Compliance with COVID-19 measures: A comparative study of street-level managers in Switzerland, Italy, Germany and Israel

Authors:

Jörn Ege (corresponding author), Zurich University of Applied Sciences, egej@zhaw.ch

Anat Gofen, Hebrew University of Jerusalem, anat.gofen@mail.huji.ac.il

Susanne Hadorn, University of Bern, Susanne.Hadorn@kpm.unibe.ch

Inbal Hakman, Hebrew University of Jerusalem, inbal.hakman@mail.huji.ac.il

Anna Malandrino, University of Bern, anna.malandrino@kpm.unibe.ch

Leroy Ramseier, University of Bern, Leroy.Ramseier@kpm.unibe.ch

Fritz Sager, University of Bern, fritz.sager@kpm.unibe.ch

Abstract:

Responsible for the direct-delivery of public services, street-level organizations (SLOs) serve as the operational arm of the state in general, and as the frontline of governmental efforts during times of crisis. Street-level managers (SLMs), who occupy the sole, top managerial tier in SLOs are under-studied not only during crises but also in routine, although exerting immediate significant influence on the daily life of local publics. To better understand on-the-ground policy efforts during the pandemic, this study focuses on SLMs' compliance in Switzerland, Germany, Italy, and Israel. Data comprises 399 "compliance stories" gathered from interviews with SLMs in nurseries, schools, health and welfare offices, police stations as well as care homes. Standardized coding of the stories identified different levels of (non)compliance as well as the prominent explanatory variables that shape (non)compliance. Three influences emerged as the main compliance barriers, that is, lack of resources, relationship with the local public, and perception of the measure's effectiveness. Emphasizing that SLMs often act as local policy entrepreneurs who use their discretion to solve problems and serve their local public, findings further demonstrate the key role of SLMs in shaping the face of government for the public.

1

1 Introduction

Focusing on the compliance of street-level managers (SLMs) with national and sub-national COVID-19 measures, this study brings together two under-studied aspects in public policy literature. First, street-level management (Gassner & Gofen, 2018), which occupies the sole top position in street-level organizations (SLOs), such as hospitals, schools, welfare offices and police stations. Recent emerging interest in street-level managers (SLMs) signifies their unique influence on direct-delivery of services, and in turn, on the daily life of local publics (e.g., (Gassner & Gofen, 2019; Keulemans & Groeneveld, 2020; Meza & Moreno-Jaimes, 2020; Zhang et al., 2021). Moreover, times of crisis, which are characterized by fast policy-making cycles aiming to address extreme uncertainty, intensify the dependence on SLOs as the arm of the state (Brodkin, 2021; Gofen & Lotta, 2021) and consequently, street-level management as solely and overarchingly responsible and accountable for the functioning of SLOs.

Second, compliance is an essential element for public policy to not only exist on paper but to have an actual impact, especially when policies aim at tackling a focusing event (Birkland 1998), such as a pandemic, which requires rapid and extraordinary efforts on the part of policymakers, policy deliverers as well as policy takers (Davidovitz et al., 2021). Notably though, compliance research often considers the quality of policy itself, and the little scholarly attention about compliance among implementing agents focuses on street-level bureaucrats (e.g., Tummers et al., 2015) rather than on SLMs, despite their responsibility for constructing policies on-the-ground (Gassner & Gofen, 2018).

To further understand how policy-as-written is transformed into policy-as-practiced, this study examines SLMs' compliance and its causes during the COVID-19 pandemic. Aiming for a broad outlook, our analysis draws on multiple policy domains, namely, education, health and policing, in four countries, that is, Germany, Italy, Switzerland, and Israel. Specifically, our analysis aims to identify nuances in (non)compliance as well as its most important determinants.

