupe et al., 2015). Indeed, to understand the degree of granted freedom within which discretion can arise, different institutional levels need to be considered. This is one of the points where it can be fruitful to cross the studies on local welfare within the multilevel governance framework with mutual gains. Not insisting on the well-known macro transformation of the western welfare systems (Andreotti et al., 2018; Serrano Pascual & Magnusson, 2007; Taylor-Gooby, 2004), we point here to a specific process – relevant to present purposes – that is the territorialization of policy, that brings the local dimension to the centre of the debate.

Studies on local welfare stressed the reorganisation of public policies, especially in the social sector, through the upward and the downward shift of powers and responsibilities with the need for constant coordination across different institutional and territorial levels including a supranational, national, regional, and local one. In the European countries this re-arrangement of responsibility levels, evident from the Nineties of the last century, was strongly driven by the European Union via the principle of vertical subsidiarity within the multi-level governance framework; it affirms that welfare provisions should be constructed, not only delivered, at the lowest possible scale, which permits the most practical provision of effective social protection (Heidenreich & Rice, 2016; Rice, 2013). The articulation of the governance system usually defined three scale levels: national, regional, and municipal (in a few cases metropolitan, sometimes sub-municipal referring to district/neighbourhood). The re-arrangement of responsibilities and the importance of the different scale levels can vary, giving rise to different forms of vertical articulation, but almost everywhere these differences do not impede the growing importance of the local level in designing, implementing, and providing policies (Kazepov, 2010). Yet, this is not without tensions, as competition between levels exists. In the Italian case, for instance, regions' responsibilities have become extremely important in recent decades, and controversies are situated between the national state and the regions in terms of health policies and active labour market policies (Ascoli & Pavolini, 2010; Ferrera, 2008).

This re-arrangement of responsibilities went hand in hand with the emergence in European countries of a “new welfare”, which is more local, oriented to empower people in need of support through “active” policies (up to workfare measures) (Barbier & Ludwig-Mayerhofer, 2004; Borghi & van Berkel, 2007; Heidenreich & Rice, 2016). This new welfare emphasises the need for public services and their front-line workers to engage with local resources, to create links with private (not-for-profit or for-profit) organisations, therefore mobilises the third sector, voluntary services, the enterprises, and the territorial resources, but it also tends to privatise pieces of social protection and job insertion.

In general, this process of welfare transformation is characterised by two trends (Andreotti & Mingione, 2016): on the one hand, the necessity to meet social needs that are more individualised and heterogeneous, with effective answers in terms of policies and services at the local level; on the other hand, the lack of public resources, the reduction of public spending also through the adoption of more rigid control systems (the recentralization process of the welfare state that is taking place in several European countries from the Mid 2010, and even more after the pandemic by COVID-19, is not questioning the importance of these trends, and the local level remains central). Overall, the effects of these trends have a strong impact on SLBs and SLOs. Firstly, SLBs are asked to be active, innovative, creative, to network with other services and professionals by enabling territorial resources. Moreover, they should have to do so “free of charge” for the national state and possibly for the local one, respecting conditions and assessments on their performance, with an increasing bureaucratic burden (Heinrich, 2016; Heidenreich & Rice, 2016; Hoggett, 1996; van Berkel, 2020; Van Berkel & Valkenburg, 2007). Secondly, the multiplication and diversification of actors in planning and delivering public services, as an outcome of the horizontal subsidiarity principle, has created new professional profiles and enlarged the concept of SLBs and SLOs, having a direct impact on the relational

dimension of the SLBs' work and opening various issues on organisations and front-line workers. Hence, coordination not only takes place across different territorial levels but also within them. The result is a complex overlapping process that involves numerous actors that shape the discretion as granted. The need to consider the vertical and horizontal subsidiarity further increases the need to develop a multi-level approach to better distinguish, understand and analyse discretionary actions at the micro-level.

3 | THE ANALYTICAL MODEL

The institutional factors – scale levels with vertical differentiation, and horizontal differentiation of actors – seem particularly important for the understanding of how discretion is structured, especially if the comparative dimension of SLB studies is to be strengthened. Within the SLB literature, Hupe and Hill (2020) make an overview of discretion in policy processes, inviting to look at all the scales involved in the shaping of public policies. In this sense, discretion is seen as not an exclusive prerogative of SLBs in direct contact with citizens, but different forms of discretion can be detectable in all the actors involved at all levels of the implementation public policy process (Evans & Harris, 2004).

What we are suggesting in this contribution is slightly different: we do not propose a scheme applying the concept of discretion to other scales – risking weakening its analytical value – instead we present an analytical scheme able to consider the influence of factors at the meso and macro levels in defining the spaces and the use of discretion at the micro level (Hupe, 2022; Hupe et al., 2015; Rice, 2019). Policy decisions taken at higher levels (vertical differentiation) can impact as a constraint or as an opportunity for lower levels of policy implementation (as we show in the empirical case). On the other hand, focusing on horizontal differentiation, a plurality of actors might have a role in the structuring of discretionary practices.

