

(re-)integrating refugees:

**A Dutch street-level study on the labour market
(re-)integration of refugees**

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“I beg your pardon,
I never promised you a rose garden.
Along with the sunshine,
There's gotta be a little rain sometimes.
When you take, you gotta give, so live and let live,
Or let go.
I beg your pardon,
I never promised you a rose garden”.

Joe South (1972)

Summary

With regard to the labour market integration of refugees in the Netherlands, there is no equity of treatment. While some refugees are allowed to study or do part-time (voluntary) work while retaining their social assistance benefits, others lose their right to social assistance while performing one of these activities. In order to detect local disparities for refugees living in the Netherlands, it was believed that a street-level study needed to be applied for the purpose of understanding how (re-)integration policies are produced on the ground and the factors that shape its production. Since activation workers are responsible for the daily implementation of the Work and Assistance Act, a research question was posed exploring the decisions made by activation workers and the patterns guiding these decisions. This research was guided by the following central research question: *How do activation workers use their discretion to (re-)integrate refugees on the labour market and what explains the differences?* The theoretical framework revealed that, so-called street-level bureaucrats, enjoy substantial discretion in the execution of their work, arising from the specific conditions of work, in which resources are insufficient, clear goal achievement is absent and the relation with clients is often coercive. It was expected that also in contemporary Dutch activation work, similar conditions of work and sources of discretion could be identified. In accordance with the literature it was found that activation workers enjoy considerable freedom to choose among a number of possible action or inactions while integrating refugees on the labour market. Furthermore, findings demonstrate that activation workers use their discretion to take decision that structure and delimit refugees lives and opportunities. In addition, the findings of this research demonstrate that by setting the work conditions, municipalities influence the manner in which activation workers use their discretion. Conditions of work as well as organizational incentives appeared to be of importance, causing overall inter-municipal differences between Heerlen, Breda and Amsterdam. Overall, inter-municipal differences were detected revealing that in Amsterdam the work conditions as well as the organization incentives were most sensitive with regard to refugee-specific circumstances.

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Chapter 1: Introduction

1.1 Research field

In the Netherlands, stimulating labour-market participation of unemployed social assistance recipients has become a central component in social security programmes (Van Oorschot, 2002; Borghi & Van Berkel, 2007; Van Berkel, 2007; Van der Aa; 2009). From the 1990s on, social assistance has been supplemented with “activation”. As Van der Aa & Van Berkel, (2012) explain: “activation consist of the provision of services aimed at promoting the (re-)integration of unemployed people depending on benefits into the labour market” (p.3). In this, social assistance is no longer perceived as a ‘safety net’, catching the most vulnerable in society but it rather has become a ‘trampoline’, temporary catching the unemployed with the main goal to bounce them back into the labour market (Morel et al., 2002). Nowadays, in the Netherlands as well as in various other western countries, activation has become an obligatory element in social security schemes with the objective to stimulate social assistance exit (Van Berkel, 2007). Simultaneously, activation workers were introduced with the main goal to help ensure that the unemployed social assistance recipients improve their employability and find a job (Van Oorschot, 2002). Activation workers also safeguard social control: they have the moral assignment to emphasise their clients’ duties and implement the message that a welfare status should be avoided, since work is preferred over social assistance (Evans; 2010).

Among the different kind of clients that activation workers serve, refugees constitute a special category with very particular labour market problems (Klaver et al., 2012). Research on employment rates for refugees in the Netherlands demonstrates a problematic labour market situation (Klaver et al., 2012; Klaver & Odé, 2003, Gijsberts & Dagevos, 2009). Refugees are falling seriously behind experiencing multiple labour market barriers which hamper sustainable labour market integration (Klaver & Odé, 2003; Kruisbergen & Veenman, 2002). Primarily the first years after settlement, many refugees depend on social assistance and many refugees have thus become targets of activation policy (Ministry of Social Affairs and Employment, 2011). For refugees, activation policy can offer various opportunities. Refugees often have little understanding of the Dutch labour market (Klaver et al, 2012). Refugees who independently look for a job hardly never succeed (Degavos, 2011) and when work is found it is mostly below their education level (Degavos, 2011) or it concerns permanent jobs (Klaver & Odé, 2003). Opportunities offered such as activation programs can, therefore, be of importance in increasing employability and finding employment.

There is no equity of treatment, however (Van Berkel et al., 2010) local welfare systems answer differently to the social needs of refugees (UAF, 2012). In this, the role of activation workers is of significance, since activation workers “take decisions regarding the access or denial of services, the

content of services, the evaluation and treatment of clients, the jobs clients are expected to accept, and the distribution of rewards and sanctions“(Van Berkel, Van der Aa, Van Gestel, 2010, p. 461). While providing tailor-made services, activation workers can employ various (additional) instruments to reduce the labour market distance of refugees and increase refugees’ chances. While some refugees are allowed to do an internship, or do (voluntary) part-time work while retaining their social assistance benefits, others lose their right to social assistance while performing one of these activities (Klaver et al., 2012). Overall, the daily practice of activation workers is of significance, since it determines “who gets what, how and when” (Evans, 2010).

This research concentrates on a specific type of welfare service employees which provide services to a specific group of welfare clients; activation workers’ practices with regard to the (re-)integration of refugees. Understanding of activation policies and their effects on refugees cannot simply be understood by scrutinising its legislative form (Van der Aa, 2009). As mentioned, essential in the understanding of activation policy and its’ effect on refugees, is understanding about how policy is produced on the ground (Evans, 2010), since policy on the ground seldom takes the same shape as formal policy (Lipsky, 1980). The analytic challenge is to research the nature of (re-)integration policies for refugees as it is produced on the ground and the factors that shaping its production. Therefore, one needs to know what decisions are made by activation workers and even more important, what guides these decisions.

1.2 Research question

The central research question is the following:

How do activation workers use their discretion to (re-)integrate refugees on the labour market and what explains the differences?

1.3 Research objectives

This research is characterized by the following objectives:

- Outline multidimensional sources of discretion for activation workers in the Netherlands.
- Reconstructing activation work in respect to the labour market integration of refugees against the background of the local institutional context.
- Reveal and explain local disparities for refugees living in the Netherlands.

1.4 Necessity

While performed independently, this research is commissioned by The Foundation for Refugee Students UAF. As a defender of refugees' rights, the UAF states to be concerned about the governmental cut-backs on integration policies and the substantial variation in local integration policies and measures. Though the UAF emphasises that refugees have a strong determination, concerns are raised: can refugees count on sufficient support in their municipalities? In January 2013 the UAF decided that research was needed in order answer these questions.

1.5 Overview

After having introduced the topic of research, this research is organized in the following way: Chapter two of this research presents the theoretical framework, including the analytic framework constituting as the main foundation for the proposition of research. Chapter three discusses the research methodology and data analysis. Chapter four present the data resulting from the semi-structured interviews. Finally, chapter five presents the main conclusion based on theoretical and methodological reflections. In addition, various policy recommendations will be made.

Chapter 2: Literature research

This chapter presents the main foundation of this research. Firstly, this chapter outlines the policy context in which the social problem emerges, forming the basis of understanding the context of this research. Secondly, the main theoretical approach of this research, a review of the literature on street-level bureaucracy, is presented. Thirdly, while outlining the relevance to conduct this research, a bridge is made explaining why the theoretical approach is applicable to the particular context of this research. Finally, an analytical framework will be presented pointing out the indicators to measure, merging the previous knowledge that will be applied further on.

2.1 Policy context

2.1.1 The labour market position of refugees

Asylum seekers have become a large proportion of the new immigrants in contemporary European societies, in contrast to the traditional immigrant worker of the post-war period (Central Bureau voor de Statistiek, 2012). According to the Dutch General Statistical Bureau (*Centraal Bureau voor de Statistiek*) the Netherlands counts more than 70.000 refugees largely originating from non-western countries (Centraal Bureau voor de Statistiek, 2012). While some immigrants have successfully integrated into the Dutch economy, the culture, the political and educational system, a substantial segment of the migrant population is unable to build a self-sufficient existence in the Netherlands (Ministry of Social Affairs and Employment, 2011). According to the Advisory Committee on Refugee Affairs “Asylum seekers, who for many years lived in a state of dependence, find it rather difficult to give shape to an independent existence” (2013, p. 32).

In accordance with the Advisory Committee on Refugee Affairs (2013), the available statistics on refugees living in the Netherlands give rise to concerns (Klaver et al., 2012; Klaver & Odé, 2003, Klaver & Van der Welle, 2009; Gijsberts & Dagevos, 2009). The socio-economic position of refugees in the Netherlands is exceptionally poor compared to that of other migrants groups. Around 30 per cent of all refugees in the Netherlands live below the poverty line (Klaver et al., 2012:2). Relative poverty is generated by debts; refugees often have to make a lot of costs in order to make a new start but also due to a poor labour market position. Research on employment rates for refugees in the Netherlands demonstrates this problematic situation (Klaver & Odé, 2003). In 2012 only one third of the total population of refugees in the Netherlands, with a legal residence permit, had a job. Of all refugees between the age of 15 and 64 about 22 per cent is registered at the UWV (Administrative Authority Employee Insurances) as “job-seeker”.

Research shows that, relatively speaking, unemployment rates for refugees are higher than for other ethnic minorities in the Netherlands (Klaver & Van der Welle, 2009: 60). While roughly 25% of all refugees in the Netherlands has performed on a professional educational or academic level (in their country of residence), which is a higher than the overall educational level of other ethnic minorities in the Netherlands (UAF, 2013)¹, the overall labour market position is poor and refugees often do not succeed in finding a job which suits their previous work experience or educational level (Klaver & Van der Welle, 2009). Almost 50 % of the working refugees have, compared to their educational background, jobs at a lower hierarchical level, indicating downwards mobility of refugees (Degavos, 2011).

Various obstacles such as insufficient knowledge of the Dutch language, discontinuity in careers, lack of work experience and lack of relevant networks makes it rather difficult for refugees to enter the Dutch labour market. In general, psychical and mental health of refugees is worse than that of native Dutch citizens. Refugees also often struggle with traumatic experiences and other mental and physical health issues which hinders the overall participation within the Dutch society. (Klaver et al., 2012). For many refugees, even after a period of establishment it remains extremely difficult to sufficiently improve their living conditions (Klaver & Van der Welle, 2009). Refugees nevertheless have a strong determination to succeed and compared to other migrant groups in the Netherlands, are more eager to participate on the labour market (Klaver & Odé, 2003).

2.1.2 The formal obligations of municipalities towards refugees

To gain further understanding about the research topic it is of importance to first explore the formal policy with regard to the labour market (re-)integration of refugees. Municipalities have several obligations in order to advance the labour market integration process of newcomers in their municipalities. Though the actual content of local policies and measures vary to great extent, three phases can be distinguished: (1) *first assistance*; (2) *civic integration* and; (3) *labour market directing* (Klaver & Odé, 2003).

Refugees in the Netherlands, with residence permits based on the Refugee Convention of 1951 and its 1967 Protocol, are entitled to public housing (UNHCR, 2011). Refugees are accommodated all over the Netherlands, first in a refugee centre, a so-called AZC (*asielzoekerscentrum*) a temporary residency where refugees have to await their application for asylum, then, refugees will receive public housing in one of Netherlands' municipalities (Klaver et al., 2012). Refugees cannot choose their

¹ Source: Erik van den Bergh, employee Communications & Regional Policies at UAF.

place of residency.² Each year, the Ministry of Foreign Affairs decides on the basis on the size of a municipalities' population how many refugees a municipality is obliged to accommodate. Once refugees are welcomed into their new residency, the integration process of refugees starts off (Klaver et al., 2012).

In the phase of *first assistance* governments are obliged to facilitate accommodations and provide refugees with an income. In this period, refugees enter a labyrinth of unknown rules, regulations and institutions (UAF, 2012). Before January 2013, municipalities were expected to offer social guidance (*maatschappelijke begeleiding*), often provided by external agencies such as Refugee Work. The objective was to help refugees during a period of establishment, with all kinds of arrangements: renting, social assistance applications and other institutional problems. However, the revised vision on integration of 2011 states that newcomers themselves (including refugees), are responsible for their own integration process and their ability to cope independently (Ministry of Social Affairs and Employment, 2011). Since 2013, municipalities are no longer obliged to provide assistance in this field. Budgets for the provision of social guidance threatened to disappear (Vereniging van Nederlandse Gemeenten, April 2013). Under pressure of the Association of Netherlands Municipalities (*Vereniging van Nederlandse Gemeenten*) and Refugee Work, a national structural budget remained by which municipalities can pay the expenses of social guidance. However, overall less money is available.

The phase of *civic integration* consists of mandatory civic integration and language courses which are, also since 2013, solely the responsibility of newcomers. Therefore no financial resources are allocated for this purpose for municipalities. Refugees, however, are entitled to a social loan (*sociale lening*) with a maximum of 10.000 Euros in order to pay the expenses of their civic integration and language courses. Refugees do not have to pay back the loan, on condition that they successfully pass their exams (Gemeentenloket, January 2013). Furthermore, for all newcomers in the Netherlands (refugees as well as other migrants) civic integration is a mandatory prerequisite for citizenship and residence. Municipalities often stimulate a quick start, since civic integration and especially language skills are seen as a necessary condition for successful labour market influx (Klaver et al., 2012). Preliminary work programs are often started as soon as possible.

Ideally *labour market directing* is the “final phase” in the integration process of refugees (Klaver et al., 2012). This is the last stage in which refugees are prepared for the ultimate goal: self-sufficiency (Dienst Werk en Inkomen, May 2011). In practice, *civic integration* and *labour market directing* are hard to separate. It often contains blurred lines varying from municipality to municipality, depending

² The public housing of refugees is bounded in Article 60a-g of the Dutch Housing law (*Huisvestingwet*).

on when refugees are obliged to start their job-search (Klaver et al., 2012). Once refugees are accommodated in their new residency, refugees as well as all other citizens can request social assistance (*bijstand*) if they are unable to support themselves. Unfortunately, as mentioned, this is often the case: while experiencing economic insecurity and struggling with high debts (Klaver & Odé, 2003), refugees highly depend on social assistance (UAF, 2012).

2.1.3 The Work and Assistance Act

Local authorities are held responsible for the provision of social assistance through the Work and Assistance Act (*Wet werk en bijstand*): a framework law which arranges basic incomes for those unable to earn a living. The Work and Assistance Act offers a legal framework and within these boundaries municipalities can design and pursue their own policy goals (Bosselaar et al., 2007). In return, municipalities bear the financial responsibilities. Municipalities are granted with two budgets, one for social assistance and one for re-integration instruments: the *income section* (*Inkomens-deel*) and the *work section* (*Werk-deel*). Budgets for *income section* are meant to cover the expenses of social assistance benefits. If there is a surplus, municipalities are free to choose how to spend the remaining amount of money. If there is a shortage however, municipalities need to cover for it themselves.³ Budgets for the *work section* can only be spent on re-integration programs and services. Remaining amounts of money will return to Netherlands Treasury (Bosselaar et al., 2007). These financial incentives and responsibilities are intended to maximize the (re-)integration efforts of municipalities, since it is also of local importance to stimulate labour market influx in order to maintain a healthy financial situation (Van Berkel, 2006). Consequently, municipalities actively stimulate job-search, aided by so called ‘Public Work Squares’ (*Werkpleinen*). Public Work Squares offer extra assistance to long-term unemployed social assistance recipients in order to realize labour market influx (Bosselaar et al., 2007). Here, cooperation between the UWV (Administrative Authority Employee Insurances) and local Social Service takes place. Recipients are obliged to, as soon as possible, (re-)integrate on the labour market. Beneficiaries therefore need to be registered at the UWV (Administrative Authority Employee Insurances) as a “job-seeker” (*Werkplein*, May 2012).