To do so, we begin by proposing a conceptualization of compliance that distinguishes between different levels of compliance and review the most prominent factors associated with compliance in the literature (Weaver, 2015). Since the factors associated with compliance probably differ from those mentioned in relation to non-compliance (i.e., asymmetric causality), we employ open approach that is characterized by an iterative back-and-forth between ideas and evidence and does not rely on an elaborate ex ant theoretical model (see

Bryant & Charmaz, 2011, p. 1). Our data draws on interviews with SLMs (N=107) during which informants were asked to describe compliance and non-compliance episodes, which resulted in 399 "compliance stories." Concrete cases of "compliance stories" allow a processual perspective on SLMs' actions and their underlying motivations, barriers and challenges. Comparing SLMs' compliance across countries and SLO types allows identifying different compliance levels and their most relevant explanatory factors. Methodologically, the analysis relies on a standardized coding grid, descriptive statistics and qualitative assessments of compliance stories to demonstrate the mechanisms behind reported compliance and non-compliance.

The paper is structured as follows: Section 2 reviews both street-level management studies and compliance literature, with an emphasis on the COVID-19 crisis. Next, section 3 introduces a basic conceptual framework that synthesizes the most important factor from the literature and section 4 outlines the research design. After presenting the main result in section 5 and discussing them in light of the broader context in section 6, we suggest some concluding remarks in section 7.

2   Compliance of street-level management in times of crisis

Serving as the operational arm of the state, SLOs form the frontline response when crises strike while "their work becomes both more vital and more visible" (Brodkin, 2021, p. 16). Moreover, crises inherently disrupt routine day-to-day street-level implementation (Gofen & Lotta, 2021), and therefore intensify the built-in challenges of street-level management, which is solely and overreachingly responsible and accountable of SLOs' functioning (Gassner & Gofen, 2018). SLMs are a distinguished category of middle management who are "responsible for the design, execution, and assessment of street-level delivery arrangements, and held accountable for its outputs and outcomes" (Gassner & Gofen, 2018, p. 555). A review of available studies suggests that in contrast to the vast and rich literature about street-level bureaucrats (SLBs), SLMs are only recently gaining scholarly attention. Recent studies document the significant influence of SLMs through, for example, translating and adapting formal policy directives to street-level implementation activities (Breit et al., 2022; Gassner & Gofen, 2018; Oberfield & Incantalupo, 2021), and by shaping the work of SLBs-employees both during routine periods (Keulemans & Groeneveld, 2020; Meza & Moreno-Jaimes, 2020; Zhang et al., 2021) as well as in times of crisis (e.g., Cox et al., 2021; Lotta et al., 2021; Pérez-Chiqués et al., 2021). SLMs are also responsible for establishing and maintaining the crucial relationship with the local public,

3

which serves as the foundation for service delivery (Gassner & Gofen, 2018). Moreover, unlike the work of SLBs, which is often concealed, the decisions and actions of SLMs are usually transparent and therefore more exposed to criticism, while the repercussions of their undertakings extend way beyond their effects on a specific client (Gassner & Gofen, 2018).

SLMs' major influence on shaping direct-delivery arrangements shifts attention to their compliance with formal policy decisions as policy targets, which due to their critical structural position, is expected to determine the success or failure of policy implementation. In times of crisis, compliance is further challenged due to the fast-changing formal directives, taken while drawing on limited knowledge and extreme uncertainty (Gofen & Lotta, 2021). SLMs' compliance with policy is also interesting in the light of recent findings which suggest that SLMs' implementation actions are often unnoticed or misjudged as opposition, although they actually reflect constructive efforts to ensure implementation (Klemsdal et al., 2022).

In general, compliance denotes behavior of targets that is consistent with policy, whereas non-compliance denotes behaviors inconsistent with policy goals (e.g., Bardach & Kagan, 1982; Gofen, 2015; May, 2004. Because public policy, by definition, aims at altering behavior, policy is only as effective if its targets comply (Schneider & Ingram, 1993; Weaver, 2015). During COVID-19 crisis, varied, multiple policies were introduced to address the pandemic, including lockdowns, social distancing as well as mask wearing and hygiene requirements. Public authorities have repeatedly emphasized that efforts taken will only reduce infections if everybody complies with these changes in behavior.

