Fighting Bureaucratic Dysfunction: Pursuing Citizen-Centric Public Innovation

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Bureaucratic red tape is time-consuming and places undue pressure on the citizen. **Arre Zuurmond**, **Lobke van der Meulen** and **Jorrit de Jong** have made it their mission to tackle this problem by placing citizens in the centre of the process, but realise that there is more than meets the eye.

In 2000, Laura and her husband, both Dutch citizens, left Holland for a holiday in the Dominican Republic. Three days later, the husband died of a sudden heart attack. Laura flew home with her husband's body and proceeded to make arrangements with the local mortuary to handle the coffin and other arrangements. She was shocked to learn that she couldn't go ahead with the procedure as her city government refused to register the death in the Civil Registry. This was despite actions taken by Laura to translate the Dominican documents into Dutch, as requested by the Dutch officials.

The reason given was that the documents provided by the Dominican Republic were not properly certified by the foreign documents agency of the municipality of The Hague. However, recognising the urgency of the situation, the civil servant gave Laura a temporary pass to cremate her husband's body. Four months later, the husband's death was formally registered, but not before the delay and aggravated requests for documents and paperwork had added to the distress of the already grieving family.

Laura's story is but one example of how red tape can be an administrative burden in the public sector, consuming unnecessary time. Sometimes, red tape goes beyond being an administrative burden. Citizens, entrepreneurs and professionals can become trapped in this unhealthy culture. Worse, the envisioned public value of the policy behind the bureaucratic encounter cannot be realised.

This is what we call bureaucratic dysfunction—when either the recipient of public policy (citizen, entrepreneur, professional) is trapped, or the policy as intended is not executed legitimately or effectively.

Citizen-Centric Public Innovation

Laura's story is just one of 50 cases that the non-profit organisation, Kafka Brigade Netherlands has handled. The Kafka Brigade was established by three Dutch bureaus—Zenc consultancy, an e-government consultancy firm; Jorritdejong.nl, a research and training consultancy; and Knowledgeland Thinktank, a non-profit think tank—to help public organisations diagnose and remedy bureaucratic dysfunction.

To do this, it has developed a methodology whose main principles are: "Putting the citizen front and centre" and "involving everybody at stake." Kafka's purpose is to remove structural traps and to help public organisations improve their public value.

The 6-step Kafka Brigade Methodology

1. Start with the initial appraisal: a short inventory of the problem.

2. Write a narrative: this is the citizen's story in his own words, not in the words of the system.

3. Perform an analysis and depict all encounters and activities that have been performed by both the citizen and the organisations. In other words, create a process map, showing all activities in a time line.

4. Perform an expert critique: Check all information and analyse whether the line of activities is logical and identical in comparable cases.

5. Invite all the people with a stake (frontline staff, managers, policy makers, directors and experts) for a collective performance review. The aim is to analyse the bottlenecks and collect the first steps in the direction of a structural solution. Building on the collective performance review, create an action plan in which all agencies involved sum up the improvements they are going to implement.

6. Secure the implementation, by organising a check-back meeting.

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Kafka always starts with one individual: A citizen, an entrepreneur or a professional who is completely tangled in rules, regulations and procedures. The case to be dealt with has to be representative of a broader group. It has to be a structural problem, not an isolated incident.

Laura's case provided a basis on which the city government decided to streamline the two divisions involved—the Civil Registry and the General Municipal database. The problems and delays she encountered arose because the two divisions were under separate jurisdictions, and hence one was doing its work without being aware of the requirements of the other. The communication problems between the two departments caused undue stress on the citizens and it took the stories of several citizens and a mediator to change the law.

Laura's was a success story, but there have been others that have not been so straightforward.

Dysfunction as a Political Cover

Ksenia is a 22-year old Polish girl engaged to a Dutch IT professional. They fell in love a couple of years ago and decided to move in together. They chose to settle down in Holland. Ksenia qualified for an extended stay in Holland, since both Poland and Holland are part of the European Union and have an immigration treaty. As a student, Ksenia wanted to take on part-time employment.

However, in Holland, there are many different rules covering foreigners who seek employment, to study, and to qualify for public services. It took two years and multiple trips to at least five different government agencies before Ksenia and her fiancé could even think of settling down.