According to Bosselaar et al. (2007), the financial incentives built into the Work and Assistance Act are intended to pressure local authorities to do whatever is in their power to reduce the number of social assistance beneficiaries. However, there is not one single road for municipalities to follow. In the Netherlands, inter-municipalities differences can be discovered in the implementation of the Work and Assistance Act (Van Berkel, 2006; Van der Aa, 2009). Additionally research on the integration of refugees states that governments are free in allocating additional resources to particular vulnerable

³ Exceptions are made.

groups, including refugees (Klaver et al., 2012). Whether or not target-group rules- and regulations are added, highly differs from municipality to municipality. For this research, it is interesting to further explore the nature and the scope of these differences and how they might affect the (re-)integration process of refugees. As stated previously, while merging between policy and citizens, the role of activation worker can be of severe importance.

2.1.4 The role of activation workers in short

Local authorities can make various choices while implementing the Work and Assistance Act (UAF, 2012). Once these choices are made, activation workers become responsible for the daily implementation of the Work and Assistance Act. In general, activation workers are directed to translate the Work and Assistance Act into direct actions, stimulating the labour market integration of social assistance recipients (Van Berkel, Van der Aa & Van Gestel, 2010). Activation workers are responsible for the practical implementation of the local activation policy intervention (Stimulanz, 2011). Although, programs may differ from municipality to municipality, the general approach seems to be intensified employability and mandatory participation in various forms of activation policy measures (Van der Aa, 2009). As soon as clients receive social assistance an activation worker is assigned to them. From then on, the coordination of the (re-)integration process of clients' is up to the activation workers. Before further exploring the role of activation workers, a theoretical approach will be outlined intended to gain sophisticated understanding on activation workers' daily practices.

2.2 Discretion

There are a large number of studies on policy implementation, exploring the functioning of formal policy in daily practices. The basic foundation of this research will consist of street-level bureaucracy literature, seeking to understand why policy on ground level takes certain shapes and forms. In this section Lipsky's (1980) street-level perspective will be briefly explored as it will be, later on in this research, applied to the Dutch activation worker.

2.2.1 Who are street-level bureaucrats?

First published in 1980, Lipsky's *Street-level Bureaucracy* perspective describes how ultimate decisions about access and denial of services are made by those people who actually implement policy: the so-called *street-level bureaucrats*. Originating from Lipsky (1980) the term *street-level bureaucrats* is used to define powerful groups of relatively low-level public service employees who interact directly with citizens and enjoy considerable freedom while exercising their job (Lipsky, 1980):

“Typical street-level bureaucrats are teachers, police officers and other law enforcement personnel, social worker, judges, public lawyers and other court officials and many public officials who grant access to government programs and provide services within them” (p.3).

Although street-level bureaucrats carry out different kinds of professions, street-level bureaucrats ordinarily experience similar work conditions. According to Lipsky (1980) while directly interacting with citizens and making decisions on the spot, street-level bureaucrats chronically experience a resource deficiency, are responsible for high caseloads and deal with vague and often conflicting formal legislation. Beside similar work conditions, street-level bureaucrats, unlike other public service employees, enjoy considerable freedom to choose among a number possible action or inactions while interacting with citizens, which can be understood as *discretion* (Evans, 2010). Street-level bureaucrats enjoy substantial discretion in the execution of their work, (Lipsky, 2010). As stated by Hupe & Hill (2007) essentially, as individuals, street-level bureaucrats make decisions about other individuals.

2.2.2 The role of discretion in street-level bureaucrats’ daily practice

Lipsky’ (1980) *Street-level Bureaucracy* perspective puts discretion at the core of analysis. Lipsky (1980) describes how discretion in public services significantly affects cliental outcomes. While being concerned with the day-to-day practice of policy implementation, Lipsky (1980) discovers that policy and its legislation are rarely implemented as intended. Policy on the street-level bears little resemblance with formal public policy (Keiser & Soss, 1998; Lipsky, 2010; Goodsell, 1981).

While explaining policy distortions, the *Street-Level Bureaucracy* perspective makes a distinctive claim: Public service delivery is characterised by a paradox. On the one hand, street-level bureaucrats often have a strong orientation on achieving formal policy objectives. On the other hand, improvisation is required and even necessary in their day-to-day performance (Lipsky, 2010). Formal policies and welfare policies in particular, are unable to deal with grey areas and therefore are unresponsive towards unique circumstances (Lipsky, 2010). Since it is impossible to develop legislation that embraces all clients’ personal circumstances and situations, some degree of discretion is necessary. The nature of service provision calls for human judgement. Street-level bureaucrats are to some extent “entitled” to be flexible and it is even expected of them to show compassion when exceptions present themselves, while having discretion over significant aspects of citizen’s life (Lipsky, 2010). Combined with the fact that the activities of street-level bureaucrats cannot be fully controlled, public policy is “actually made in crowded offices and daily encounters of street-level workers” (Lipsky, 2010, p. xii). As a consequence, street-level bureaucrats are policy makers rather than policy implementers (Hupe & Hill, 2007).

2.2.3 A brief normative discussion

As a topic, discretion is a difficult concept to pin down, since it is used in various contexts (Evans, 2010). In general, discretion is seen as an inevitable feature of the public life. As Howkins (1992) argues “interpretative behaviour is involved in making sense of rules, and in making choices about the relevance and uses of rules” (p.13). In agreement to Howkins (1992), Hube & Hill (2007) point out “wherever work is delegated, the delegating person loses some control” (p.281).

Literature on public policy and administration tends to agree that a considerable amount of discretion is exercised by street-level bureaucrats, especially activation workers, while implementing policy (Lipsky, 2010; Evans, 2010; Keiser & Soss, 1998; Goodsell, 1981; Jewell, 2006; Van Berkel et al., 2010; Hupe & Hill, 2007). While some scholars point out the positive effects of discretion in which bureaucrats can respond to individual needs (Goodsell, 1981, Evans, 2010; Hube & Hill, 2007) other scholars are concerned with the amount of discretion enjoyed by activation workers (Lipsky, 2010; Keiser & Soss, 1998; Van der Aa, 2012; Jewell, 2006; Jewell, 2007; Van Berkel et al., 2010;).

For Lipsky (2010) the freedom enjoyed by street-level bureaucrats is the cause of policy distortions “the reality of the working of street-level bureaucrats could hardly be farther from the bureaucratic ideal of impersonal detachment in decision making” (p.9). In this discretion is considered the “black box” of policy implementation in which the implementation process is highly complex and as a result non-transparent decisions are made (Brodkin, 2008). On the contrary, other scholars argue that some street-level bureaucrats are required to exercise discretion and also contribute in doing so (Goodsell, 1981, Evans, 2010; Evans & Harris, 2004; Hube & Hill, 2007; Brodkin, 1997). As Evans & Harris (2004) argue that discretion is not simply a practice unfettered by principles or regulations and that “in some circumstances it may be an important attribute [...]” (p. 871). Street-level bureaucrats can also convert discretion into flexible and serviceable practices for its clients, as Brodkin (1997) suggests “discretion is axiomatically neither good nor bad but contingent on contextual conditions”(p.4). According to this point of view, the reasonableness of discretion is established by its context (Evans & Harris, 2004; Brodkin, 1997; Brodkin, 2008; Hube & Hill, 2007).

The street-level bureaucracy perspective of Lipsky (1980) suggests that the use of discretion can be identified with “rule breaking, making or bending” (Van der Aa, 2009, p. 17). While policy makers assess national and local objectives, according to Lipsky (1980) the bureaucracy should be the device to achieve goals while putting policy into practice (Lipsky, 1980). However, when applied to activation services, it should be noticed that this approach has possible shortcomings: suggesting that it is absolutely clear what activation workers should be doing and how to take decisions regarding activation. Lipsky (1980) describes discretion and the use of it with a negative connotation, as

unwanted because they may diverge from the objective of bureaucratic regulations. However, as the next paragraph will demonstrate, contemporary activation workers are expected to work with flexible procedures and regulations in which discretion is deliberately granted.

2.3. Discretion in the Dutch activation context

Activation workers are a typical example of so-called street-level bureaucrats: interacting directly with citizens, making decisions on the spot and having substantial discretion in the execution of their work (Lipsky, 2010). While operating under a financial regime which stimulates social assistance exit, resources are scarce and activation workers often deal with high caseloads (Van Berkel et al., 2010). As the following section will demonstrate, in accordance with Lipsky (1980), activation work implies more than simply applying rules and regulations: as gate-keepers, activation workers function as mediator between their clients and the state, in which the use of discretion influences cliental outcomes (Van der Aa, 2009). This section explores the relevance of the street-level bureaucracy theory with regard to contemporary Dutch activation work, since more than 30 years after Lipsky's (1980) first publication, the context of welfare service provision has changed.

2.3.1 Increased discretion in contemporary Dutch activation work

Fundamental shifts towards activation have changed the role of public service employees delivering social services (Van Berkel et al, 2010). Traditionally, welfare administrators were assigned to assess their clients' eligibility for social assistance benefits (Lipsky, 1980). While assessing their clients' rights, it was, to a certain extent, expected of traditional welfare administrators to promote equal treatment by applying formal rules and regulations in a neutral way (Handler, 1992). As Keiser & Soss (1998) state "in idealized images of the rule of law, public administrators apply universal policies to all citizens in a consistent and neutral fusion" (p. 1133). However, from the 1960s onwards, more and more research has demonstrated that in practice, welfare administrators bear little resemblance to this image (Davis, 1964; Lipsky, 1980; Keiser & Soss, 1998). As demonstrated by various researchers, rules and regulations only provide a framework of guidance, leaving substantial room for discretionary decision-making (Lipsky, 2010; Davis 1964).

Nowadays, traditional welfare administrators are accompanied, and sometimes replaced, by modern activation workers⁴ (Stimulansz, 2011). In accordance with the traditional welfare administrator, modern activation workers bear little resemblance to the idealized image of the rule of law (Van

⁴ As mentioned in paragraph 2.1.4, activation workers are responsible for the practical implementation of the local activation policy intervention (Stimulansz, 2011).

Berkel et al., 2010). Different than the traditional welfare administrator, however, contemporary activation workers are deliberately granted with discretion and expected to make normative judgements about their clients (Jewell, 2007; Hube & Hill, 2007; Van Berkel et al., 2010; Van der Aa, 2009; Van der Aa & Van Berkel, 2012). Nowadays, besides judging the eligibility for social assistance benefits, activation workers also judge their clients chances on the labour market (Van Berkel et al., 2010). Resulting from an increased emphasis on individual responsibilities, unemployment is less seen as an external problem, resulting from structural social-economic factors, but more as an individual failure while beneficiaries are ought to be able to do something about it (Holmqvist, 2009). This emphasis legitimizes “treatment”: using sanctions and rewards to facilitate social assistance exit (Holmqvist, 2009). Van Berkel et al. (2010) argues “Whereas in the context of so-called passive welfare states people processing technologies were dominant, activation services are seen as requiring people changing technologies, which involves active interventions in clients’ behaviour, attitudes and circumstances, and the use of sanctions and rewards to ensure compliance” (Van Berkel, 2010, p.448-449).

Overall, activation work is characterized by a deliberate ‘devolution’ of autonomy to judge and decide at street-level (Van der Aa, 2009). While providing individualized services, activation workers exercise extensive control over the treatment of their clients: the classification of the clients’ background, circumstances and capacities of clients, while deciding what services clients’ receive or do not receive (Van Berkel et al., 2010; Van Berkel & Van der Aa, 2012). Overall, while society teaches that all citizens are entitled to equal treatment; caseworkers teach their clients the correct level of expectations, holding the key to citizenship (Lipksy, 1980).

2.3 An analytic framework

Finally, this section presents the analytical framework that will guide this research. Previous outlined literature on refugee-specific policy context and labour market barriers is combined with the street-level perspectives on activation work and merged into an analytical framework. Firstly, an analytic framework will be presented to explore the scope discretion in activation work with regard to refugees. Secondly, with the help of Lipsky’s (1980) street-level bureaucracy theory, differences in the use discretion with regard to the labour market (re-)integration will be further explored.

2.3.1 Use of discretion

As demonstrated earlier, while providing individualized services, the discretion enjoyed by activation workers influences the labour market (re-)integration of refugees in various ways. In order to gain a better understanding of activation workers' tasks and the resulting discretion, an analytic framework needs to be applied. Bony & Bosco (2002) set up a comparative framework by which they analyse the income support measures of various cities. Bony & Bosco (2002) distinguish eight analytical criteria; five of them will be applied in this research: *selectivity*, *recipients' duties*, *duration*, *activation measures* and *generosity*. By means of the following criteria, the scope of activation workers' discretion with regard to the labour market (re-)integration will be assessed.

- 1) *Selectivity*: Selectivity can be understood as the access and denial of services. Selectivity affects entitlements and individuals who might have access to support. According to Bonny & Bosco (2002) the degree of selectivity might be influenced by the available funding. If governmental resources are scarce, likely the selectivity criteria is high (Bonny & Bosco, 2002). Selectivity is related to an essential task in activation work: *diagnosing*. The assigned activation worker will draw a profile of the client at the Public Work Square, assessing skills, capacities and the distance to the labour market. The client profile constitutes as the main 'foundation' for activation workers to direct the labour market entrance with regard to the options that will be held available to the client (StimulansZ, 2011)⁵.
- 2) *Duration*: duration can be understood as the period of time in which beneficiaries are acknowledged as deserving a criteria that is related to the activation workers' task of *strategy development*. Activation workers develop a strategy for their clients, often mandatory, in which the duration of services is determined (StimulansZ, 2011). For example, can activation workers determine the period of education/work experience while retaining social assistance benefits?
- 3) *Activation measures*: Activation measures are positive incentives and opportunities offered, such as training, education, employment service etc., which aim to improve the situation of social assistance recipients. Activation workers have an important role in this, named *connecting*. Depending on the client profile and the developed strategy, activation workers can connect their clients with experts and external programs that stimulate labour market influx (StimulansZ, 2011).
- 4) *Recipients' duties*: The kind of duties imposed on recipients of social assistance varies on a local level. Obligations might vary due to presumptions about welfare dependency and ideas that individuals need to 'earn' social assistance. These criteria are strongly related to activation workers' task of *monitoring*. Activation workers are expected to guard and preserve

⁵ Traditionally, the methodology underlying case management originates from the United States, in which Intagliata (1982) is the first to distinguish these five fundamental tasks.

the duties of their clients by systematically reporting the client progress (StimulansZ, 2011). In this study, it is interesting to see if activation workers determine the jobs refugees are expected to accept, refugees' "correct behaviour" and the efforts that must be made.