We believe that considering the institutional embedding – both vertical and horizontal – of SLBs' discretion enables us to better understand the effective patterns of action at the end of the policy implementation process. Indeed, maintaining the analytical distinction between discretion as granted and discretion as used is useful for both dimensions. As Hupe and colleagues highlighted, in many studies of street-level bureaucracy, “discretion-as-used will be what needs explanation, while discretion-as-granted will be an important explanatory variable. Different than in a top-down view of implementation, however, granted discretion cannot be seen as empirically completely determining street-level behaviour” (2015: 409).

Following this suggestion, we propose to analyse why and how discretion is granted, highlighting how the rules defining the spaces for discretion are constructed at different levels, by different actors, at different steps of the policy process. According to our approach, the use of discretion can be considered as institutionally embedded: practices, as well as interests and aims, are influenced by the institutional logic characterising the organisational fields in which SLBs act (Garrow & Grusky, 2013). At the core of our analytical scheme is the discretion, which we consider at the level of individuals and organisations providing support and services to citizens. The upper part of the scheme highlights the institutional scales (Figure 1); these are not necessarily nested with one on the other hierarchically. The national welfare programs providing measures and equal access criteria across the country are part of the different scales affecting the regional and local system; the outcome may be a convergence of models and/or, more likely, a differentiation that is structured along pre-existing conditions.

Equally important is to look at the relationships between different institutional spheres within the same territory, which translates into understanding the relationships between local public actors, the private not-for-profit and for-profit (horizontal subsidiarity). In the scheme, these actors are represented by a triad, the configuration of which must be empirically investigated in specific territorial contexts, because the presence of relations, their direction and nature are purely empirical and located.

Summing up, discretion, both as granted and as used, represents the “dependent variable” within a frame that keeps together the structure of relations on the two axes, vertical and horizontal, and the reciprocal influences. Moreover, the scheme emphasises the meso dimension, by including discretion within an organisation. We believe

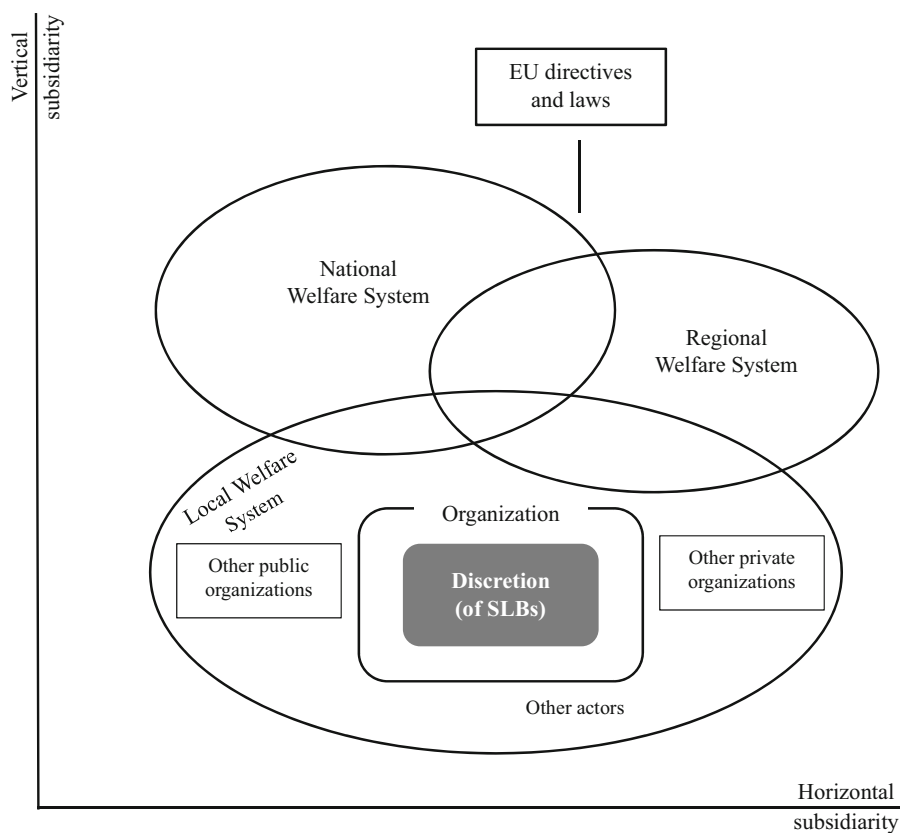


FIGURE 1 The analytical framework of discretion.

that this proposal can be an analytical tool for empirical research to analyse the SLBs' discretion and its consequences on policy implementation. Specifically, in this article, we start to test the proposed analytical model focusing the attention on the vertical dimensions of subsidiarity and its effects on discretion, analysing the implementation processes of the most recent Italian policy against poverty, that is, the so-called *Reddito di cittadinanza* (RdC). The analysis will focus on the discretion as granted and as used and its perceptions, trying to bring out how factors at institutional (macro) level and factors at micro level interact in defining practices and perceptions. The factors at meso level will instead be only mentioned but not analysed in this contribution.