3   Conceptual framework: Compliance levels and compliance antecedents

Two well-accepted insights about compliance serve as the starting point of this study. First, measuring compliance is not always straightforward because policy may introduce ambiguous instructions, or require multiple actions, both of which blur the line between compliance and non-compliance. Drawing on previous literature as well as on preliminary insights from the interviews, compliance is operationalized as a scale, ranging from overcompliance, full compliance, through partial compliance and complementary modification, to partial non-compliance and full non-compliance. The conceptual tipping point when non-compliance turns into compliance is when SLM behavior is considered to be in line with policy goals of the respective policy directive. Table 1 summarizes these different levels or degrees of compliance among SLMs.

4

Table 1: Levels of compliance

non-compliance	SLM's behavior is inconsistent with the policy obligation	**Degrees of non-compliance: Behavior not in line with policy goals**
partial non-compliance	SLM's behavior deviates from the policy obligation **to a degree that corrupts policy goals**	
complementary modification	SLM's behavior **complements** or **adjusts** the policy obligation but expresses **willingness to achieve its original goal**	**Degrees of compliance: Behavior in line with policy goals**
partial compliance	SLM's behavior is **partly consistent** with the policy obligation but expresses **willingness to achieve its original goal**	
full compliance	SLM's behavior is **fully consistent** with the policy obligation/directives	
overcompliance	SLM's behavior that is **more stringent** than the policy obligation/directives	

Source: own conceptualization.

While this scale is mainly self-explanatory, two categories require additional elaboration. First, we include "overcompliance" as a separate category to account for the empirical possibility that SLM's behavior may also be *more stringent* than the policy directives. One may argue that instances of overcompliance fall in the category of full compliance. Our interviews indicated, however, that during the pandemic, overcompliance might be a particularly interesting case. Thus, we coded them separately to get a more nuanced picture. Second, we use the category of "complementary modification" to denote cases where SLM's behavior complements or adjusts the policy obligation but expresses willingness to achieve its original goal. Capturing these cases in a separate category is also a result of the abductive development of the scale, which was inspired by the responses of the interviewees. In the analysis, however, we treat this category as a special case of compliance in order to reflect the active interpretation and complementation of the policy obligation by the SLMs.

The second well-accepted insight about compliance is that multiple, varied and interacting influences shape compliance and non-compliance (Weaver, 2015). Specifically, previous research has identified a large variety of factors that are associated with policy compliance at different territorial levels. Moreover, we expect that the reasons for compliance, non-compliance and complementary modification are not identical. This feature is known as "asymmetric causality", which refers to instances in which the occurrence of a certain phenomenon has a very different explanation than its non-occurrence. This expectation is also

in line with previous findings – especially in behavioral research. For instance, when referring to the willingness of street-level bureaucrats to implement public policies, Thomann, van Engen, and Tummers point out that "the things that motivate people are often different from the things that demotivate them. For example, a low salary makes you dissatisfied. However, a high salary does not automatically make you satisfied" (2018, p. 585). Owing to such an empirical complexity, we do not start with a rigid theoretical model but built on three sets of factors from the literature that appear particularly relevant for explaining SLMs' (non)compliance as implementing agents: 1) factors related to characteristics of individual SLMs, 2) political/ideological factors and 3) factors related to the design of the policy.

3.1   Characteristics of individual SLMs

A first set of factors expected to influence SLMs' compliance is related to the characteristics of the individual SLMs themselves. SLM characteristics are probably the most important antecedents of (non)compliance and can be differentiated into SLM's capacities, their information, cognition and perception, as well as SLM's social relations with the local public. The capacity of SLMs to comply depends on the availability of material and immaterial resources (Winter & May, 2001) . If personnel or financial resources are scarce, the level of compliance is reduced (Goodman et al., 2007; Huber & McCarty, 2004)https://www.zotero.org/google-docs/?dZAwIM. Similarly, a lack of management skills and legal expertise may also adversely affect compliance. Moreover, discretion (as perceived by the SLM) can be considered an immaterial resource that can be expected to have direct influence on compliance. Independence of SLOs and the difficulty to supervise them (Smith 1965) is found to provide SLMs major discretionary power, similar to SLBs, whose discretion allows one to apply one's own judgements during direct-delivery interaction (Tummers & Bekkers, 2014). Thus, discretion may have a differential effect on compliance and is moderated by the views of the SLM. It can lead to high compliance when SLMs consider a policy useful and appropriate or lead to low compliance in cases where the policy is evaluated negatively. Thus, taking into account SLM's perception of a measure is crucial. For instance, SLMs' discretion may allow them to develop administrative creativity in the implementation of the measures which can help achieve policy compliance.