- 5) *Generosity*: Bony & Bosco state that "a general definition of adequate generosity could be that benefits should provide the possibility of staying above the poverty threshold" (2002: 93). However, in this research it will be understood as the overall sensitivity to refugees' circumstances, assessing the available services, rewards and sanctions. Applied to activation workers, these criteria can be understood as *representing interest of refugees*. Often, refugees are unable to allocate alternative services. Therefore, activation workers are a "guide" on the labour market, providing possibilities through services, information, networks and entrances (StimulansZ, 2011).

In order to assess the scope of discretion within these criteria, it will be explored whether activation workers are authorized to perform the above mentioned five tasks independently and to what extent activation workers determine "who gets what, how and when".

2.3.2 How the conditions of street-level bureaucrats' work contributes to discretion

In order to understand activation workers use of discretion to integrate refugees on the labour market, the analytical step is to analyse various sources of discretion and to explore how discretion may influence the decisions and judgements of activation workers. In the street-level perspective, conditions of street-level work have particular characteristics, which give rise to discretion. According to this perspective, the structure of street-level bureaucrats' work makes it impossible to fully achieve what is expected of their practices (Hube & Hill, 2007). As Lipsky (1980) states "the decisions of street-level bureaucrats, the routines they establish, and the devices they invent to cope with uncertainties and work pressures effectively become the public policies they carry out" (p. xii).

The street-level bureaucracy perspective identifies various structural difficulties that characterize street-level bureaucrats' work and contribute to discretion in social services. Three main difficulties can be distinguished: (1) *resource problems* (2) *absence of goals and performance measures* and; (3) *the relation with (non-voluntary) clients*.

- (1) Firstly, in the street-level bureaucrats work situation, the supply of services almost never meets the demand (Lipsky, 1980). Lipsky (1980) argues that in their daily practice, street-level bureaucrats are constantly torn by public demand of efficiency and the demand of citizens to be responsive. As a consequence "resources are chronically inadequate relative to the tasks workers are asked to perform" (Lipsky, 2010, p.27). According to Lipsky (1980) this pressures street-level bureaucrats to make choices about the allocation resources, in which consequently, discretion in the decision making of street-level bureaucrats' arises.

- (2) Secondly, while allocating resources, street-level bureaucrats deal with considerable uncertainties, resulting from ambiguous or conflicting goals that guide their work (Lipsky, 1980). It is up to street-level bureaucrats to make sense of rules and regulations as well as situations for which policy not yet has been developed (Evans, 2010; Lipsky, 1980). When policies are translated into practical action, a significant area of discretion arises in which street-level bureaucrats informally have space interpretations and therefore decision making (Evans & Harris, 2004). According to Lipsky (1980), street-level bureaucrats “make” policy when formal policy is ambiguous or conflicting: it results in discretionary decision-making at the point of delivery (Hube & Hill, 2007).
- (3) Thirdly, street-level bureaucrats’ relations with non-voluntary clients give rise to discretion, since street-level bureaucrats hold significant power over clients (Handler 1992). Lipsky (1980) explains “potential welfare recipients in a sense “volunteer” to apply for welfare [...] but their participation in the welfare system is hardly voluntary if they have no income alternative” (p.54) In this unequal power relationship, street-level bureaucrats personal judgement needs to be employed in order to apply bureaucratic standards. Street-level bureaucrats are authorized to transform unique individuals, with different experiences and circumstances into *clients*. Policies are often developed for specific “categories of problems”, based on collected data on health, gender, ethnical backgrounds, unemployment, poverty etc. It is the task of street-level bureaucrats to make their clients identifiable, assigning them to bureaucratic categories of treatment (Lipsky, 1980). According to Lipsky (1980) this leads to discretion since street-level bureaucrats can decide on which bureaucratic categories to apply resulting from personal opinions and interpretation of the clients’ circumstances and behaviour (Van Berkel, 2010).

For this research it is rather interesting to see if, in accordance with Lipsky (1980), these indicators are found in the practices of Dutch activation workers with regard to the labour market (re-)integration of refugees. The next section, therefore, will be dedicated to further contextual exploration of the street-level bureaucracy theory.

2.3.3 The resource problem and its implications for refugees

In the street-level bureaucracy theory, the “resource problem” is seen as a crucial element in the understanding of street-level implementation practice (Evans & Harris, 2004). Research on discretion demonstrates that, though often unintended and not necessarily recognized, lack of available resources are a source of discretion, influencing decisions made by street-level bureaucrats (Brodkin, 1997; Hasenfeld, 2000; Lipsky, 1980; Riccucci et al, 2004). The street-level perspective makes a distinctive claim on how the “resource problem” affects

implementation patterns: limited resources such as time, funding and information negatively impact street-level bureaucrats' ability to take action. Due to severe resource shortage, some clients become more deserving than others (Lipsky, 1980, Hasenfeld, 2000) while reaffirming the right to and claims to scarce resources. Over all, according to the street-level bureaucracy perspective, the resource problem hinders adequate response to individual cases in which street-level bureaucrats are, often unofficially, pressured to make choices (Lipsky, 1980).

While asserting the “resource problem” the following three indicators can be distinguished which influence discretion, including: *lack of funding*, *lack of time* and *lack of information* (Hasenfeld, 2000). Every indicator will be discussed separately, in which first, the indicators of discretion and the related consequences, according to the street-level bureaucracy perspective, will be briefly clarified. Second, these indicators will be explored in the context of Dutch activation work. Third, the possible implication for refugees will be explored and a proposition, based on the available literature, will be made.

Lack of funding: Viewed from the street-level bureaucracy perspective, limited financial resources affect the ability to act, since it pressures organizations to limit the provision of services (Lipsky, 1980). In accordance with the street-level bureaucracy perspective, a study by Van Berkel (2006) confirms that in the Netherlands, budgetary concerns of municipalities give incentives to choose a (quick) labour market approach over a human investment approach.⁶ A study on Dutch local integration for refugees expresses its concerns with regard to local cut-backs (Klaver et al., 2012). While concluding that refugee-specific policies in the field of (re-)integration are scarce, this study states that “a retrenchments pressure [Dutch municipalities] to make choices with regard to (re-)integration measures” (Klaver et al., 2012, p. 71). Furthermore, Klaver et al., (2012) discover that in general, local attention has shifted towards clients with better prospects. This research will explore if and how limited resources affect the discretion of activation workers and in turn influence the provision of (re-)integration services for refugees. Indirectly the overall responsiveness is taken into account. Based on the literature, the following proposition will be explored:

1. *Limited financial resources pressures discretionary decision-making regarding whether a refugee gets access or not to reintegration tools.*

⁶ As mentioned, local participation budgets will decrease by half between 2011-2014 and from January 2013 onwards, there are no financial resources are allocated for civic integration (Klaver et al., 2012).

Lack of time: According to Lipsky (1980) lack of time, resulting from high caseloads, hamper the fulfilment of responsibilities towards these caseloads, in which not all clients can be properly served (Lipsky, 1980). In agreement with Lipsky (1980) Hasenfeld (2000) argues that high caseloads give rise to a “system of rationing” in which some clients are served at the expense of others (p.330). In a Dutch study, Van Berkel et al. (2010) find that activation workers often make choices about which clients to assist and which tasks to spend time on. Due to high caseloads, some Dutch activation workers have a preference to dedicate time to clients with better labour market prospects (Van Berkel et al., 2010). This research will explore if and how limits affect discretion of activation workers and affects the service received and the overall affect responsiveness towards the (re-)integration of refugees. Based on the literature, the following proposition will be explored:

2. *High caseloads pressures discretionary in decision-making regarding the amount of time devoted to an individual refugee, and to favour non-refugee clients of refugee clients as the former are perceived to have better labour market prospects*

Lack of information: The street-level bureaucracy perspective argues that the lack of unambiguous information and techniques lowers responsive decision making (Lipsky, 1980). In agreement with Lipsky (1980), Van Berkel et al. (2010) question the responsiveness of contemporary activation workers, since activation workers “need capacities and skills to carry out their task, which is not self-evident as many are trained as benefit administrators” (Van Berkel et al, 2010, p. 460). Van der Aa (2009) questioned whether this kind of a knowledge base actually exists when it comes to activation policy. For Van Berkel et al. (2010) the absence of a clear body of knowledge meant for guiding the judgements of activation workers adds discretion, since activation workers “rely to a large extend to their own experience, routines and intuition” (Van Berkel et al., 2010, p. 455). For this research, it is interesting to explore the role of available information, not only on activation measures but also knowledge on refugee-specific circumstances and how it affects discretionary decision-making of activation workers with regard to the labour market (re-)integration of refugees. Based on the scarcely available literature, the following proposition will be explored:

3. *Lack of information and expertise regarding refugees adds to discretionary decision-making and as a consequence hinders knowledge based decision making with regard to the (re-)integration of refugees.*

2.3.4 The absence of goals and performance measures and its implications for refugees

The absence of goals and performance measures is often seen as a difficulty inherent to welfare services (Lipsky, 2010; Evans & Harris; 2004; Brodtkin, 1997). As it shown previously in this research, in social policy, unclear and contradicting rules and regulations are a source of discretion, leaving room for personal interpretations (Lipsky, 1980; Howkins, 1991). For Lipsky (1980) clear goal achievement for street-level bureaucracy is seen as elusive: it is rather difficult to orientate performances towards goal achievement and for managers to control workers. According to Lipsky (1980), the absence of goals and performance measures affects street-level bureaucrats' patterns of practice in the following way: with a relative high autonomy from the organizational authority street-level, goal achievement remains absent and subsequently behaviour is easily tailored in ways that avoid accountability (Lipsky, 1980). Or in the words of Lipsky (1980): "the less clear the goals and the less accurate the feedback, the more individuals in bureaucracy be on their own" (Lipsky, 2010, p.40). In this, decision-making turns into a highly individualized act, adding discretion to street-level bureaucrats practices.

For asserting the absence of goals and performance measures three indicators can be distinguished which influence discretion: *openness of rules and regulations*, *conflicting goals* and the *absence of performance measures* (Van Berkel et al., 2010). Again, every indicator will be discussed separately, in which: first, the indicators of discretion and the related consequences, mentioned in the street-level bureaucracy perspective, will be briefly clarified; second, these indicators will be explored in the context of Dutch activation work and; third, the possible implication for refugees will be explored and a proposition, based on the available literature, will be made.

Openness of rules and regulations: Discretion can be found in the translation of vague policy into practical actions (Evans & Harris, 2004). According to the street-level perspective, openness of rules and regulations complicates clear goal achievement since "there is greater room for admitting and tolerating a variety of approaches and objectives" (Lipsky, 1980, p. 41). In Dutch activation work, openness can be found in the steering relationship between central government and municipalities, in which the Work and Assistance Act, a so-called framework law, gives rise to discretion (Van der Aa, 2009). Municipalities are, to a certain extent, authorized to design and deliver social assistance and activation measures themselves (Borghi & Van Berkel, 2007). Research notices that Dutch activation workers enjoy considerable autonomy and decision-making power, however, depending on local choices with regard to activation policies (Van der Aa, 2009; Van Berkel et al., 2010). While some municipalities provide additional detailed regulations concerning activation instruments, other

municipalities do not (Van Berkel et al., 2010; Van der Aa, 2009) and while some municipalities exclusively make use of a generic-based approach, other municipalities apply additional categorical policies (Klaver et al., 2012). Depending on the local interpretation of the Work and Assistance Act, municipalities provide additional services. While some refugees are allowed to study, do an internship, or do (v) part-time work while retaining their social assistance benefits, others lose their right to social assistance while performing one of these activities (Klaver et al., 2012). While providing tailor-made services, activation workers in the field of (re-)integration determine whether or not to be sensitive to the background and specific circumstances of refugees. In this, activation workers can employ extra instruments to reduce labour market distance of refugees and increase their chances. The literature demonstrates disagreement on the implications of openness of rules and regulation: while some scholars, in agreement with Lipsky (1980), argue that openness resolves in a general lack of accountability (Van Berkel et al., 2010) other scholars dispute that openness might open up the possibility for accountable decisions because it provides more opportunities for workers to be responsive (Evans, 2010; Goodsell, 1981; Hube & Hill, 2007). This research will explore if and how, openness of rules and regulation with regard to the Work and Assistance Act, influences discretionary decision-making towards the (re-)integration of refugees. Based on the available literature, the following proposition will be explored:

4. *Absence of refugee-specific policies and procedures leads to an increase in discretionary decision-making with regard to the (re-)integration of refugees and hinders activation worker's responsiveness to refugee specific problems*

Conflicting goals: In the street-level perspective, differentiating views on the purpose of policy goals results in uncertainties, hamper clear goal achievement and increases indifference to the practices of workers (Lipsky, 1980). In general, activation policy is ambiguous, lacking of clear definition about activation objectives: is activation intended to reduce passivity or to up-skill clients (Morel et al, 2012)? Research of Van der Aa (2009) questions whether effectiveness and responsiveness are incompatible values. While activation workers present a chance of fair and effective treatment by local governments (Van der Aa, 2009), new demands on social assistance exit and increased obligations, can endanger these objectives (Van Berkel, 2006). In agreement with Lipsky (1980), Van Berkel et al. (2010) find that goal diversity can justify a variety of actions: some activation workers focus on the shortest road to work, others on sustainability and job-matches. An American study of Jewell & Glaser, conducted in 2006, found that activation workers' attitudes and interpretation of policy program influenced the daily conduct of activation workers. For this research, it is interesting to explore the role of conflicting goals as well as the effect of goal expectations of activation workers on the use of discretion. Based on the literature, the following proposition will be explored:

5. *Conflicting goals increase discretionary decision-making regarding labour market integration of refugees and leads to lack of accountability of the activation worker*

Absence of performance measures: For Lipsky (1980), discretion is an irreducible component of human services, which cannot be eliminated by managers and which is causing an inevitable lack of accountability in human service provision (Evans & Harris). Nowadays, the use of performance measures has become a popular method to increase control over implementation practices, however, some scholars likewise question the effectiveness of this standard reaction (Evans & Harris, 2004; Hube & Hill, 2007, Brodtkin, 2008). Brodtkin (2008) argues that contemporary performance measures are unable to clarify *how* results or outcomes are achieved and leave some of the most essential aspects of performances unexplored. Research of Van der Aa & Van Berkel (2012) demonstrates that in contemporary Dutch activation work, specialization and specialization is deliberately introduced, not to control, but to manage the use of discretion. Van der Aa (2009) explains that professionalism means that activation workers “are considered to have necessary expertise and skills to make decisions themselves about activation goals and services” (p.13). Understanding of the programs’ rules and objectives as well as the target-group population is intended to promote accurate decisions (Jewell & Glaser, 2006), however, the autonomy resulting from professionalism is questioned: a professional decision in activation work become highly individual and not evidently increases the accountability of activation workers (Van der Aa & Van Berkel, 2012). This research will explore if and how professionalism affects discretionary decision-making towards the (re-)integration of refugees. Based on the literature, the following proposition will be explored:

6. *The absence of performance measures increases discretionary decision-making and causes a lack of transparency regarding the process of the reintegration of refugees*

2.3.5 The relation with (non-voluntary) clients and its implications for refugees

Research on beliefs and biased beliefs is often used to understand implementation practices in welfare service (Hasenfeld, 2000; Scott, 1992). As mentioned earlier, in the street-level perspective the relation with non-voluntary gives rise to discretion and possibly the abuse of power (Evans, 2010). Lipsky (1980) argues that non-voluntary clients have often little or no say in the public services to which they are subjected and therefore have little power to discipline the agency and its’ employees (Lipsky, 1980). In this coercive relation, the classification of characteristics, behaviour, circumstances and capacities of clients is many times unrelated to actual objective factors. According to Lipsky

(1980), in the worst case scenario, implementation patterns in human services are affected by preconceived opinions, ignorance or stigmatization (Lipsky, 1980).