4 | RESEARCH DESIGN

This study is based on a case study approach (Yin, 2014) to investigate the practices and the perceptions of the discretion developed by some specific SLBs, the navigators, who worked in two Italian regional contexts. The research design was planned before the COVID-19 pandemic and we were supposed to start our fieldwork in March 2020, the period of the first lockdown when physical distancing was compulsory (it remained so until April 2022). Consequently, we could not conduct participant observation or shadowing as planned because the PEOs were closed or open only for the staff and the beneficiaries, with extremely short access hours. This meant a strong re-organisation of the research strategy, although not of the research questions.

Specifically, we maintained a qualitative design, combining documentary analysis and semi-structured interviews. Documentary analysis was the main research tool used to understand and analyse the spaces of

discretion as granted. We collected the documents publicly available at the different institutional levels, basing on the idea that granted discretion takes shape along the multilevel policy process. We systematised them into national and regional (Emilia Romagna and Lombardy). The documents were analysed by four dimensions: (1) the presence of regulatory action prescriptions concerning a certain phase/activity; (2) how detailed the action prescription was and therefore limits the freedom of SLBs; (3) whether or not action prescriptions are binding; (4) the degree of action coverage prescriptions concerning the totality of the RdC related activities. This operation allowed us to define the discretion as granted at stake in the two regions, of which we give account in the next paragraph.

To collect evidence about discretion as used, we carried out 41 interviews with a convenient sample of navigators in Lombardy and Emilia Romagna in the period between November 2020 – February 2022.¹ The respondents were selected in different ways and with different entry points so to avoid as much as possible ending up with the same profile. We started from the public list of all navigators in the two regions, we found their contacts through LinkedIn, sent them a message explaining the research and further engaged with them by email. Moreover, some interviewees enabled other email contacts. Through some of them, we had access to the participants in the Italian navigators' association ANNA, we shared the research aims and by this means we collected other interviews. Interviews were carried out via Zoom or Skype and recorded.

The interviews were structured around some main topics: the start and insertion of navigators in the organisations, the actions they put in place to engage with RdC beneficiaries at the different steps of the path (core section of the interview), the relations with colleagues and managers, the restructuring of routines according to the different pandemic phases, the professional path and motivations.

The collected data were transcribed, anonymized, systematised, and analysed by applying a qualitative content analysis based on thematic coding (using the software Nvivo). This involved generating initial codes through the raw data, identifying specific themes, and interpreting the identified themes (as conceptual blocks) (Schreier, 2014). The main nodes of the coding frame articulated the steps of the personalised path (pre-appointment activities, first meeting, evaluation and support activities, follow-up). In this way, we were able to compare tasks and actions of SLBs in different contexts. Other nodes were fundamental to better depict the relational contexts (relations with the management, with the PEOs personnel, with the other navigators, with RdC beneficiaries). For each theme, we discerned some patterns of behaviour. We analysed similarities and differences between the patterns emerging from Emilia Romagna's accounts and Lombardy's ones. Finally, we tried to trace the patterns of actions to the different explanatory factors considered by the analytical model.

5 | THE CASE STUDY: THE ITALIAN NATIONAL MINIMUM INCOME MEASURE, TWO REGIONAL WELFARE MODELS AND PUBLIC EMPLOYMENT OFFICERS

The Italian minimum income “Reddito di Cittadinanza” (RdC) was introduced with the Decree-Law 4/2019 and implemented starting from March 2019. It represented the most important and systemic minimum income policy in Italian history as far as investments and the number of beneficiaries² (Arlotti & Bernardi, 2022; Ciarini et al., 2022; Saraceno et al., 2021; Sgritta, 2020). It fixed a twofold objective: to reduce poverty and to define an active employment policy. The measure was composed of (1) a cash benefit delivered by the National Institute for Social Insurance and Social Assistance (Istituto Nazionale di Previdenza Sociale, INPS), according to specific criteria, and (2) the support to family members by public employment offices (PEOs) and/or social services.

Specifically, the national normative framework provided several steps for the implementation of RdC both administrative and content oriented, including: a first interview with the PEO's staff; the definition and signature of the “pact for work” that envisaged some requirements for the beneficiaries; and a personalised plan aimed at increasing the employability of beneficiaries.

As for the institutional governance of the measure, despite its centralised character, the implementation of personalised support services was delegated to the local levels. Since the reform of the Italian Constitution in 2001, regions are responsible for employment policies and offices. Consequently, each region has developed its employment services model, with specific arrangements in terms of operational functioning and relationships with other local services. This means that the RdC, although centralised and standardised in scope, is nested in a highly articulated and regionalized system.