Information, cognition and perception of SLMs are also found to be important to account for differences in compliance. This set of factors relates to situations where "compliance failures result from either not knowing about compliance expectations or knowing

6

how to comply" or where "psychological, cognitive, and social biases" inhibit compliance (Gofen, Sager, and Weaver forthcoming). Compliance may decrease if SLMs do not know about the measure or don't know how to implement it in practice. Compliance is also reduced if the self- and role-perceptions of SLMs do not fit with the goals of the policies.

Finally, the perception of the legitimacy and effectiveness of governmental action facilitates or hinders compliance (Gofen et al., 2014; Montpetit, 2008; Tyler, 2006). The perception of policy (in)effectiveness might stem from general (mis)trust in government or be the result of a more specific individual or collective evaluation of a specific policy. This perception, in turn, has an impact on the attitude and implementation intentions of policy receivers (Wang et al., 2021) and therefore contributes to determining the extent to which they comply.

Finally, professional norms of SLMs are found to matter. Previous research shows that professional norms, which contradict the policy, and policy alienation, i.e. when "professionals have difficulty identifying with new policies" (Tummers, 2012, p. 516) are expected to inhibit compliance of SLMs. This may also be the case if the SLM cares about the interests and well-being of their clients. Such a client-serving motivation may decrease compliance if, for example, the SLM does not want to impose a specific measure on their local public.

3.2   Political orientation

Political orientations of SLMs as implementing actors may have an impact on their propensity to comply with public policy as well (see Barbieri & Bonini, 2021; Harper et al., 2021). Such an effect may be the result of the political support for parties with specific behavioral beliefs in relation to the pandemic. Previous evidence also suggests that if SLMs are faced with policies that do not conform with their own political beliefs or, their behaviour is more likely to diverge form the policy goals (Thomann et al., 2023).

3.3   Policy design

A last set of factors is related to the structural features of a policy itself. Generally speaking, compliance will be high if the policy is designed in a way that has low costs and high benefits for SLMs (Beckenstein & Gabel, 1986). SLMs' benefit directly from compliance, for example, if they receive performance rewards (e.g. via performance management systems, see Hood, 2006). If job security is high, however, these effects can be expected to be lower. Policy ambiguity and complexity are further potentially relevant structural factors because unclear,

7

contradictory or particularly complex rules make it more difficult for SLMs to comply. Similar influence is expected from the incoherency of policy. Incoherent policy instruments but also policy change over time creates compliance costs (by requiring the target group to permanently adapt its behavior) and eventually increases non-compliance. Similarly, "administrative burdens" that create costs related to information and documentation requirements (Moynihan et al., 2015) are also expected to reduce compliance. Conversely, SLMs' compliance increases with the degree to which monitoring and sanctioning requirements are built into a policy. Yet, inherent discretion of a policy makes it more difficult for the higher-level authority to detect non-compliance (Brodkin & Marston, 2013; Gofen, 2013; Gofen et al., 2014; Lipsky, 1980). Moreover, one should bear in mind that SLMs can engage in adaptive compliance when they know they are being monitored . Similarly, long supply or delegation chains can lead to difficulties in tracing resource responsibilities and eventually decrease compliance.

While we do not (and cannot) test in a strict sense the explanatory relevance of each of the factors, this section and the specific factors serve as a guidance for our interviews and a checklist for the coding of the (non-)compliance stories as the central unit of analysis.