While asserting the relation with non-voluntary clients, the following two indicators can be distinguished which influence discretion: *absence of criteria for constructing a client profile* and *absence of a voice and choice of clients* (Van Berkel et al., 2010). Applied to Dutch activation workers, it is interesting to see whether or not these two indicators are found and if, in accordance with Lipsky (1980) it these indicators of discretion can be related to the abuse of power. Again, every indicator will be discussed separately, in which: first, the significance of the indicators in general will be briefly clarified; second, the indicators will be explored in the context of Dutch activation work and; third, the possible implications for refugees will be explored and a proposition, based on the available literature will be made.

Absence of a voice and choice: As explained earlier, according to the street-level perspective, non-voluntary clients have little power to discipline the welfare agency and its employees, resulting in a weak “voice and choice” (Lipsky, 1980). In addition, Lipsky (1980) explains that when persons are poor, it is likely that they are non-voluntary clients of welfare services, having hardly any other available options and alternatives. Often lacking financial resources and social networks (Klaver & Odé, 2003) refugees are a typical example of non-voluntary clients of welfare services, having hardly any other available options and alternatives (Klaver et al., 2012). Geets et al., (2003) state in a Belgium study that accesses to assistance often is the only and most effective way for refugees to achieve goals to sufficiently improve their living conditions. Research of Van Berkel & Valkenburg (2007) argues that the promotion of a “voice and choice” differs significantly among welfare agencies. In 2010 Van Berkel et al. finds in accordance with Jewell & Glaser (2006), that what activation workers think of their own role in the program determines the treatment of clients: whether or not a client has something to choose. For this research, it is interesting to see to what extend the (re-) integration process of refugees is influenced by discretion of activation workers do to the presence or absence of a choice and voice. Based on the literature, the following proposition will be discovered:

7. *Absence of a voice and choice of refugees increases discretionary decision-making in which individual interpretations of the activation workers determine whether the interests of refugees are served*

Absence of criteria for constructing a client profile: In the street-level bureaucrat perspective, the processing of people into clients gives rise to concern. Due to the absence of objective criteria, personal attitudes regarding the poor, race or ethnicity can become leading effecting adequate service provision (Lipsky, 1980). In accordance with Lipsky (2000), Hasenfeld (2000) claims that bureaucratic constructed categories are “inherently moral because, as technically neutral as they may seem, they publicly confer a moral status to clients, they provide moral justifications for the actions care workers take [...]” (p.331). In addition, the qualification of skills and competences of refugees is rather difficult, since many refugees have lost their certificates (Hartog & Zorlu, 2009). For the evaluation of certificates of refugees, activation workers can consult the Nuffic or the IcDW. The method of the EVC (Acknowledgement of Internationally gained competences) offers the opportunity to newcomers to include other relevant skills, such as knowledge of languages, previous work experience or other specific qualifications (Klaver & Odé, 2003). However, research in the past notifies that in practice, these methods are hardly applied (Klaver et al., 2006; Council for Work and Income, 2003). Klaver & Odé (2003) notify that besides insufficient knowledge of the Dutch language, the misapprehension of skills and capacities of refugees often hinder assess to educational programs. Overall, Klaver & Odé (2003) state “a poor estimation and recognition of refugees’ competences negatively interfere with educational and labour market influx” (p.60). On the other hand, literature also states that high levels of discretion can contribute to client responsiveness (Scott, 1997; Evans, 2010; Goodsell, 1981; Hube & Hill, 2007). For this research, it is interesting to see if there are refugee-specific criteria available and used in constructing a client profile and how this influences the discretion of activation workers. Based on the available literature, the following proposition will be explored:

8. *The absence of refugee-specific criteria for constructing a client profile increases discretionary decision making in which personal interpretations may lead to a poor estimation of refugees’ competences*

Chapter 3: Research design

This chapter provides information on the methodology that is used in this research, clarifying the selected research methods while subsequently justifying the appropriateness of these methods. Attention will be dedicated to the methodological approach, the sample and respondents and finally the data. Overall, it will be demonstrated how the literature research was operationalized in order to collect the data that was needed to answer the research question.

3.1 Methodological approach

3.1.1 Research approach

Due to the specific and practical nature of the research question, the available literature on this new research area was rather scarce: the existing literature overall was believed to be inadequate. Yet, the street-level bureaucracy theory provided a comprehensive theoretical foundation, offering guidance for further exploration of the research topic. While using the street-level bureaucracy theory combined with earlier evidence, research question was translated into propositions. As a consequence, the process of data collecting was structured in ways that could lead to support or refute of the research question. Thus, the research was focused to explore the contextual factors of the research topic, while being guided by broader theoretical concepts.

3.1.2 Reach method

Following from the previous chapters and the research question a qualitative, multiple-case study was considered to be the most appropriate method. The two main reasons will be addressed:

First, it should be noticed that discretion is not univocal: it arises in coherence with specific contextual factors. Contextual conditions are of particular relevance in the understanding discretion (Lipsky, 1980; Evans, 2010), since it takes place in a network of relations (Hupe & Hill, 2007). According to Yin (2003) a case study approach should be considered when believed that contextual conditions are of relevance to the social phenomena of study. Baxter & Jack (2008) explain “qualitative case study methodology provides tools for researchers to study complex phenomena within their context”(p. 544). Since one-dimensional approximations are unable to grasp a holistic understanding of the social phenomena, discretion was researched in its real-life context. Rather than quantifying discretion into *what*, *where*, *when*, the investigation focused on *why* and *how* (Boeije, 2010).

Second, it was believed that differences could be found between municipalities, resulting from the local institutional context. As stated by Baxter & Jack (2008) “A multiple or collective case study allow the researcher to analyse within each setting and across settings” (p.550). A

multiple-case study, therefore, offered the opportunity to research a ‘chain of decisions’: from local policy making, policy instrument, down to the everyday practice of activation workers and its implications for refugees (Van der Aa, 2012). While examine the day-to-day conditions of discretion in activation work, the comparative elements of this research helped to reveal inter-municipal similarities and differences: explaining local disparities for refugees living in the Netherlands.

In order to increase the internal validity, it was believed to be appropriate to use a triangulation of methods. As Van Thiel (2007) argues “triangulation is one of the most important ways to counteract reliability and validity in case study research”(p. 103). Therefore, a combination of methods is used, such as document analysis, semi-structured interviews and participant observations. After further specification of the research topic (the research sample and respondents) the data collecting and each corresponding research method will be described.

3.2 Sample and respondents

3.2.2 Sample

As previously outlined, this research contained multiple case studies. The sample of this research contained 3 municipalities: Amsterdam, Breda and Heerlen. One large municipality- one medium sized municipality- and finally one small municipality. The main reason for this decision was two-folded: First, it was expected that the size of the municipalities of research indirectly influenced the day-to-day implementation practices of activation workers: (1) in general, big cities in the Netherlands deal with a higher proportion of refugees, since refugees living in the Netherlands tend to move to the urban agglomeration also known as the “Randstad”; (2) large municipalities might be more familiar with refugee-specific issues, while small municipalities might have less experience in dealing with various refugee-specific issues. Second, the range of variety in their formal integration strategies made the municipalities of Amsterdam, Breda and Heerlen suited for research. On formal level, the municipality of Amsterdam makes use of refugee-specific policies in order to advance their integration process. Breda claims that no categorical-based strategies should be used and puts emphasis on custom-made generic policies for all its citizens. The municipality of Heerlen refers to its public-private partnerships intended to advance the integration of newcomers (Klaver et al., 2012). These strategic differences of the three municipalities of research, offered the opportunity to go beyond the formal strategy while looking for local disparities.

3.2.3 Key respondents

Initially, activation workers stationed at local Work Squares of the municipalities of Amsterdam, Breda and Heerlen were the key respondents of this research. In this, purposive sampling was used, a method in which cases are selected based on their importance to the research (Boeiije, 2010). Note that the municipalities of research executed the sampling process, in which municipalities were in charge of passing on the contact details of activation workers. Overall, municipalities were cooperative in providing the contact details of activation workers which had refugees among their caseloads, an important requirement for conducting the interview. However, it should be noticed that not all activation workers performed exact similar tasks. Depending on the organization structure of the welfare organization, some municipalities make use of specialized case management (for target groups) while other municipalities make use of unified activation workers. The tasks that activation workers carry out are therefore not entirely homogeneous between as well as within the municipalities of research. This is taken into account while analysing the obtain data.

In every municipality, at least interview 5 were conducted, creating with an overall sample number of 15 interviewees. The reason for this simple size was the limited time available as well as it was believed that after 15 interviews no new information would be obtained (Hoyle, 2002). Besides activation workers, at least one local official of every municipality was interviewed in order to gain additional information about the local policy climate as well as to gain understanding about the local interpretation of the Work and Assistance Act. As regards the Work and Assistance Act, municipalities use a variety of instruments and strategies to advance labour market (re-)integration. For this research it is of importance to grasp the implicit assumptions underlying these instruments. Therefore, interviews with policy makers and staff members were executed. Furthermore, extra interviews were conducted with respondents to obtain additional knowledge about refugee-specific issues with regard to their labour market integration. Informal conversation with the UAF, Refugee Work as well as attending a conference of refugees in the Netherlands, helped to increase understanding about refugee-specific issues addressed in this research.

3.2 Data

3.2.1 Collecting data

In order to answer the research question, a comprehensive understanding about the social phenomena was believed to be of significant importance. As mentioned, in order to answer the research questions an all-round strategy was applied, so-called triangulation (Van Thiel, 2007; Boeiije, 2005). In this,

three sources of information were consulted: (1) policy documents; (2) semi-structured interview with respondents and; (3) observations.

First, a document analysis on secondary sources was considered suitable to gain better understanding of the policy domain of research. In this, the Work and Assistant Act was scrutinized in order to discover differences and similarities in local implementation strategies and measures of the municipalities of Amsterdam, Breda and Heerlen. It was thought that difference in formal policy could be of influence on the daily practice of activation workers. A desk study provided digital information on formal policies, while conversations policy officials gained better understanding about implicit policy theory. It was believed to be of importance to analyse the formal level of acknowledgement of refugees as a vulnerable group and, simultaneously, the corresponding inducement and solidarity of municipalities.

Second, the mass data was collected from 15 semi-structured interviews with activation workers of the municipalities of Amsterdam, Breda and Heerlen. The semi-structured interviews aimed at collecting meaningful in depth data, reflecting the contextualized experiences of activation workers. As Van Thiel (2008) argues, semi-structured interviews should in particular be used to gather opinions, relations and perceptions, however, can also be used as fact check. In respect to this research, both principles were considered to be of importance. On the one hand, the interviews were intended to invite activation workers to share opinions and perceptions about their practices. On the other hand, it was intended to “check” upon the daily reality (work conditions) of the activation workers of research. Before conducting the interviews, it was acknowledged that social desirability could bias the validity of activation workers’ answers. Social desirability can be explained as the tendency of respondents to give answers of which they think others favour (Boeije, 2005). It was thought that activation workers, often confronted with public criticism, might feel uncomfortable expressing personal and in particular negative opinions that they uphold towards clients and work situation. Therefore anonymity and confidentiality of the interview was consciously emphasised, questions were formalized in a neutral fashion and sensitive questions were not addressed in the beginning of the interview. Significant was the formulation of research questions, which will be referred to in the next section. For now, note that asking supplementary questions was highly important in reaching the core of this research.

Third, observations were used to gain more implicit information about the daily practices of the activation workers of research. It was thought to be of importance to see how activation workers interacted with refugees. Van Thiel (2007) states the following “observation is a research method by which researcher can use its own real-life observations to draw research conclusions” (p.79). The method of open observation was used: being present at conversation between activation workers and refugees without interacting.

3.3.2 Operationalization

Essential to the methodology process of this research was the operationalization of the theoretical concepts and the construction of clear instruments for measurement. As mentioned, in this research, the theoretical framework combined with earlier evidence formed 8 propositions. Firstly, the research questions were deduced from the formulated propositions. Secondly, the research question was further operationalized. Appendix 1 contains the topic list that was used structure the interviews in order to collect particular information needed to answer the research question. Flexibility was adapted during the interview, as it was recognized in accordance with Van Thiel (2007), that the sequence of questions should not be ridged but varies depending on the course of the conversations.

3.3.3 Analysing Data

All interviews were recorded and resulted in a collection of raw data. In order to analyse the raw data, the interviews were transcribed, as a transcription is an accurate full-scale representation of the interview (Van Thiel, 2007). After transcribing the collected data and deleting all irrelevant text, labels were applied in order to analyse the obtained data: highlighting differentiating and similar patterns. With the use of a computerized software program named MAXQDA, a coding strategy was applied. However, it is thought to be of importance to critically reflex upon the software in order to discover additional complex relationships. No additional labels were used since it was found that the indicators of the propositions of research (appendix 3) provided sufficient labels to cover all the answers to the research questions. However, the coding was complex due to overlapping answers. To solve this problem, sometimes the text received a label that covered two or more codes. Also, not all facts about activation work, local tools and measures were provided by the interviews. Therefore, by means of telephone contact, additional information was obtained. In addition, simple observation performed in all three municipalities of research we noted and taken into account while analyzing the findings.

Chapter 4: Finding

This chapter presents and discusses the main findings resulting from semi-structured interviews with activation workers in Amsterdam, Breda and Heerlen. The findings outlined in this chapter are selected due to its relevance in explaining the objectives of this research. This chapter starts off by presenting comparative findings on the local policy context of the municipalities of research. Then, in a descriptive fashion, data on the use of discretion in activation work is presented. Finally, the main findings that support or refute the previous formulated eight propositions are discussed, presenting a more complex data-analysis. The findings do not present personal data of activation workers and the quotes, used to support the results of this research, are anonymized (see appendix 4). Where relevant comparative analyses are made in which inter-municipal similarities and differences are outlined.