Within this scenario the regions under investigation, Lombardy and Emilia Romagna, shared a high level of efficiency and good performances in labour markets; at the same time, they developed two almost opposite local welfare models, including the management of employment policies. In Lombardy, the regional authority delegated the management of employment services to the provincial level according to the vertical subsidiarity principle. Moreover, it developed a model of service supply based on a quasi-market logic, where all providers (public and private) were considered equal (Catalano et al., 2016; Coletto & Guglielmi, 2018; Colombo, 2008; Gualmini & Rizza, 2014). Conversely, in Emilia Romagna, despite the massive presence of the third sector and other for-profit private providers, the welfare model was centred on public dominance (Ascoli, 2011; Kazepov & Barberis, 2013), and the regional administration kept the competencies on the PEOs functioning (Ambra et al., 2013). On the whole, in Emilia Romagna there was a strong steering by the Region (understood as institutional actor), which set up the goals, standards and procedures of action; in Lombardy, this was delegated to the lower institutional levels.

Given this level of variability, the national RdC reform introduced a new professional profile, the navigators, to guarantee a consistent number of new SLBs aimed at implementing the RdC with a common “approach”. After a public competition, around 3000 navigators, graduated in socio-economic, juridical and psychological disciplines were hired by the National Agency for the Active Employment Policies (ANPAL) in the summer of 2019, with a fixed-term collaboration contract (three years). Navigators were trained through centralised courses organised by ANPAL and inserted into the PEOs. Each PEO hosted several navigators according to its size (usually between one to eight). PEOs workers and navigators had to work side by side for the implementation of the RdC. Yet, they have slightly different skills, working conditions, and accountability, besides different responsibilities. While PEOs' personnel had low-medium qualification and was employed by the region, navigators had to have a master's degree and were employed as semi-autonomous collaborators by ANPAL with a higher salary, although fixed-term contracts. Moreover, PEOs workers had rigid time sheets, while navigators had in principle flexible working hours. As for accountability, PEOs workers responded to regions and/or provinces, and navigators responded to ANPAL.³ The sudden insertion of this new professional profile in all the PEOs provided a “quasi-experiment” and was therefore an important key to trying to understand how factors at micro and macro levels can influence how the discretionary freedom is granted and how it is used by the SLBs.

6 | FINDINGS AND DISCUSSION

In the following sub-sections, we highlight forms of discretion as granted and as used; if, when and how these forms interact, their effects on the implementation process of the studied policy; the perceptions of the SLBs. All the findings emerged from the comparison of the navigators' work in two different regional contexts. In the first sub-section the attention will be mainly focused on the discretion as granted, while in the second and the third sub-sections we shed light on some forms of discretion as used and their relationships with the discretion as granted.

6.1 | Between standardisation and freedom to act: Spaces of discretion as granted and its influence on the SLBs' behaviours

The analysis of the norms and the implementing documents highlighted that the access to the RdC and the calculation of the cash benefit do not depend on the judgement of SLBs. In this sense, they do not have any discretionary

power; discretion opens when citizens already benefit from income support, during the path for customised support to family members. In particular, from the national legislation, the greatest spaces for discretionary actions seem to potentially open in the last step, whereas SLOs are left with the responsibility of filling with contents and activities the customised strategy for inclusion (Andreotti et al., 2020).

Let us explain this general result with some details. The National Decree-Law 4/2019 regulating the measure provided rather general indications and delegated the implementation of the steps and the definition of navigators' tasks to specific agreements between ANPAL and each Italian region. The analysis of the agreements in the two studied regions highlighted a sort of normative isomorphism, as they were almost identical. Both agreements confirmed the general steps introduced by the law and unpacked them in more precise ones. For the sake of clarity, we outlined three crucial phases: (1) convening of beneficiaries at PEOs; (2) first appointment during which administrative criteria are checked and, if the recipients are considered "employable", the "pact for work" is signed as a condition for receiving the economic benefit⁴; (3) implementation of a personalised activation plan providing specific activities for the insertion into the labour market. Within this process, navigators had the generic role of flanking and supporting the traditional staff of the PEOs in all the different steps, except for those requiring the exclusive intervention of the PEO's operator like the signature of the "pact for work".

Specifically, in Emilia Romagna the regional authority maintained a strong steering role in the RdC implementation phases. All PEOs were given precise guidelines and instruments concerning all the steps. These had binding character and the accountability system was based on their use. Granted discretion was therefore greatly constrained all over the region.

In Lombardy, consistently with the regional government system for active labour market policies (Scarano, 2022), we found rather generic and non-restrictive proposals, such as good practices and training materials. In this regional case, the institutional level defining procedures and potential forms of discretion as granted was the provincial one. These different potential spaces of discretion as granted were visible in the different forms of implementation of the measure.