The first agency Ksenia went to was the City Government so that she could register and be admitted to a Dutch language course for foreigners. However, she learnt that this was not possible because she was not a permanent resident. Her solution was to move to a neighbouring city where it was possible to register. But she was still unclear about the kind of permit she needed to work and study at the same time.

Ksenia went to the Department of Immigration to find the answers, but was none the wiser. Instead, she ended up with a lot of brochures and forms for different situations and target groups. No options were given for situations that overlap. Ksenia next went to the Center for Employment and Social Benefits and was given the impression that finding a job in the black market might be the only option for her. Since the Center could not provide any more information, they referred Ksenia to the Central Agency Student Affairs which pointed her back to the Department of Immigration.

Ksenia was accepted to work at the university she was studying but that didn't work out because of the permit that she could not produce.

Ksenia listed her problems:

- Difficulty in finding information about the regulations.
- Lack of ready personnel capable of handling her problems in a holistic manner; each agency only knew its part of the puzzle. The task of finding all parts of the puzzle and making them fit together was left to the citizen.
- Extensive processing time and inconclusive replies.
- Reluctant service by the officers, even though she was not asking for a favour from the government. In fact, she was allowed, and even encouraged, to study in Holland and to get a job.

Immigration is always a controversial issue in Holland, and debate on the subject is both highly polarised and highly politicised. All the parties at stake shy from the subject because of its sensitivity.

(Government Officers) were **neither rewarded for solving cases nor for satisfying clients, but only for processing demands as efficiently as possible**. The discretionary authority of frontline officials was also extremely limited. This explained why the behaviour of most of these frontline workers was generally inflexible and reactive even in cases when it should have been relatively easy to help Ksenia.

Consequently, and as confirmed by the government officers involved in Ksenia's case, the performance metric for their work focused on the number of cases they could process in a day. They were neither rewarded for solving cases nor for satisfying clients, but only for processing demands as efficiently as possible. The discretionary authority of frontline officials was also extremely limited. This explained why the behaviour of most of these frontline workers was generally inflexible and reactive even in cases when it should have been relatively easy to help Ksenia.

Given the systemic tension surrounding this issue, there is a lack of energy and willingness among administrators and policy makers to sort out these problems. Here, bureaucracy is used as a defence mechanism.

Ksenia's case—that of a foreigner who wanted to move to Holland to not just live there, but also to work and study—is a very political one. Since the Kafka Brigade is not a political organisation, her case fell outside its scope. Kafka focuses on rational and functional barriers, but if the government seeks to keep immigrants out by creating unnecessary bureaucracy, it is unable to help.

Cultural Paralysis

In other instances, the parties involved acknowledge the bureaucratic dysfunction, but the practice has been around for too long for it to be overcome easily.

Two psychiatric nurses—Mary and Kathy—came to Kafka to explain how, in light of a new budgeting system in mental healthcare, they spent a large part of their work day registering and reporting. Before, mental hospitals were paid according to their capacity (number of beds). In the near future, mental health hospitals will be paid for each client they treat. In the transition period, hospitals get a mixed budget: Partially based on their capacity and partially on the number of clients they treat.

Mary and Kathy provide short-term and long-term care, respectively. Mary diagnoses the client and informs the mental health insurance of this diagnosis so that payment may be made to her organisation. Another organisation, the Centrum Indicatiestelling Zorg, or CIZ, decides if the client is entitled to short-term care with Mary's organisation. Kathy, too, has to hand in extensive information about the client to the CIZ. It can take the CIZ up to six weeks to make a decision. In Kathy's case, the application is sometimes even embarrassing for the client. And there are more problems.

In more serious cases, somatic and psychiatric care are totalised each month, which means that if a client needs to go to the GP and the dentist in the same month, he can't get all the psychiatric care he needs.

Mary and Kathy are overwhelmed by the amount of paperwork which takes up a quarter of their work day. While they are absolutely aware of the importance of reporting the treatment of a client, they have to literally account for every single minute they spend on each client.

Everyone involved agrees that time keeping on a per minute basis is unnecessary. It is even counter-productive since the information the management receives can sometimes be unreliable especially if the activity is recorded against a different category because its actual designation is unclear.

Although everybody is convinced that the recording of time on a per minute should be removed, it remains. The management of the hospital has decided that it cannot be changed because of the knock-on effects for the accountant, the health insurance companies and the like.