4.1 Municipalities of research

This paragraph presents data on the local institutional context of Heerlen, Breda and Amsterdam with regard to the labour market (re-)integration of refugees. In compliance with previous expectations, inter-municipal differences in the implementation of the Work and Assistance Act were found. Also, data show that municipalities use various strategies to enhance the labour market (re-)integration of refugees.

4.1.1 Heerlen

Of all three municipalities of research Heerlen is the smallest; counting 88.461 inhabitants (Centraal Bureau voor de Statistiek, 2013). Compared to other cities in the Netherlands, since 2008, Heerlen has a relatively large proportion of refugees among its inhabitants: around 580 refugees are living in Heerlen (Centraal Bureau voor de Statistiek, 2010). In order to advance the (re-)integration of these new refugees, Heerlen has undertaken various public-private partnerships. Firstly, refugees receive six months of social guidance (*maatschappelijke begeleiding*) provided by an external agency called Refugee Work. If considered to be necessary, refugee work can apply for prolongation of social guidance. Secondly, in order to advance the labour market position of refugees, the municipality of Heerlen has signed a cooperation agreement with the UAF (The Foundation for Refugee Students). This policy opens up the possibility for higher educated refugees⁷ to speed up their civic integration program and subsequently study while retaining social assistance in order to gain, to some extent, the same educational level as refugees could have had in their country of origin. Besides the UAF-program, there are no programs in Heerlen that specifically focus on the labour market (re-)integration

⁷ Refugees with a middle- and higher professional educational level (MBO-3, HBO) as well as university students.

of refugees. However, in cooperation with the ROC Arcus College (school for adult education) the municipality of Heerlen offers refugees and other newcomers the possibility to improve their language skills after refugees have accomplished the mandatory civic integration program. One of Heerlen's most extensive (re-)integration projects is *Baanbrekend Werk*: a program designed for all social assistance recipients with a considerable distance to the labour market offering a considerable number of (sheltered) work programs for social assistance recipients to gain work experience. At this moment, *Baanbrekend Werk* offers 400 social assistance recipients a work experience program.

4.1.2 Breda

Breda was chosen as the middle-sized municipality for this research, counting around 178.140 inhabitants (Centraal Bureau voor de Statistiek, 2013). According to the last statistics, there are 620 refugees living in Breda (Centraal Bureau voor de Statistiek, 2010). In 2012 ATEA-group established. The department of Social Affairs was merged with BSW-companies: a local organization offering social employment facilities. The main goal was to intensify the cooperation and efficiency while increasing the participation of social assistance recipients by providing an extensive number of work experience programs and in addition. Nowadays, the so-called ATEA-group is responsible for social activation and labour market (re-)integration. The ATEA-groups does not conduct refugee-specific programs, in Breda all programs are accessible for all social assistance recipients. However, just like Heerlen the municipality of Breda also offers refugees six months of social guidance (*maatschappelijke begeleiding*) provided by Refugee Work⁸. In addition, the ATEA-group is planning to intensify the collaboration with Refugee Work in which the ATEA-group will provide Refugee Work with space in the office to work from.

4.1.3 Amsterdam

With 799.278 inhabitants, Amsterdam is the largest municipality of the Netherlands (Centraal Bureau voor de Statistiek, 2013). Due to the fact that refugees tend to move to the urban agglomeration (VluchtelingenWerk Nederland, 2012), Amsterdam has a relative high proportion of refugees: counting 3200 refugees in 2010 (Centraal Bureau voor de Statistiek, 2010). Although Amsterdam as well as Heerlen and Breda make use of generic-based policies, the municipality of Amsterdam has implemented refugee-specific policies in order to advance the labour market (re-) integration of refugees living in Amsterdam. Firstly, refugees are provided with social guidance (*maatschappelijke begeleiding*) executed by Refugee Work. In comparison with Heerlen and Breda the duration of social guidance is rather generous: instead of six months, refugees are entitled to three and a half years social guidance. Along with Heerlen, Amsterdam has signed a cooperation agreement with the UAF. However, the cooperation of agreement is different, since the municipality of Amsterdam has signed

⁸ Again: If considered to be necessary, refugee work can apply for prolongation of social guidance.

an additional agreement on the treatment of refugees that are supported by social assistance. In Amsterdam, refugees are served by a trained activation worker. In May 2013 various activation workers (voluntary) received training in order to improve the overall efficiency by increasing their knowledge on refugee-specific issues, organizations and trajectories. At present, at every Work Square in Amsterdam, there is a “specialized” activation worker employed that is well-informed on refugees and the Foreigners Act (*Vreemdelingenwet*). Although these activation workers also serve regular clients, all refugees are served by activation workers which have obtained this specialization.

4.2 Use of discretion

The following findings represent the scope of activation workers’ discretion. In a descriptive fashion, this section describes the use of discretion: to what extent activation workers determine “who gets what, how and when” with regard to the labour market (re-)integration of refugees. It was found that in all municipalities of research activation workers were able to choose among a number of possible actions or inactions. This section discusses the results of the five criteria and five related tasks that were explored: *Selectivity, Duration, Recipients’ duties, Activation measures and Generosity*. In this section the word “client” is used instead of “refugee” whenever policies and actions of activation workers impact or concern all clients, not just refugees.

4.2.1 Selectivity

First of all, results show that activation workers have considerable discretion over the access and denial of services. To start with, all 15 interviewed activation workers of research stated to independently diagnose their clients in order to assess whether they will be selected for certain (re-)integration tools. In order to make a selection, all activation workers draw profiles of their clients: *‘You always make an inventory on the clients’ personal situation’* (A,2). The inventory is largely steered by standardized questions such as questions concerning age, educational level, previous work experience, the duration of unemployment and their mental and physical health (A 1-15). This is due to the fact that all activation workers of research make use of the so-called Ladder of Citizens Participation (*Participatieladder*): a tool for hierarchically measuring the extent of participation of social assistance recipients. This tool focuses in particular on the ability and potential of social assistance recipients to cope independently and become self-sufficient (appendix 3). In Amsterdam and Breda, the Ladder of Citizens Participation is sophisticated to the extent that computerised software calculates a clients’ level of participation: a so-called “stair” (appendix 5). In Heerlen activation workers “calculate” the level of participation themselves. This adds discretionary decision-making to activation workers in Heerlen, since activation workers in Heerlen, more than activation workers in Breda and Amsterdam, assess the labour market distance of their clients according to their own discretion (A,11,12,14 and 15). In all three municipalities of research the Ladder of Citizens

Participation constitutes as the main foundation for determining which options will be held available (A, 1-15). However, it was found that some activation workers changed the outcomes according to their own discretion. It was found that especially the activation workers from the municipality of Amsterdam⁹ used their discretion to overrule outcomes presented by the Ladder of Citizens Participations, which is clearly demonstrated by activation worker 3: *'Fortunately, we activation workers are used to observe this tool in a critical fashion. We fill in all answers and it will provide a so-called stair; 1,2,3,4 or 5, but we always have the ability to change the outcome. You always have the option to go beyond the system and change it'* (A,3).

4.2.2 Duration

Also, activation workers have discretion over the duration of services. It was found that all activation workers of research have the authority to assess the duration of services allocated to their clients (A, 1-15). Most (re-)integration programs, such as social work experience programs, language and educational courses have a fixed duration (P,1,2 and 3). However, steered by activation workers' interpretations of their client's potential and motivation, the duration of programs can be modified (A, 1-15). For example: In Amsterdam civic integration programs can be speeded up if refugees are considered to be "fast learners" and in case of disappointing progress a clients' program can be quit (A,1,2 and 5). As activation worker 11 demonstrates, she can use her discretion to shorten the duration of a program for a client: *'We from social service have to judge whether it is realistic. When I sincerely believe that someone is not progressing I can decide to quite the program'* (A,11). Furthermore, in all three municipalities of research it was found that activation workers have discretion over the duration of studying while retaining social assistance benefits due to the absence of fixed criteria. As can also demonstrated by quoting activation worker 11: *'We from social service have to judge whether it is realistic. I don't know what the maximum term is for studying while retaining social benefits, however, 4 years is too long. Two years might be possible, but no 4 years is too long'* (A,11). Also in Amsterdam, it was found that to certain extend activation workers have discretion over the duration, although they often leave the decision up to the UAF (A,1-5).

4.2.3 Activation measures

In addition, activation workers have substantial discretion over the activation measures that are employed. In all three municipalities of research, activation workers have the ability to choose from various kinds of support (A, 1-15). Due to the continuing change in (re-)integration programs, there are no exact findings on the amount of available activation programs per municipality (P,1,2 and 3). However, findings do show that in all municipalities of this research, activation workers have the

⁹ As mentioned: the municipality of Amsterdam has introduced a specialism within activation work, in which activation workers are trained in order to more efficiently deal with refugee-clients.

ability to choose from various kinds of support, including: (1) *education*, mostly concerning short language courses or additional language courses, often provided by an external agencies such as ROC; (2) *work programs*, provided by social enterprises or companies in cooperation with the municipality; (3) *job support*, internal support for labour market directing in forms of training about writing a letter of application, how to prepare for a job interview, how to find suitable vacancies etc. (A, 1-15). Also, in case of physical-, health- or financial problems, activation workers are authorized to redirect clients to various (governmental) agencies, for instances the Dutch Association of Mental Health and Addiction Care (*Geestelijke Gezondheidszorg*). As activation worker 12 confirms: *'As consultant [activation worker] you determine which programs are used. You have various projects to choose from. For example: individual support or a social work place. There are different options. It can also be something like job support. As activation worker you are in charge of your clients'* (A,12).

4.2.4 Recipients' duties

Furthermore, findings demonstrate that activation workers use discretion to impose obligations and sanction on their clients. Firstly, in order to guard and preserve the duties of clients, all activation workers of this research systematically monitor the extent to which clients have accomplished goals and fulfilled their commitments, based on personal contact with clients by e-mail, telephone or face-to-face conversations or reports received by external institutions (A, 1-15). In all three municipalities of this research computerised systems are used, such as EDISA, RAAK, GWS4all and SonarQube to keep track of a cliental behaviour. For example: EDISA is used to track clients during the phase of civic integration. GWS4all is used for technical information on social benefits and additional welfare (P,2). SonarQube and RAAK are used for reporting cliental progress, appointments and meetings (P, 1,2). All municipalities work with at least two software systems and additionally use Microsoft Office Excel or Microsoft Office Word, to keep track of cliental behaviour (P,1, A,1). However, despite the use of computerized systems, results demonstrate that the rights and obligations of social assistance recipients are almost never fixed (A, 1-15). Often in consultation with their clients, activation workers state to formulate the duties of their clients themselves. As activation worker 12 explained: *'During the formulation of an activation plan goals are formulated. Clients are obliged to participate according to the formulated goals in the activation plan'* (A,12). Equally, activation workers state to be authorized to "soften" obligations as a response to personal circumstances, as activation worker 6 remarks: *'In principle you are responsible for all dispensations. You can select various kinds of dispensations in our system: dispensation of a program, dispensation based on personal circumstances. It is possible that a client needs some time to solve its personal problems. Only when it concerns a dispensation based on medical grounds, we need to employ medical examinations by a professional'* (A,6).

Secondly, activation workers are authorized to impose sanctions on their clients if they do fulfil their commitments (A, 1-15). The findings demonstrate that in all three municipalities of research detailed protocols on sanctioning are present, describing which behaviour correspond to which specific kind of punishment (P,1,2 and 3). For example: if a client does not show up to a medical examination the protocol states that the social benefit with are cut with a 100 % the next month. However, besides consulting the protocol discretion is use before sanctioning a client to determine whether the act was imputable. As activation worker 6 demonstrates: *'Activation workers have to decide whether there were significant mitigating factors. In this, we do take the law into our own hands'* (A,6).

4.2.5 Generosity

Finally, results demonstrate that activation workers can use their discretion to be generous towards their clients, in which activation workers can make extra affords to be of assistance (A,1-15). Applied to refugees, many activation workers of research stated to use their discretion to make extra efforts (A,2,3,5,6,9,10,12 and 13). Several activation workers from Amsterdam, Breda and Heerlen stated to provide refugees with additional information on institutional arrangements (A,2,5 ,6,9,12 and 13). For example: by providing information on civic integration courses, childcare, the granting of credits for educational programs or information on how to request for dispensations. An activation worker of the municipality of Breda explains: *'We do not have refugee-specific rules and regulations. However, I do try showing them the ropes. At least you try to help them with certain bureaucratic procedures'* (A,6). It was found that in Amsterdam activation workers use their discretion to, instead of promoting the shortest road to work, actively address educational programs that up-skill refugees, for instance by promoting the UAF-program or actively addressing the possibility for partly subsidised education (A,1,3,5 and 6).

4.3 Propositions

This paragraph presents and discusses the main findings that support or refute the previous formulated propositions. Rather than providing data in a descriptive fashion, the presented data in this paragraph concentrates on contextual factors and complex mechanisms explaining the differences with regard to the labour market (re-) integration of refugees.

4.3.1 Resource problem

To a greater or lesser degree, the qualitative findings confirm the three formulated propositions assessing the resource problem. The qualitative findings of this research show that the daily practices of activation workers and their use of discretion is highly influenced by lack of funding, time and information on refugees. Overall, it was found that limited resources such as funding, time and information have a negative impact on activation workers' ability to be responsive towards refugee-specific issues.

Lack of funding

Proposition 1: *Limited financial resources pressures discretionary decision-making regarding whether a refugee gets access or not to (re-)integration tools*

The first proposition is supported by the qualitative findings of this research. Findings demonstrate that over the last few years budgetary cutbacks have limited the provision of services in all three municipalities of research, partly as a result of decreasing local participation budgets.¹⁰ In Breda, Heerlen and Amsterdam, financial concerns have given incentives to quit various (re-)integration programs and decreased the overall cooperation with external (re-)integration agencies. As an activation worker from Amsterdam illustrates: *'We used to have 200 programs to choose from. All programs were accessible for everyone who wanted not matter the costs. The sky was the limit'* (A,1). Interestingly, in all three municipalities of research, the number of work experience programs was not so much affected by the cutbacks. In particular municipalities' cutbacks on educational trainings and programs, intended to up-skill social assistance recipients, as they are perceived as high-cost items (P1,2,3). Nonetheless, while emphasizing scarcity of resources, activation workers point out that access to educational trainings and programs have become increasingly selective, as illustrated by the following quote: *'In the past, everyone who wanted to study was allowed to do so. That is certainly not the case anymore'* (A4).