The analysis of the empirical material clearly showed a different degree of variability in the implementation of the RdC in Emilia Romagna and Lombardy. While a clear and rather standard pattern of implementation emerged in Emilia Romagna, with quite a limited intra-regional variability, in Lombardy the variability of organisational and individual factors was significant, returning a fragmented and internally heterogeneous regional picture.

In Emilia Romagna, all PEOs followed identical procedures and the role of navigators was very similar. Specifically, navigators set up the agenda of the appointments, checked some administrative documents in view of the interview doing some back-office work, sent the calls for the interview, sent reminders of the appointment to the RdC beneficiaries. The first interview was always carried out by the PEO's employee who had the last responsibility for filling in and signing the "pact for work" together with the beneficiary; sometimes navigators could assist the interview. After these steps, the navigator took on the beneficiary for the personalised activation plan, which was made of similar activities all over the region.

In all PEOs, navigators were officially introduced in September 2019, accessed, and used the same regional IT systems, platforms, and tools to assess the qualitative profile of beneficiaries, although with some delays. On the whole, the fieldwork pointed out that in Emilia Romagna beneficiaries experienced the same patterns across all provinces and PEOs, bringing some evidence of the regional steering capacity.

"In Emilia Romagna we started using the regional information system from the very beginning, whereas in other regions they have been using the national system. The advantage of using the regional one is having much more information at hand"

(ERRE40MA).

In Lombardy similar standard patterns did not appear from the fieldwork: each provincial context "adopted its procedures", as various respondents told us, and these can be differentiated from each other. Although the

implementation steps were the same as in Emilia Romagna, they could be reversed in the time sequence and could be carried out differently. Moreover, the role of navigators seemed not to assume a standard configuration. In several Lombard PEOs, navigators were fully in charge of all the steps from the very beginning, with a high degree of autonomy, while in some other PEOs navigators did not get in touch with the beneficiaries until they had signed the pact for work. Furthermore, in several Lombard PEOs, navigators carried out the first interview and prepared all the documents for the “pact for work”, which was signed by the beneficiary, and only in a second moment signed by the PEO's staff.

“Therefore, each of us, differently from what is provided for by the regulations, managed this activity with full autonomy (...). We call the beneficiaries to the first appointments, we give them information on the measure, we do the evaluation of the requirements, the qualitative/quantitative profiling, and the skills assessment, then we register the beneficiaries in the PEO's informative system and prepare the pact for work, that will be formally countersigned by the manager of the PEO. The signature is a pure formality, it is a click”

(LOMB43M1).

The signature was considered a mere administrative procedure, although the PEOs were responsible for this task and had the only responsibility of filling the documents in the digital system. In these cases, navigators reported to the PEOs only the most problematic cases. However, in the Lombardy case, the fieldwork also showed situations in which the navigators' agency was very limited.

“We must follow what the province tells us to do. We do technical assistance, so we are guests in someone else's home. Nothing moves without the blessing of the province”

(LOBS47M).

In the middle of these two extreme positions, different situations were possible as different accounts reported. This variability was mainly due to the Lombardy institutional design delegating labour market policies at the provincial levels. Furthermore, from an organisation point of view, the unitary regional IT system (SIUL) was sided by a spread of IT provincial platforms, which increased the intra-regional fragmentation of work.

Concerning this last point, it is interesting to observe that while in Emilia Romagna there were common forms to collect and manage both administrative and qualitative information about the recipients, in Lombardy this was not the case. In this region, for many navigators the fragmentation of the IT system was sided by a late or denied access to it. As a coping strategy, they told us that one of the first actions they did was the creation and implementation of digitalized forms to collect and store the recipients' information. This could concern socio-demographic data and/or qualitative assessments. In most cases, navigators realised a combination of different tools used by the PEOs, the region, and ANPAL. Sometimes this was done in collaboration with the PEOs' managers, sometimes with complete autonomy.

“We worked with files that we built ourselves because we could not access the PEO's database, which, unfortunately, was off-limits to us. (...) We created a sort of new procedure to speed up some steps, transferring some of them to the back-office. (...) We also devised a single tool, in which we synthesized the interview form, the qualitative profiling, then questions related to complex needs - housing condition, family, health”

(LOGB34M).

Overall, these findings seemed to stress the tension between standardisation and agency in the everyday practices of SLBs. This tension seemed to be mediated by the forms of discretion as granted, with the patterns of practices adapting to it.

In particular, the comparative approach allowed us to observe how in different institutional configurations, various space of discretion was left to the navigators, who tend to conform to it. Therefore, we argue that one of the mechanisms through which the institutional context affects the discretion of SLBs is based on the shaping of discretion as granted.

With this result in mind, let us get into the description, analysis and discussion of the empirical material concerned with some forms of discretion as used and its relations with the discretion as granted.

6.2 | Forms of discretion as used within accountability

Despite the differences we have just seen, along both regional territories, navigators reported the urgency to keep up with the first interview with RdC beneficiaries and the signing of the “pact for work”; “making numbers” through appointing beneficiaries was always mentioned as compelling task strongly affecting their work and conditions.