As Mary and Kathy's case shows, entrenched cultural problems often inhibit participants from changing their way of working. Even a single intervention—such as Kafka's case research on the problem—doesn't work. A longer period of guidance and reflection is needed here, both on the frontline and on management level.

Kafka is experimenting with just such an approach in an office for juvenile care. A Kafka coach guides front-line professionals in changing their normal way of working. On the management level, we organise reflection sessions around the most urgent issues using recent cases. It's early days still, but the very first results look promising.

Analysis

In each of the above three cases, the Kafka Brigade developed a narrative and organised a collective performance review. In each case, participants welcomed the approach. The process of starting from the perspective of the citizen (or the professional) and creating an account that does not follow the logic of the system, but rather the logic of the citizen, is perceived as new, insightful and inspiring.

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The fact that all participants are in the same room has proved to be important. Since, in many cases, low quality performance is blamed on someone else or on another organisation, we insist that all relevant actors are present so that they can address each other. This creates a pressure-cooker situation that increases the probability of finding solutions. That said, Kafka has to acknowledge that in the three presented cases, Kafka was completely successful in the first case, half in the third case, and not at all in the second case.

There are three reasons for the lack of full success:

- **While the Kafka method is simple, it is difficult for agencies to implement:** Sometimes, they rather prefer an actor to a real life citizen. The awkwardness created by the fact that a citizen takes part in the conversation pulls participants out of their comfort zone. To rectify this, the Kafka Brigade operates under the radar by applying a diplomatic approach that enables all actors to change their position and work processes, without publicly admitting that they have made a mistake. In Mary and Kathy's case, no improvements have been made despite the "under the radar" work. There seems to be a lack of leadership here, or cultural paralysis: Everybody with a stake knows that the current system isn't the best way to work; however no one thinks he or she can change the situation. "We are dependent on our accountant, or the National Government, or…"

- **Lack of political will:** In Ksenia's case, formal European law forces Holland to admit students from other European countries. But the European Union does not provide a budget to go with these rights. This creates a drain on resources of the host country. In this case, Dutch politicians try to minimise the possibility that foreign students will successfully start in Holland with all manner of red tape. From this perspective, dysfunctional bureaucracy can politically actually be very functional. It follows that, in such cases, the Kafka Brigade can do little to make effective, long term changes. The question then becomes one of functional rationality: How can the Kafka Brigade, given a certain set of inflexible political goals, reach the best results?

- **No successful alternatives can be found:** When this is the case, the Kafka method itself needs to be adapted. The Kafka Brigade found that applying one intervention, by organising only one collective performance review, is not enough. Thus, we have adapted our methodology. Kafka now organises several (as many as four to six) collective performance reviews, each centred around a different aspect of bureaucratic dysfunction. Alongside this, it organises reflection sessions, or meetings in which it discusses with top management why the improvements, as they were agreed upon in the collective performance review, are working or are not working. With top management, we then apply additional measures to improve the results of the collective performance reviews. This is still very much a work-in-progress in the cases of Ksenia, and Kathy and Mary.

Conclusion

Citizens and professionals can get trapped in a system of bureaucratic dysfunction. The Kafka Brigade applies a method that helps solve this problem. Of course, it's not always successful. That said, working from the perspective of the citizen, under the radar, with all actors involved, helps to both identify shortcomings and to find mutually acceptable improvements.

As is already evident, the Kafka Brigade method is highly qualitative. Therefore it is very difficult to present overall results. In many cases, we have helped solve individual problems, and in approximately two-thirds of the cases, some form of progress has been made. What's more, we have adapted our methods to further enhance the probability of success and to ensure lasting structural improvement. This, we hope, will inspire more and more people to adopt the method. The idea that it is possible to break down unnecessary bureaucratic procedures and to reduce red tape gives people the energy to keep on fighting bureaucracy.

By repeating this process and by introducing a degree of managerial reflection on how a dysfunction can be improved, we hope to enhance the likelihood of success. Where the Kafka Brigade's method works less well is situations where a strong, inflexible political rationale lies behind the bureaucratic dysfunction. In that case, political action is needed because the method is not a political instrument. That said, the Kafka Brigade continues to believe that in many cases, politics is not the cause of the bureaucratic dysfunction and thus a solution can often be found.