In Breda and Heerlen activation workers stated that as a rule, studying while retaining social assistance is not an option, nevertheless on a very rare basis, exceptions are made in which refugees are allowed to study while retaining social assistance (A6,7,9,12,14 and13). While being pressured by limited provision of resources, activation workers highly rely on their own discretion to decide whether or not this possibility is offered. As activation worker 11 demonstrates very clearly: *'On the average the only*

¹⁰ As mentioned, local participation budgets will decrease by half between 2011-2014 (Klaver et al., 2012).

thing we can do is buy educational services for those, that we think of, have good chances in finding a job afterwards. Or when a job is guaranteed. And sometimes when refugees can study with the help of the UAF..., but it must be within the constraints and parameters of reality. [How do you decide that?] We decide according to our own estimation, truly custom-made services' (A,11). On the contrary, in Amsterdam it was found that although educational trainings and programs also had become highly selective, the new refugee-specific policies allowed those refugees eligible according to the UAF to study while retaining social benefits. Although it was up to the activation workers to grant permission, the overall discretionary decision-making decreased to a certain extent, due to the fixed criteria (as will be further explained in paragraph 4.3.2; Openness of rules and regulations).

Lack of time

Proposition 2: High caseloads pressures discretionary decision-making regarding the amount of time devoted to an individual refugee, and to favour non-refugee clients over refugee clients as the former are perceived to have better labour market prospects.

The second proposition of this research is only supported by indirect qualitative findings, since none of the activation workers of research directly stated to favour non-refugee clients over refugee clients. Nevertheless, it was found that almost all activation workers in Amsterdam, Heerlen and Breda deal with high caseloads. In Amsterdam Breda and Heerlen, frequency guidelines on cliental contact are available (P1,2,3). In Amsterdam, activation workers are obliged to speak to their clients at least once a year. In Heerlen the guideline prescribes at least four times a year cliental contact and according to the guidelines in Breda activation workers have to have cliental contact at least once in three months. Also, activation workers in Breda organize group sessions for social assistance every two weeks, in order to strengthen contact with their clients. The group sessions are not obliged, however, and not all clients participate in the groups sessions. Some clients are only served by one-on-one by activation workers. Although activation workers in all municipalities of research are familiar with the local guidelines, 14 of the 15 interviewed activation workers state to have insufficient time to meet the official guidelines: *'It is impossible to keep in contact with all clients. We do have guidelines, but it is just not possible to meet them because of the high caseloads' (A,7).*

In an attempt to meet the guidelines, all activation workers argue to devote different amount of time to their clients. While acknowledging the need to prioritize, one activation worker indicates an overall lack of managerial guidance. According to activation worker (A,3) managers do not provide sufficient information on how to deal with high caseloads. Although prioritizing is insurmountable, there are no

guidelines nor is there available information helping activation workers to deal with high caseloads. While being pressured by high caseloads, it was found that activation workers prioritize some clients over others, according to activation workers' own discretion. Although none of the activation workers explicitly stated to favour non-refugee clients over refugee clients, it was found that 10 of the 15 interviewed activation workers favoured clients with better labour market prospects: '*Clients who have the best chances [to exit social assistance].. yes we do focus on them. It sounds very unfriendly, because in principle everyone is entitled to the same amount of time. But then there is also the objective to ensure social assistance exit. Then, at the end it are the clients with the best prospects [to integrate on the labour market] that receive most time*' (A,1). In addition, the perceived labour market prospects of refugees by activation workers differs. Although all activation workers state that some refugees do very well, many activation workers express their concerns, stating that, often due to language barriers, refugees are difficult clients to (re-)integrate on the labour market (A, 1,2,4,8,9,10,11,14 and 15).

It is found that action workers deal on a daily basis with a high caseload and that within the current focus of the institutions action workers feel pressured to give more attention to those clients with higher potential. The interviews also indicate that activation workers express their concerns with regards to the labour market (re-)integration of refugees. Hence, the qualitative findings indirectly support the mechanism of the second proposition, but no absolute conclusion can be drawn on whether or not activation workers favour non-refugee clients over refugee clients. Also, in Amsterdam it is very unlikely that activation workers favour non-refugee clients over refugee clients due to the fact that activation workers have a relative high proportion of refugees among their caseload and in addition, are (voluntarily) assigned to serve refugee clients.¹¹

Lack of Information

Proposition 3: Lack of information and expertise regarding refugees adds to discretionary decision-making and as a consequence hinders knowledge based decision making with regard to the (re-)integration of refugees.

Qualitative data of this research supports the third proposition in some degree. To start with, inter-municipal differences concerning the identification of refugees were found. As mentioned, every client has a computerized "client profile" consisting of personal data and additional information on the clients' personal circumstances. Interestingly, the client profile of refugees does not necessarily contain information about the refugee status. Data shows that in Heerlen, this known fact is often not clearly registered nor communicated (A, 12, 14 and 15), which might partly be a result of the less

¹¹ As mentioned: at every Work Square in Amsterdam 1 or 2 activation workers per team serve all refugees clients from that city block.

sophisticated software compared to the software used in Breda and Amsterdam. Besides using GWS4all for technical information on social security benefits, Heerlen does not make use of an additional system to report on personal circumstances and developments of clients, such as Amsterdam (using RAAK) and Breda (using SonarQube). Instead activation workers in Heerlen make use of Microsoft Office Word files. Hence, activation workers in Heerlen cannot always tell the differences between a refugee or a newcomer. After refugees have successfully passed the mandatory civic integration course, they are transferred to different activation workers in which this useful information is not always communicated, as can be demonstrated by the following statement: *'How do we know that it is a refugee? Well I do not have a lot of experience with that. We actually do not have an all-around system... Often you start from scratch. We just use Word to save notes and in principle it contains information about what kind of clients it concerns'* (A,12). In addition, four out of the five interviewed activation workers in Heerlen perceived the status of refugees as a temporary condition which expires after a few years, making statements like: *'Well after 1,5 years.. I am not sure whether they are still considered refugees then'* (A,12) and *'It is often the case that the refugees in my caseloads are a number of years in the Netherlands. We do not really take that into account'* (A,11). Consequently, due to this scarcity of information, activation workers in Heerlen rely on their own experience and intuition while serving refugees.

In Breda a more sophisticated software system is used (SonarQube) and all activation workers of this research argued to be able to identify the refugees in their caseloads (A, 6,7,8,9 and 10). Also, it was found that in Breda, a few activation workers were naturally appointed to deal with external organizations such as UAF and Refugee Work. However, data shows that not all of the five interviewed activation workers are familiar with the UAF, indicating a lack of sufficient provision of information within the municipality. Amsterdam uses an even more sophisticated software system. Nonetheless, software did not solve the problem that often a lack of information was hindering knowledge based decision-making with regard to the (re-)integration of refugees. This because in the past a rapid changing workforce often led to a loss of information about clients (P,1). Since the appointment of trained activation workers on refugee-specific issues, this problem seems to be corrected. Two particular advantages of this new style of work were indicated during the interviews. Firstly, all five interviewed activation workers stated to have become more "knowledgeable" about the available activation measures for refugees. Two activation workers clearly demonstrate how they use information more efficiently: *'We now know what programs we can offer. Before the training, many of us were not aware these programs even existed. For instance the UAF program. I did not know about that, although it the information was available on the intranet'* (A,1) and *'As activation worker you have a considerable caseload and (re-)integration programs are constantly changing, you just can't keep track. Due to the training we are a lot better informed. Before, you would receive a message saying there is a new program for refugees, and then you had to scan your whole caseloads, 220*

clients, to search for refugees. You really do not have time for that' (A,2). Secondly, four out of the five interviewed activation workers of the municipality of Amsterdam declared to cooperate more efficiently with external organizations, while functioning as an authorized point of contact: *'If you work with a specific target-group, that means that your network with respect to this group is extending and intensified because there are more moments in which you have contact. We know who to approach and the other way around: they now where to find us'* (A,5).

Hence, lack of information on refugees pressures uninformed decision-making in which activation workers highly rely their own discretion as demonstrated in by results obtained in Heerlen and Breda. As the case of Amsterdam shows, more knowledge and contact with external partners can advance knowledge based decision making with regard to the (re-)integration of refugees. Altogether, although there is no direct evidence for proving the extent to which information increases knowledge-based decision making, the qualitative findings indirectly support the mechanism of the third proposition.

4.3.2 Absence of goals and performance measures

To a greater or lesser degree, the qualitative findings also confirm the three formulated propositions assessing the absence of goals and performance measures. The qualitative findings show that discretion of activation workers indeed is influenced by the openness of rules and regulations, conflicting goals and the absence of (sufficient) performance measures. Overall, it was found that while integrating refugees on the labour market, it is rather difficult for activation workers to orientate their daily performances towards goals achievement. As a result, practices are highly individualistic.

Openness of rules and regulations

Proposition 4: Absence of refugee-specific policies and procedures leads to an increase in discretionary decision-making with regard to the (re-)integration of refugees and hinders activation worker's responsiveness to refugee-specific problems

The fourth proposition of research is supported by the qualitative findings. Primarily, discretion is found in the translation of vague policies into practical actions. In accordance with the fourth proposition, the impact of refugee-specific policies and procedures was found to be important in the responsiveness towards refugee-specific problems. In this, a typical refugee-specific problem is the lack of financial resources and social networks. As argued by one of the respondents of the UAF, due to the lack available options and alternatives, refugees are often only able to study when they are allowed to retain their social benefits (0,1). As mentioned, Heerlen and Amsterdam have both signed a cooperation agreement with the UAF, offering eligible refugees the opportunity to study while retaining social benefits. On paper, both municipalities commit themselves to the same arrangement. However, contrary to the municipality of Heerlen, in Amsterdam, this cooperation agreement is

integrated in activation workers' daily practice, as in Amsterdam the UAF cooperation agreement is confirmed by a legal clause. Also, the program is integrated in the computer systems of Amsterdam's activation workers and is easy accessible as one activation worker explains: *'We can enrol refugees for the UAF-program through our own computer system, so we no longer have to call the UAF. That makes it a regular DWI program. We no longer see it as something complicated or something outside the regulatory framework. The contact between the DWI and UAF helps with that'* (A,3).

In Heerlen however, the agreement cooperation with the UAF is not integrated into the daily practices of activation workers; there is no legislation or documentation that enacts this agreement. Interestingly, it was found that activation workers in Amsterdam referred to the UAF contract as a solid base for guiding their decisions: *'We have committed ourselves to an agreement with the UAF. That has made it very clear to us. If are refugee can study with the help of the UA, we have to excuse this client from the obligation to search for a job'* (A,1). As a rule, those eligible, can study while retaining social benefits, something that in the past was often disputed as one activation worker explains: *'Previously, it was not written down in black and white. Activation workers had different opinions about it, causing inequality within the DWI. Nowadays 'sauce for the goose is sauce for the gander'* (A,2). In Heerlen, it was found that the cooperation agreement with the UAF is rather perceived as a formality (A, 12,11,14 and 15) in which the actual eligibility for studying while retaining social benefits is not so much steered by the UAF cooperation agreement, but rather determined by activation workers own discretion: *'We from social services have to decide whether it is realistic. Look, our municipality has signed a cooperation agreement with the UAF, so in principle there are certain commitments, but on the other side you do not want to give false hopes. And at the end, which is quite paradoxical, they have to exit social assistance as soon as possible'* (A,15).

The above statements clearly illustrates how the activation worker makes decisions about the right to a scarce resource according to their own discretion. Activation workers from the municipality of Heerlen had different opinions about the possibility to study while retaining social assistance. One activation worker argued that it was not possible for refugees to study while retaining social assistance, except when a job was guaranteed (A,14), while another activation worker argued that an education program of two years indeed was acceptable (A,11). In Breda, the same disagreement was found. Although, as mentioned, Breda has no cooperation agreement with the UAF, there were refugees that studying with the help from the UAF while retaining social assistance. With regard to the UAF-program, in Breda and Heerlen, the absence of integrated policies and procurers indeed pressures discretionary decision making and sometimes hinders responsiveness to refugee specific problems.

Conflicting goals

Proposition 5: *Conflicting goals increase discretionary decision-making regarding labour market integration of refugees and leads to lack of accountability of the activation worker*

Certain particulars of the fifth proposition of research is supported by the qualitative findings. Findings demonstrate that on a daily basis activation workers deal with conflicting goals which hamper clear goal achievement. On the one hand, while referring to the Work and Assistance Act, all activation workers of research agreed that the main goal of activation work is the accomplishment of “labour market influx of social assistance recipients” while focussing on the “shortest road to work” (A 1-15). In accordance with the Work and Assistance Act, activation workers emphasise that all able-bodied with no serious mental or physical disabilities are expected to make sincere efforts to (re-)enter the labour market. While also recognizing that paid labour is not within reach for everyone, it was found that the activation workers interviewed for this research, especially those of the municipality of Heerlen, safeguard social control by emphasising the “work first” approach. This can be demonstrated by the following statement: *‘Activation is intended as a stepping stone to the labour market, that is the ultimate goal, but some of them will never achieve that. You can make yourself useful however. People have to do something when they are on social welfare. We try to activate them. Everything is better than sitting at home when you are on social welfare’* (A, 11). On the other hand, 11 of the 15 activation workers of research pointed out the importance of sustainable (subsidy-independent) employment, in which the “work first” approach is not always the most efficient method. As activation worker A6 and A12 argue, sometimes the employability or personal circumstances of clients need to be improved before the job-search: *‘We have to focus on the shortest road to work, but then they will be back at our office within six months’* (A,6). Or as activation worker 12 stated: *‘What I mean by sustainable employment is work for a longer period, at least six months. You can send people off to a job agency, telling them to apply for a job, but the main point is that people end up well. Thus, it is also a matter of investment, such as training, work experience programs’*(A,12). Subsequently, the qualitative results of this research demonstrate that these conflicting goals hamper clear goal achievement and that activation workers determine their practice and strategy according to their own discretion. The following statement by activation worker seven can exemplify this: *‘You have to implement and enforce legislation, I agree. But we have to decide what is really necessary, as humans. The Work and Assistance act states that they have to find work as soon as possible, but I prefer they do something they like’* (A,7).

Hence, to some degree, the qualitative findings support the mechanism of the fifth proposition of research. However, conflicting goals increase discretionary decision-making regarding labour market integration of all clients, not only for refugees. To make a comment of caution: no indications are

found that this in particular accounts for refugees. However, the conflicting goals do lead to the justification of a variety of actions and in general undermines the accountability of activation workers.

Absences of performance measures

Proposition 6: *The absence of performance measures increases discretionary decision-making and causes a lack of transparency regarding the process of the (re-)integration of refugees*

The qualitative data of this research has found insufficient proof to support the sixth proposition.. To start with, in all three municipalities of research, performance measures have been implemented over the past few years to increase control (P,1,2 and 3). Findings demonstrate that only all three municipalities of research work, to certain extend, with targets: a fixed number of labour market outflows. As one activation worker from the municipality of Breda explains: *'I think we do have targets, although they are not that strict. I believe it is 8, 8 clients have to a month have to be reintegrated on the labour market, however, management checks the average of our whole team'* (A,8). Nevertheless, these targets do not clarify how results are achieved. In addition, the Ladder of Citizens Participation is used to measure the progress made by social assistance recipients. Not only do local governments use this information, also national governments make use of the data resulting from this performance measure (P,3). In Amsterdam, besides targets, a specialization on refugees was introduced in which activation workers were trained to get better understanding about the target group, in order to promote accuracy and increase the (re-)integration performances of activation workers. As the senior policy advisor of Amsterdam explains: *'We have seen that it is difficult to sustainably integrate refugees on the labour market. For refugees, this often costs 10 years instead of 3,5 years. Therefore, we must work faster and more efficiently. That is our main goal, to speed up this process'* (P,1).