“We first had to make up the numbers, namely, to take on the backlogged convocations. So, the initial indication was to clear this list of hundreds of RdC beneficiaries, who had never been contacted”
(LOMI54FB).

“It was a regional directive. By 31/12 we had to call everyone, otherwise no one died, but the PEO operators did not get the bonus. (...) There are also other factors: the regional employment agency makes very tight controls on the quantity and the quality of the work done”
(ERBO30M).

In two moments, this task was felt particularly urgent: the first one when navigators entered the PEOs and had to manage a long list of beneficiaries to be appointed (this was especially true for those provinces in Lombardy where navigators took service two/three months after their hiring); and the second one after the first lockdown, when activities restarted.

In both regions therefore a great part of navigators' activities was focused on the mere administrative side and given the high number of beneficiaries to deal with in a short time, in many cases, the space for personalised support was rather limited. In general, the tension between the need of the PEOs to meet their formal responsibilities (appointing the beneficiaries) and the navigators' tasks and wishes to actively support the beneficiaries through personalised plans partly clashed. Navigators reported some frustration for mainly doing administrative work. Yet, the empirical material highlighted several actions beyond managerial logic that respondents put into practice.

“We started activities aimed at job orientation and placement before the beneficiaries had yet signed the pact for work. This was because, at the end of the day, it was necessary to reach a concrete result. Autonomously, I sent job offers to the beneficiaries and followed them in doing their job applications. However, this activity is not among those formally recognized; it is as if my suggestions were those of a friend”
(LOMI30M).

“We started to reflect on his ambitions, on his professional identity, his awareness and non-awareness, his prejudices and so on. Thanks to CV editing and professional course he found a job and since then he has been my favourite user. (...) Now new ones arrive, but on these numbers, you can follow them, obviously delegating some work activities to the evenings”
(ERRN31F).

Most navigators from both regional contexts told us that the accountability principle was not the only one at play and that they put into practice some actions that seemed to go beyond the accountability goals. For instance,

they answered to their users in the evenings or during the weekends, or they worked during the weekends to speed up the paperwork and be able to focus on the RdC beneficiaries' needs. In other cases, contacts with beneficiaries started well before the signature of the “pact for work”, in order to become effective as soon as possible.

Within the “strains of these conditions”, to use Lipsky's words (Lipsky, 2010), we could detect common actions and ways of dealing with beneficiaries. To explain these patterns of practices, we recall individual factors that emerge in other literature cases (Gofen, 2014; Maynard-Moody & Musheno, 2003; Rice, 2013). The educational background and professional experience of navigators seemed to play a role: in fact, interviewed navigators motivated their involvement by referring to a specific way of understanding their work, with a more social orientation, less related to market logics; in many cases, this orientation was explained by referring to previous jobs or volunteering experiences in the third sector and to the educational background (many had a degree in humanities and law). Another relevant individual factor was the degree of commitment to the policy: the navigators who expressed relevant commitment to the RdC policy reform were usually the ones implementing actions also in extra work time, to reach the main objectives.

These individual attitudes were fostered by the common training navigators did at the national level before starting their activities within the PEOs. Training activities carried out by ANPAL were considered by the interviewees an important moment to build a common framework within which to play. Over time the construction of a sort of collective working identity has taken on both informal and formal forms, ranging from the creation of WhatsApp groups between navigators of different regions to the establishment of an association aimed at supporting their work.

These “common spaces” were considered important by all respondents, mainly because they allowed a constant dialogue between peers. For instance, WhatsApp navigators' groups at the national, regional and local levels served to exchange experiences, tools, understandings of laws and procedures, and share “best practices”. These exchanges were considered very useful for constructing shared ways of proceeding despite the differences and variability of local contexts. Quite often, it was only after sharing ideas and daily practices with other navigators, that they could/would propose some actions aimed at improving the working activities to the PEOs where they operated. This way of proceeding was already spread before the pandemic and became even more so within and after the pandemic when WhatsApp in many contexts became *de facto* the official tool for communication among the PEOs' managers, the colleagues and, sometimes, with the RdC beneficiaries.

On the whole, the fieldwork showed that, in order to balance accountability and support demands, navigators adopted some forms of discretion as used, even beyond formal action prescriptions. The development of these practices seemed to not depend on the institutional contexts, but on some individual factors – for instance, education or professional profile, individual motivations, levels of commitment – and on the membership in formal or informal groups of navigators.

6.3 | Forms of discretion as used between deserving and undeserving

According to the interviewed navigators, systematic personalised support and orientation were unfeasible almost everywhere – even if envisaged by the law – mainly due to an issue of workload amplified by the COVID-19 pandemic. The number of RdC beneficiaries assigned to the navigators, hand in hand with the priority of the administrative tasks we showed, made very difficult the planning and implementation of adequate and personalised support in an active job search. This factor intersected with another aspect, more qualitative, that concerned the complexity of individual cases. While in the normative design the “typical” RdC beneficiary should have been an “employable” person who needed to be properly “activated”, in the navigators' experiences there were very few cases of easily “employable” people. Consequently, in many cases, personalised paths seemed to be exhausting, time-consuming, and, sometimes, outside the skills possessed or the formal opportunities of action. The workload thus increased in terms of complexity and resources required (time, but also professional and operational tools).

“In fact, it's not to justify ourselves, but we had to work with a pandemic in our midst and we had to deal with people coming from a very long-term unemployment background; in this situation, helping them to find employment with a temporary contract was already quite an achievement”

(LOMI30M).

The literature on SLB and employment activation policies showed that in many contexts SLBs developed forms of creaming aimed at facing constraints, which created an imbalance between offer and demand (Brodkin, 2011; Bronzini & Coletto, 2018; Fuertes & Lindsay, 2016). This study confirmed this dynamic, with some specific differences.

Given the institutional constraints above discussed, the fieldwork showed that SLBs implemented some selective practices in the phase of personalised support. The selection was rarely random (in order of arrival or alphabetically), although in some cases it happened. It was sometimes based on the perception of the “employability level” of the RdC beneficiaries, or yet on paternalistic reasons, with the aim of helping the more disadvantaged subjects.

However, the main pattern seemed to consist of a sort of “reciprocal choice” between SLB and RdC beneficiary: basically, navigators supported those, directly or indirectly, showing a willingness to collaborate. Navigators provided examples of “good people” (as they nicknamed some RdC beneficiaries in the interviews), who get engaged with the activation path and challenge themselves, for example calling the navigator to get information, to ask for help, or to search for opportunities. With the same criteria, various interviewed navigators defined some other users as “bad beneficiaries”: in all the cases, their judgement was not based on an assessment of the levels of users' employability but on both their resistance to collaborate and, more in general, on a prevailing irritating individual attitude (positive or negative).

“(…) There are also people who only think about taking, that you guard against after you've done your little task... with them, it is better that you don't show up or make yourself heard anymore”

(ERPR54M)

Within this scheme, it is important to note that not necessarily the deserving user was the most employable; indeed, in some cases, they were on the hardest cases on paper.

“We set up their CV, registered them on portals, showed them how to apply for jobs... Then, as in all things, there are people who are willing to challenge themselves, even older people...”

(ERRE40M).

Therefore, in many cases, the willingness seemed to be the fundamental criterion to cream deserving profiles, with whom navigators ended up working most frequently and intensively. This finding seemed to be relevant and quite innovative in many respects, as it emphasised the centrality of both the role of the RdC beneficiary and the navigator in shaping creaming practices. Specifically, the fieldwork showed forms of discretion as used based on the logics of merit construction which do not refer to mere economic rationality. Moreover, the specific narrative of “good” and “bad” beneficiaries seemed to meet the systems of values and principles guiding the measure: if, on the one side, universalism requires that everyone must be given the same opportunity, on the other side the logic of conditionality penalises who does not collaborate. This dynamic is not unproblematic as the beneficiaries not performing willingness can become even more excluded.

7 | CONCLUSIONS

In this article we proposed an analytical model aimed at better understanding the discretionary practices of SLBs, considering the relationship between factors at micro (individual and relational), meso (organisational) and macro levels (institutional). The objective was to show how and to what extent discretionary practices are “embedded” in

institutional spaces. To do so, we maintained the analytical distinction between discretion as granted and discretion as used (Hupe, 2013, 2019), trying to identify different forms of discretion and how different factors affected them. Both forms of discretion have been thus considered “dependent variables”, focusing the attention on how the discretionary freedom is granted in different institutional contexts and to what extent and how SLBs use the degrees of freedom that institutional rules grant them.

We also argued that comparison remains the most fruitful strategy to understand discretion practices and the factors that can affect them. As suggested by Hupe et al. (2015: 418), comparison can take several forms: “comparing different employees of the same street-level organisation at one point or over time; making a comparison within the same system but within varied organisations; and looking at the same task as carried out in different countries/institutional contexts”. Beyond the ways to practise contextualised comparative research, we are totally convinced that comparison is crucial to better grasp elements of similarity and difference, unveiling the common or different mechanisms at work in institutional, organisational, and relational contexts.

In our case, we used the proposed analytical model to analyse the implementation process of the *Reddito di Cittadinanza* (RdC) policy - the new Italian anti-poverty measure - in two different regional welfare systems, adopting the point of view of the navigators, a new “professional group in public service” (Hupe, 2019) introduced by the same policy. We thus analysed the implementation of a national policy mainly considering points of view, actions, and perceptions of the same group of SLBs who operated in two very different local (regional) welfare systems.