Since it is overall questioned whether performance measures contribute to the overall transparency in activation work, the qualitative findings do not support the sixth proposition of research. With or without performance measures, transparency regarding the process of the (re-)integration of refugees remains questionable since there are no performance measures clarifying how exactly refugees are sufficiently integrated on the labour market.

4.3.3 Relation with non-voluntary clients

To a greater or lesser degree, the qualitative finding confirm the three formulated propositions assessing the relation with non-voluntary clients. Qualitative finding show that, activation workers' use of discretion is highly influenced by criteria for constructing a clients profile and partly by the voice and choice of clients. While providing individualized services, it was found that overall,

activation workers exercise extensive control over the treatment of their clients in which actions are often based on beliefs and biased beliefs.

Absence voice and choice

Proposition 7: Absence of a voice and choice of refugees increases discretionary decision-making in which individual interpretations of the activation workers determine whether or not the interests of refugees are served

There has been no evidence found to sufficiently support the seventh proposition. It remains unclear to which extent refugees have an actual ‘voice and choice’. All fifteen activation workers of this research stated to take the aspirations of refugees into account, while being convinced that motivation is an important instrument for successful labour market integration, as activation worker 12 demonstrates: ‘*I always listen to what my clients want. It is very important to work with motivation. And in particular for refugees, I can imagine they have had little opportunities, they are eager to take advantage of the opportunities offered in the Netherlands*’ (A,12). Or as activation worker 8 shows: ‘*I determine the course of action in cooperation with them. I think that is very important in order to get positive results. For instance, we advise external re-integration agencies about the preferences of refugees*’. Yet, while referring to the Work and Assistance Act, paradoxical statements are made by the same activation workers, as becomes evident in the following statement by activation worker 12: ‘*If you are on social welfare, you do not always have a choice. You can have a preference, but the options are limited*’ (A,12). Or as activation worker 8 explains: ‘*Look, people on social benefits have to take the shortest road to work. Actually, they do not have a lot of choice*’ (A,8).

Hence, the qualitative findings do not support the mechanism of the seventh proposition of research, since it remains unclear to what extent refugees have something to choose and if the ‘voice and choice’ of refugees influences the discretionary decision-making of activation workers. Rather, findings suggest that the personal interpretation of activation workers determines whether or not the interest of refugees are served, regardless the ‘voice and choice’ of refugees.

Absence of criteria for constructing a client profile

Proposition 8: The absence of refugee-specific criteria for constructing a client profile increases discretionary decision-making in which personal interpretations may lead to a poor estimations of refugees’ competences

Finally, the eighth proposition of this research is partially supported by qualitative findings. It was found that in none of the three municipalities of this research, activation workers make use of refugee-specific criteria to assess the skills and capacities of refugees. In Amsterdam, Breda and Heerlen, the

Ladder of Citizens Participation constitutes as the main foundation of constructing a client profile, also for refugees (A, 1-15). Additionally, the qualitative findings show that methods such as Nuffic, IcDW or EVC are rarely used by activation workers in the estimation of refugees' competences. As the following quotes from activation workers from Heerlen, Breda and Amsterdam confirm: *'If I may speak for myself, I must admit that I have never consulted any of these agencies'* (A,14) and *'It is quite unusual that we reassess certificates of refugees. They often do not have any (A,8) and 'We do not have any experience in the reassessment of certificates. We now know that the possibility is there and if a refugee tells me "I have I degree", I will look it up, but we still need to gain more experience (A3).* Although the Ladder of Citizens Participations is the cornerstone in the construction of a client profile, it was found that sometimes vague criteria were added in order to estimate refugees' competences: *Motivation is also very critical in the estimation of one's potential. If they are motivated, they are able to do more'* (A,5). Furthermore, of the fifteen interviewed activation workers, six activation workers from Breda and Heerlen considered the educational background of refugees to be of limited importance in the process of labour market (re-) integration (A, 7,8,10,11,12 and 15). As activation worker 11 argues: *'We do not really distinguish between high educated and low educated refugees, you just look at the potential'* (A,11) . In Amsterdam, activation workers mainly used their discretion to overrule the system. While pointing out the limitations of the Ladder of Citizens Participation, activation workers use their discretion to avoid the "unfit" bureaucratic constructed categories: *'Refugees are clearly an exception to the cease-fire. They all have a language problem and because they do not speak Dutch very well we have to put them at stair 2. However, generic-based policies state that people at stair 2 are difficult to integrate on the labour market. There are little options for them, we do not make a lot of afford to integrate them. If you decide to listen to the Ladder of Participation, refugees will be on social assistance for ever. That is why we think it is important to provide extra attention. To look critical at this tool'* (A5).

Hence, the eighth proposition of this research is partially supported by qualitative findings. The bureaucratic constructed criteria of the Ladder of Citizens Participation appeared to be unsuitable for refugees. Due to this deficiency and the lack of use of additional refugee specific tool such as Nuffic, IcDW or EVC, personal interpretations about a refugees' potential are added to correct for the system. Yet, increased discretionary decision-making and personal interpretation do not necessarily lead to poor estimations of refugees' competences; it can lead to a better estimation of a refugees competences. However, the absence of refugee-specific criteria for constructing a client profile does endanger an adequate estimation of refugees' skills and competences.

Chapter 5: Discussion and conclusion

In this concluding chapter, first, the answer to the central research question will be given. Second, in the discussion the findings of this research will be discussed in relation to the literature. And last, several limitations as well as recommendations for further research will be outlined.

5.1 Brief answer to the central research question

This research focuses on the question how activation workers use their discretion to (re-)integrate refugees on the labour market and on explanations for differences in the use of discretion. In order to answer this question, first, a literature research was conducted followed by a qualitative multiple case study among activation workers of three municipalities in the Netherlands: Heerlen, Breda and Amsterdam. First of all, findings of this research demonstrate that activation workers use discretion for the diagnosis and evaluation of refugees' circumstances, competences and behavior, to decide on the access and denial of services, the content of activation measures and the overall treatment of refugees, in which activation workers structure and delimit refugees lives and opportunities.

Furthermore, findings show that by setting the work conditions, municipalities influence the manner in which activation workers use their discretion. In this, financial and work conditions as well as organizational incentives are most important factors in structuring the use of activation workers with regard to the labour market (re-) integration of refugees.

In the literature a comparative frameworks was found by which income support measures of various cities were analyzed. Five of these comparative analytical criteria were found to be suitable for analysing the scope of activation workers discretion with regard to the labour market (re-)integration of refugees. The five criteria: *selectivity, recipients' duties, duration, activation measures and generosity* were correlating with five essential tasks in activation work: *diagnosing, strategy development, connecting, monitoring and representing refugees interests*. In the reconstruction of activation work with respect to the labour market (re-)integration of refugees it was found that, while authorized to perform all five tasks, activation workers enjoyed considerable discretion over the selectivity, duration and generosity of social services as well as the activation measures and duties that are imposed upon refugees.

In addition, the street-level bureaucracy literature identifies several conditions of work in street-level bureaucracies which give rise to discretion at street-level. Three main characteristics were identified: *the resource problem, the absence of goals and performance measures and the relation with non-voluntary clients*. These structural difficulties can be identified by eight indicators: *lack of funding, lack of time, lack of information, openness of rules and regulations, conflicting goals, absence of*

performance measures, voice and choice and absence of criteria for constructing a client profile. In accordance with the literature, this research identified all eight indicators while conducting a multiple case study. To greater or lesser degree, these indicators were applicable to the case study of research which were conducted on basis of eight formulated propositions. In accordance with the literature, it was found that various inter-municipal differences in the use of discretion could be explained by differences in the institutional characteristics of public agencies. The findings show that, while integrating refugees on the labour market, the use of discretion is of less importance in the municipality of Amsterdam than it is in Heerlen and Breda due to the fact that in Amsterdam the financial and work conditions are in line with refugee-responsive organizational incentives.

5.2 Discussion

In this research, the street-level bureaucracy theory proved to be relevant with regard to contemporary Dutch activation work. In the reconstruction of activation work with respect to the labour market (re-)integration of refugees, it is found that activation workers are a typical example of so-called street-level bureaucrats: interacting directly with citizens, making decisions on the spot and enjoying considerable freedom to choose among a number possible action or inactions. In addition, in contemporary Dutch activation work, various conditions of work unintentionally impact the daily conduct of activation workers pressuring discretionary decision-making. Three conditions of work are outlined by Lipsky (1980): *the resource problem, the absence of goals and performance measures* and the relation with non-voluntary clients. This section will describe how the proposition of research relate to street-level bureaucracy theory.

In general, the findings of this research are consistent with the street-level theory. To start with, in contemporary Dutch activation work, the resource problem can be identified as a crucial element in understanding the implementation practice of activation worker with regard to the labour market (re-)integration of refugees. In all three municipalities of research activation workers deal with limited financial resources while being buried under huge caseloads. In accordance with the street-level bureaucracy theory, it was found that important decisions made by the activation worker are influenced by lack of resources, decreasing activation workers ability to be responsive towards refugee-specific circumstances and their need for assistance. Based on the findings, it is believed that especially in Heerlen and Breda activation workers feeling pressured to “solve” governmental problems, in which they appear less responsive towards individual cases of refugees. While activation workers supposed to increase the labour market opportunities of refugees, the financial constrains in the municipalities of research leave little space to allocate training and educational programs towards refugees. Furthermore, in accordance with the street-level bureaucracy theory, lack of information

pressures uninformed decision-making . Due to activation worker discretionary authority to interpret policy on a case-by-case basis, it is believed to be of importance that activation workers are well informed about the target-group they serve. As illustrated by the case of Amsterdam, it is likely that more knowledge on refugees-specific circumstance will help activation worker to adequately adjust their decisions towards more “knowledgeable” decisions while (re-)integration refugees on the Dutch labour market. As will be argued in the next section, the specialization of activation workers can contribute to adequate use of information.

Secondly, the Work and Assistance Act does not provide clear goals nor procedures. According to Lipsky (1980) the absence of clear goals results in highly individualized acts of street-level bureaucrats. However, Lipsky’s (1980) street-level bureaucracy theory fails to acknowledge that in some degree, the use of discretion can be “managed”. In all three municipalities of research, it was found that organizational incentives steer activation workers practice towards achieving goals that are set by the municipality. Within the current focus of governmental institutions, new “rules of thumb” are communicated: the shortest road to work. It was found that activation workers, especially in Heerlen and Breda, steer their practice to this new objective. In Amsterdam, activation workers are, with respect to the labour market (re-)integration of refugees, more cautious towards this new goal. It is believed that this is due to fact that the municipality of Amsterdam has offered additional goals for the trained activation workers: investment and sensitivity towards refugee-specific circumstances. In Amsterdam the presence of additional (refugee-sensitive) incentives steer activation workers practice.

Thirdly, the street-level theory states that the classification of clients is often unrelated to actual objective factors but rather steered by beliefs and biased beliefs of street-level bureaucrats. Indeed this research demonstrates that activation workers’ personal interpretations about a refugees’ potential are added in the categorization of refugees. However, contrary to Lipsky (1980) it was found that the beliefs by activation workers in some cases lead to a better estimation of refugees competences. Lipsky (1980) perceives the freedom enjoyed by street-level bureaucrats as a negative side effect of social services; causing policy distortions. However, in contrary to Lipsky (1980) it is believed that discretion can also be used to make up for distortions resulting from the policy itself. For the activation workers of this research, one of the main challenge is to apply the situation of the refugee within the frame work of the Ladder of Citizens Participation, since the categories given within the Ladder of Citizens Participation often do not correspond with the situation of the refugee. In this, activation workers make use of discretion to adjust wrong estimations.

The specialization of activation workers might contribute. Although discretion cannot be controlled, again the results of this research do point out that to a certain extent discretion can be “managed” or at least “steered” Activation workers from the municipalities of Amsterdam were found to more responsive towards the needs of refugees than activation workers in Heerlen and Breda. However,

though Lipsky (1980) as well as Van Berkel & Van der Aa (2010) point out that in the current situation of activation worker, there is no “systematic processes of professional accountability”, it was found that a better understanding of the objectives and the target-group population does at least promote more thoughtful decision making. However, specialization will only bears fruits when it offers activation workers the opportunity to be responsive, rather than feeling pressured to answer to new “rules of thumb”. Nowadays, a formal system of checks and balances that takes into account the exceptional situation of refugees, within in the current setup of most municipalities is lacking.

5.3 Limitations and recommendations for further research

One important element in the street-level bureaucracy theory is the coercive relation with non-voluntary clients. Lipsky (1980) warns that in the worst case scenario, discretion is harmful and discriminating towards specific groups of citizens. For this research, this part of Lipsky’s (1980) theory is certainly of relevance. With regard to refugees, preconceived opinions of activation workers can lead to wrong estimation of refugees competence. Activation workers might be misled by a refugees’ lack of Dutch language skills or differences in customs and behaviour. However, for the most part these preconceived and stigmatizing opinions remain unrevealed. Clearly, a limitation of this research is the fact that the propositions were mainly examined by conducting semi-structured interviews with activation workers. It is very unlikely that this method is able to detect preconceived and stigmatizing opinions of activation workers with regard to refugees. In addition, it was found that activation workers sometimes provided social desirable answers. Due to the fact that various proposition of this research question the accountability of activation workers, the research questions in the semi-structured interviews (indirectly) asked the activation worker to be critical towards their own daily performances. During the interviews, it was clear that some of the interviewed activation workers felt uncomfortable telling the whole story. To illustrate this case with an example: when the researcher made observations at the ATEA-group in Breda, activation workers joked while introducing the researcher to other colleagues: “she is here to check if we do our job properly”.

At last, the activation workers of research cannot be considered a homogeneous group. All activation workers of research serve social assistance recipients and among them refugees, however, some activation work with specific target-groups. For example: one activation worker served only youngsters, while the another activation worker only served newcomers. Activation workers’ specific role within the organization might influence their perceptions of and attitudes towards refugees as well as their own performances. Although no structural patterns of differences could be discover, this might have harmed the validity of this research.

In order to gain better understanding about the use of discretion and the factors that influence this use with regard to the labour market (re-)integration of refugees, further research should have a focus on daily practices of activation workers in which preferably long-term observation within Social Work Squares are executed in an extended sample. In addition, research can be quantified after having obtained more data. Also, it is advisable to make a distinction between activation workers that are assigned to “activate” and activation workers that are assigned to “re-integrate”. Although in this research the practices were generally the same, differences might be found.