Considering the multilevel governance system and the local welfare arrangements (macro level) allowed us to understand the room for *manoeuvre* for discretionary practices, and the ways it was played. On the whole, notwithstanding a certain degree of normative isomorphism, the fieldwork showed that there are different forms of discretion as granted in the two regional contexts. The empirical evidence collected seemed to sustain the idea that where the regional institutional level adopted a clear steering guide, the degree of discretion was rather limited and regulated (as in Emilia Romagna case); on the other hand, where the regional level delegated to lower institutional levels, discretion was higher (as in Lombardy case). In particular, the comparative approach allowed us to observe how in different institutional configurations, two different implementations of multilevel governance left various space of discretion to the navigators, who tend to conform to it. However, this process did not seem to be linear. In some cases, SLBs appreciated strongly regulated forms of discretion as granted, in other cases more room for *manoeuvre* seemed to overwhelm SLBs, confirming that more discretion as granted does not automatically mean that it is used by SLBs (Osiander & Steinke, 2015). These forms of discretion as granted interacted with and influenced forms of discretion as used. In particular, the fieldwork highlighted forms of discretionary power that seemed strongly conditioned by some specific individual and relational factors.

As we showed, navigators carried out comparable tasks in different contexts; especially after the lockdowns due to the Covid-19 pandemic, they had to face some relevant administrative tasks (“making numbers”) that generated frustrations in many interviewed SLBs. However, in this scenario, our respondents put into practice some actions that seemed to go beyond the accountability goals. These forms of discretion as used seemed to be fostered by important relational factors: the constant use of WhatsApp groups to share ideas, opinions, experiences, but also frustration, helped the SLBs to deal with various difficulties and, in general, with the daily working situations. This continuous exercise of sharing ideas contributed to the construction of a common identity, which started with the experience of common training courses.

On the other hand, the fieldwork highlighted forms of creaming that the literature on SLB showed and explained in various contexts of activation policies. Our study confirmed this dynamic, highlighting the importance of relational factors. Specifically, we showed how in many cases navigators ended up working most frequently and intensively with RdC beneficiaries who proved more willingness, beyond their level of “employability”. As said, this finding seemed to be relevant and quite innovative in many respects, as it emphasised the centrality of both the role of the policy's beneficiary and the SLB in shaping creaming practices.

These are two of the most relevant forms of discretion as used that seemed to be transversal to the institutional contexts and to be more dependent on specific individual and relational factors. This does not mean that there are

no relationships between these forms of discretion as used and the discretion as granted described above, but further investigations are needed to better understand the nature and intensity of this type of relationship.

In general, the analytical model allowed to maintain a bottom-up perspective and, at the same time, to distinguish different forms of discretion – which in everyday reality are often overlapping – highlighting how factors at different levels can affect them.

A clear limitation of this study is that we overlook the role of organisational factors: although we had hints that they matter, the empirical material was not enough robust to identify specific patterns and conditions on how they matter. From this point of view, more empirical research is needed.

Furthermore, the analytical model should be tested in other policy and institutional contexts to better understand its explanatory potential and its limits; for this reason, further comparative empirical studies are needed.

ACKNOWLEDGEMENTS

We are deeply grateful to all 41 research participants for their precious contribution.

DATA AVAILABILITY STATEMENT

The data that support the findings of this study are available on request from the corresponding author. The data are not publicly available due to privacy or ethical restrictions.

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ENDNOTES

- ¹ Overall, we interviewed 20 women and 21 men between 25 and 64 years old (25–34 = 11; 35–44 = 16; 45–54 = 9; 55–64 = 5), their profile mirrors the national one with an average age of 35 years old (ANPAL, 2019). The distribution by region and province results as follows. A total of 25 respondents in Lombardy (Milano = 9; Brescia = 4; Cremona = 1; Bergamo = 6; Varese = 1; Monza e Brianza = 2; Pavia = 2), and a total of 16 in Emilia-Romagna (Bologna = 3; Reggio Emilia = 3; Forlì-Cesena = 2; Modena = 5; Parma = 1; Rimini = 1).
- ² In 2022, 1.531.854 households (3.490.090 people) have received at least one monthly payment of RdC (INPS, 2022). The Budget Law 2023 has now abolished the RdC in favour of two measures: the “Social Inclusion benefit” targeted only to households with minors or disabled or elderly people (>60 years), and the “Support for the vocational training and labour” a cash benefit of 350 euros per month for the “employable” aged between 18 and 60 years.
- ³ In general, some recent studies highlighted that Italian PEOs suffer from various problems and are underfinanced and understaffed compared to PEOs in other European countries (ANPAL, 2018).
- ⁴ The conditionality system was suspended during the first phase of the pandemic (March–July 2020) due to the emergency period.

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How to cite this article: Andreotti, A., Coletto, D., & Rio, A. (2024). Street-level bureaucrats' discretion between individual and institutional factors: The analysis of the minimum income policy implementation in two Italian regions. *Social Policy & Administration*, 58(3), 368–384. <https://doi.org/10.1111/spol.12964>