5.4 Policy directions

In order to make full use of the labour market potential of refugees in the Netherlands, (re-)integration policy needs to acknowledge that as a group refugees need attention. In general, refugees have various labour market obstacles: such as insufficient knowledge of the Dutch language, discontinuity in careers, lack of work experience and lack of relevant networks. As a consequence, refugees are a difficult group to (re-)integrate on the labour market, however, refugees are not necessarily unfit for the labour market nor do they necessarily lack potential.

To start with, the dissemination of information and knowledge within the Social Work Squares should be improved. On technical level, it is advisable to integrate refugee-specific information and programs, such as the UAF-program but also additional programs such as Nuffic, IcDW or EVC, into the software systems of activation workers. In order to safeguard the actual use of information and knowledge it is advisable to, equally to the municipality of Amsterdam, appoint and train activation workers to serve the interest of refugees with regard to the labour market (re-)integration. Also, the Ladder of Citizens Participation does not sufficiently estimate the skills and competences of refugees. Since the client profile constitutes for the options that are held available to clients, the shortcomings of this tool are of significance: refugees often end up on a very low “stair” meaning that refugees are not eligible for specific training and educational programs and additionally receiving less attention of activation workers as they are perceived as having low potential or unfit for the regular (re-)integration programs. In order to avoid wrong estimations, a different tool should be developed or at least, it should be communicated that refugees are not regular clients. Also, additional programs need to be developed for refugees focussing less on Dutch language skills, but rather on other competences. Many refugees from Africa who speak English very well, are not accepted by re-integration agencies due to their lack of knowledge of the Dutch language. Overall, policy should keep in mind that for refugees, social benefits are rather a new beginning than a tragic end and often, the shortest road to work is a very long one.

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Appendix 1: Request for research participants

Geachte,

Langs deze weg wil ik uw aandacht vragen voor mijn afstudeeronderzoek en vragen om uw medewerking. Allereerst stel ik me graag kort aan u voor.

Mijn naam is Kirsten Sleven en momenteel volg ik, met veel enthousiasme, de master *Arbeid, zorg en welzijn: beleid en interventie* aan de Universiteit van Utrecht. Onder begeleiding van prof. dr. Trudie Knijn ben ik begonnen aan mijn afstudeertraject.

Sinds februari schrijf ik mijn scriptie in opdracht van *Stichting voor Vluchteling-Studenten UAF*. In dit onderzoek staat de lokale variatie in de arbeidsmarkt (re-)integratie van vluchtelingen centraal.

Mijn onderzoek bestaat uit drie case studies, waarbij ik de gemeenten Amsterdam, Breda en Heerlen onderzoek. Ik heb voor de gemeente Heerlen [Breda, Amsterdam] gekozen vanwege..... Hiermee is de aanpak van de gemeente Heerlen [Breda, Amsterdam] enigszins uniek.

Ik ben erg benieuwd naar uw rol als klantmanagers in het re-integreren van vluchtelingen op de arbeidsmarkt en zou graag daarover met u van gedachte wisselen. Ik hoor gaarne of u met mij in gesprek zou willen gaan. Bij belangstelling kan ik de gemeente Heerlen [Breda, Amsterdam] de resultaten van mijn onderzoek presenteren.

Ik hoop u hiermee voldoende te hebben geïnformeerd en kijk uit naar uw reactie. Voor vragen of een nadere toelichting op mijn onderzoek kunt u mij bereiken op het onderstaande adres/nummer. Tevens kunt u op contact opnemen met Erik van den Bergh, mijn begeleider bij het UAF.

Met vriendelijke groet,

Kirsten Sleven
Waalstraat 123
1079 DV te Amsterdam
Kirstensleven@gmail.com
[06-47756407](tel:06-47756407)

Erik van den Bergh
e.vandenBergh@uaf.nl

Appendix 2: List of respondents

Activation workers, A:

RESPONDENT	MUNICIPALITY	JOB DISCRIPTION	ADDITIONAL INFORMATION
A1	Amsterdam	Activation worker	Specialized in refugees
A2	Amsterdam	Activation worker	Specialized in refugees
A3	Amsterdam	Activation worker	Specialized in refugees
A4	Amsterdam	Activation worker	Specialized in refugees
A5	Amsterdam	Activation worker	Specialized in refugees
A6	Breda	Activation worker	Serves clients whit a considerable labour market distance (activation but also civic integration)
A7	Breda	Activation worker	Serves clients whit a considerable labour market distance (activating)
A8	Breda	Activation worker	Serves cliens with limted labour market distance (labour market directing)
A9	Breda	Activation worker	Serves client's whit a considerable labour market distance (activating)
A10	Breda	Activation worker	Serves cliens with limted labour market distance (labour market directing)
A11	Heerlen	Activation worker	Serves cliens with limted labour market distance (labour market directing)
A12	Heerlen	Activation worker	Serves client's whit a considerable labour market distance (only youngsters)
A13	Heerlen	Activation worker	Serves newcomers (civic integration)
A14	Heerlen	Activation worker	Serves client's whit a considerable labour market distance (activating)
A15	Heerlen	Activation worker	Serves cliens with limted labour market distance (labour market directing)

Policy Officials/ Policy makers P:

RESPONDENT	MUNICIPALITY	JOB DISCRIPTION	ADDITIONAL INFO
P 1	Amsterdam	Senior policy advisor	Department: Education and Integration
P 2	Breda	Manager ATEA-group	Department: activation
P 3	Heerlen	Policy official	Department: Participation and Integration
O4	-	Policy Advisor UAF	

Appendix 3: Operationalization of the analytical framework

This appendix is dedicated identifying instruments of measurement that will be used in this research. The analytical framework pointed out various indicators to measure. This appendix will further scrutinize the concepts while identifying the variable to measure.

The use of discretion:

In order to assess the scope of discretion within these criteria, it will be explored:

Selectivity

- Activation workers' authority to assess the labour market distance of refugees. Presence of control mechanisms present such as computerized programs.
- Activation workers authority to independently determine what services are allocated to refugees and if yes, the fashion on which their actions are based.

Duration

- Activation workers' authority to assess the duration of services allocated to refugees and if yes, the fashion on which their actions are based.

Recipients' duties

- Activation workers' authority to define the obligations of refugees and if yes, the fashion on which their actions are based.
- Activation workers' authority to sanction refugees when they do not fulfil their commitments and to determine the sanction

Activation measures

- The amount of available activation programs, activation workers' ability to choose instruments if yes, the fashion on which their actions are based.

Generosity

- Activation workers' authority in representing refugees' interests if yes, the fashion on which their actions are based.

The resource problem

On this topic, three indicators were distinguished which influence discretion: *lack of funding, lack of time* and *lack of information*.

1. Proposition lack of funding:

Limited financial resources pressures discretionary decision-making regarding whether a refugee gets access or not to reintegration tools

- Limitation of financial resources
 - Deficits on local income budgets
 - Presence of retrenchment-measures
 - Budget guidelines on maximum expenditures per reintegration program
- Discretion in decision making
 - Extend to which an activation worker has the freedom to make decisions which affects refugees
- Access to reintegration tools
 - Extend to which a refugee has access to (re-)integration tools

2. Proposition lack of time:

High caseloads pressures discretionary in decision-making regarding the amount of time devoted to an individual refugee, and to favour non-refugee clients of refugee clients as the former are perceived to have better labour market prospects

- Caseload
 - Perception of the caseload by the activation worker
- Discretion in decision making
 - Extend to which an activation worker has the freedom to make decisions which affects refugees
- Amount of time devoted to refugees clients in relation to other clients
 - Perception of act
- Perceived labour market prospects of client
 - Perception of employability of refugees

3. Proposition information:

Lack of information and expertise regarding refugees adds to discretionary decision-making and as a consequence hinders knowledge based decision making with regard to the (re-)integration of refugees.

- The availability of information on refugees
- Expertise of activation workers regarding refugees
 - Training or education or contact with refugee-specific interest groups

- Discretion in decision making
 - Extend to which an activation worker has the freedom to make decisions which affects refugees
- Role of knowledge in decision making
 - Extent by which a decision is made on sufficient information on refugees
 - Extent by which a decision is made based on refugee-specific expertise

The absence of goals and performance measures

On this topic, three indicators were distinguished which influence discretion: *openness of rules and regulations, conflicting goals, absence of performance measures*

4. Proposition openness of rules and regulations:

Absence of refugee-specific policies leads to an increase in discretionary decision-making with regard to the (re-)integration of refugees and hinders activation worker's responsiveness to refugee-specific problems

- Presence of refugee-specific policies
 - Local formal policy on refugees
- Discretion in decision-making
 - Extend to which an activation worker has the freedom to make decisions which affects refugees
- Responsiveness to refugee specific problems
 - Sensitivity to refugee specific labour market problems

5. Proposition conflicting goals:

Conflicting goals increase discretionary decision-making regarding labour market integration of refugees and leads to lack of accountability of the activation worker

- Presence of conflicting goals
 - Differentiating views on the purpose of activation policy with regard to refugees
- Discretion in decision making
 - Extend to which an activation worker has the freedom to make decisions which affects refugees
- Accountability of activation worker
 - Measures by which activation workers have to justify their actions and absence of possible consequences such as punishment in the case of misconduct

6. Proposition absences of performance measures:

The absence of performance measures increases discretionary decision-making and causes a lack of transparency regarding the process of the reintegration of refugees

- Presence of performance measures
 - Measures by which activation workers have to work, controlling the actions of activation workers
- Discretion in decision making
 - Extend to which an activation worker has the freedom to make decisions which affects refugees
- Overall transparency of reintegration process of refugees

The relation with clients

On this topic two indicators were distinguished which influence discretion: *absence of criteria for constructing a client profile* and *absence of a voice and choice of clients*

7. Proposition absence of a voice and choice of clients

Absence of a voice and choice of refugees increases discretionary decision-making in which individual interpretations of the activation workers determine whether or not the interests of refugees are served

- Presence of a voice and choice of refugees
 - Whether or not refugees has something to choose
- Discretion in decision making
 - Extend to which an activation worker has the freedom to make decisions which affects refugees
- Extend to which a decision serves refugee's interests
 - The overall generosity of provisions with regard to refugees

8. Proposition absence of criteria for constructing a client profile:

The absence of refugee-specific criteria for constructing a client profile increases discretionary decision making in which personal interpretations may lead to a poor estimation of refugees' competences

- Presence of refugee-specific criteria for constructing a client profile

- The use of Nuffic, IcDW, EVC or consulting Refugee Work UAF or other refugee-specific interest groups/organizations
- Discretion in decision-making
 - Extend to which an activation worker has the freedom to make decisions which affects refugees
- Estimation of refugees' competences
 - Use of standardized/computerized criteria

Appendix 4: Ladder of Citizens Participation

Municipality of Heerlen

The figure below shows the Ladder of Citizens participation as it is used in Heerlen:

De zes niveaus van participatie:

De Participatieladder bestaat uit 6 niveaus. Economische zelfstandigheid in de vorm van betaald werk is het hoogste doel. Maar niet het enige. In onderstaande figuur zijn de 6 niveaus weergegeven.



Municipality of Amsterdam

The figure below shows the Ladder of Citizens participation as it is used in Amsterdam:

De Participatieladder

Het effect van de maatschappelijke begeleiding van de vluchteling kan worden vergroot door de kenmerken van zelfstandigheid (zie de uitgangspunten in § 3) te verbinden met de participatieladder. Deze ladder kent vijf participatieperspectieven, welke het doel voor de desbetreffende deelnemer op basis van zijn individuele competenties en ambities omschrijft. Voor ieder participatieperspectief zijn verschillende combinaties van kennis, vaardigheden (competenties), houding en gedrag nodig.

Trede	Participatie perspectieven	Type traject	Concretisering	Voorbeelden
5	Groeien op de arbeidsmarkt	-Werk -Startende ondernemer	-Werk met contract - Werk met uitkering	Economische zelfstandigheid
4	Leren voor de arbeidsmarkt	-Vrijwilligerswerk	-Stage -Werk met behoud van uitkering	
3	Vorbereiding op werk	-Opleiding -Staatsexamen - Re-integratietraject -Inburgering	-Cursus of opleiding -Actief verenigingslid	-Diploma/ startkwalificatie
2	Maatschappelijke participatie	-Opvoeding-ondersteuning -Maatschappelijke activering	-Bezoeken van burens -Deelnemen aan activiteiten	
1	Drempel weg	-Anders	-Vereenzaamd -Alleen internet contact	

Municipality of Breda

The figure below shows the Ladder of Citizens participation as it is used in Breda:

2100 Regulier werk / duurzaam uitgestroomd

De klant is al langer dan 1 tot 6 maanden regulier aan het werk (zie trede 2000).

2000 Regulier Werk <1 tot 6 maanden met nazorg

De klant is regulier aan het werk. Er wordt nazorg geboden van 1 maand (standaard bij reguliere uitstroom in verband met proeftijd) tot 6 maanden (bij plaatsing via re-integratiebureau).

1900 Werk met subsidie

De klant is aan het werk en heeft een arbeidsovereenkomst en werkgever ontvangt een vorm van subsidie van de gemeente (Baan Bonus / LKS / Werkcenter). Er wordt nazorg geboden van 6 maanden.

1800 BBL met subsidie

De klant volgt een BBL-traject, de werkgever ontvangt subsidie van de gemeente.

1700 Regulier werk naar vermogen, aanvullende uitkering De klant werkt parttime, heeft aanvullende uitkering nodig, maar kan momenteel aantoonbaar niet meer uren werken.

1600 Klaar om te werken / bemiddelingsrijp

De klant is klaar voor de arbeidsmarkt en kan bemiddeld worden. Mogelijk werkt hij/zij al parttime maar is urenuitbreiding nodig.

1500 Aanbodversterking / scholing

De klant heeft een kleine afstand tot de arbeidsmarkt en maakt gebruik van een aangeboden voorziening gericht op arbeidsinschakeling, maar heeft nog meer bagage nodig in de vorm van scholing of training (bijv. taalonderwijs).

1400 Voortraject arbeidsinschakeling

De klant is nog niet in staat regulier werk te verrichten door beperkingen of ontbreken van basale arbeidsvaardigheden. Om tot arbeidsinschakeling te komen, dient de klant eerst zijn/haar sociale vaardigheden te verbeteren.

1300 Maatschappelijk nuttige werkzaamheden

De klant verricht onbeloonde maatschappelijk nuttige werkzaamheden.

1200 Deelname georganiseerde activiteiten

De klant neemt minimaal één keer per week deel aan activiteiten in georganiseerd verband zoals een vereniging/buurthuis/opleiding, waarbij hij of zij in fysiek contact komt met anderen. Werken@Breda Op weg naar werk concept 55

1100 Sociale contacten buiten de deur

De klant heeft minmaal één keer per week fysiek contact met mensen die geen huisgenoten zijn, deze contacten zijn niet in een georganiseerd verband en beperken zich niet alleen tot functioneel contact met winkelpersoneel, hulpverleners et cetera.

1000 Sociaal isolement

De klant heeft niet of nauwelijks sociale contacten, contacten buitenshuis beperken zich tot functionele contacten