4   Research design

4.1   Case selection: Moving from the country level to street-level management

The COVID-19 pandemic and the measures adopted to mitigate its effects provides a suitable context to study SLMs' compliance in a comprehensive and systematic manner. The pandemic can be described as a "creeping crisis" which constitutes a "threat to widely shared societal values or life-sustaining systems that evolves over time and space, is foreshadowed by precursor events, subject to varying degrees of political and/or societal attention, and impartially or insufficiently addressed by authorities" (Boin et al., 2020, p. 7). With these distinct features, the crisis is an ideal scenario for studying (non)compliance under stress and its implications for successful crisis management. Furthermore, it is important to notice that the pandemic is not only an epidemiological and economic crisis but also a political one that puts states' crisis management and administrative capacities to a challenging test. From this perspective, states' responses to the global spread of COVID-19 can be seen as an event which allows us to study a highly relevant phenomenon in a set of distinct and particularly favorable circumstances for the occurrence of compliance and non-compliance issues. Due to the unique nature of the crisis, characteristic patterns of compliance problems emerge in a particularly

pronounced way, allowing us to confront existing theories with the empirically rich scenario of a global pandemic.

Compliance of SLMs is examined in Switzerland, Germany, Italy and Israel. We selected these four countries because they feature different degrees of federalism. Switzerland and Germany are both highly decentralized federal states with extensive subnational member state autonomy. Italy embodies a quasi-federalist arrangement, where the different regions have a certain autonomy in their decisions to adopt, not adopt or modify national policies. By contrast, Israel represents a highly centralized system without subnational autonomy.

To control for macro-level influence, two subnational units (SNU) for each of the three (quasi)federalist countries were selected. To increase sample diversity, our selection of SNU was based on regional variation, the severity and development of the pandemic, size, and economic strength of the SNU. In Germany, we will compare the two states of Baden-Württemberg (BW), one of the largest states from western Germany, and Thüringen (TH), a smaller state from eastern Germany. In addition, BW is characterized by a crisis trajectory (in terms of infection rates and deaths) that is representative of the German average, and TH was hit more severely during the first wave. In Italy, we selected the regions Calabria and Piedmont based on different criteria (Calabria represents the south and Piedmont the north (with the virus initially only hitting the North severely); Piemonte has comparatively more economic resources than Calabria; and they have very different health care systems). The two Swiss cantons selected are Bern (BE) and St. Gallen (SG). BE representing the center of the country and SG eastern Switzerland; BE was affected less than other cantons during the entire pandemic, SG developed into a hotspot especially in the second wave).

When choosing SLOs for the interviews, we limited our investigation to the areas of health, police, education and social work. Thus, we approached the management of nursing and retirement homes, the chiefs of police stations, school principals and social workers in leading positions. When selecting interview partners, we did not follow particular selection criteria but made interview appointments with those SLMs who would be available first. During the interviews, we tried to focus on (non-)compliance with *social distancing measures* and *mask obligations* to facilitate cross-country comparison. These two types of measures are of particular interest because they were introduced in all four countries, and they cover all relevant sectors. This allows us to compare the behavior of different types of SLMs, e.g., school principals' vs chiefs of police stations, and to analyze the underlying reasons for their behavior.

9

In sum, we applied what might be called a "diverse case" selection strategy (Seawright & Gerring, 2008), which aims to increase the representativeness of our cases and facilitates (careful) generalizations of our findings.

4.2 Data collection and unit of analysis

We conducted semi-structured interviews with a total of 107 SLMs. Each informant was asked an open question about concrete examples of particularly challenging regulations that they had to implement in their SLO. Each of these examples constitutes a "compliance story", which serves as the unit of analysis of our study. This innovative focus allows us to identify factors relevant to (non)compliant behavior by drawing from the everyday experiences made during the pandemic. By asking about specific stories, SLMs were able to elaborate about the motives, challenges, and justifications behind their behavior not on an abstract level, but based on very concrete events. Therefore, the insights gained from these stories are of high practical validity as well as theoretical relevance.

4.3 Research approach and analytic procedure

We follow an abductive approach to answering our question that is characterized by an iterative back-and-forth between ideas and evidence. In the course of the interview, we first used our conceptualization of compliance to ask the respondents to what degree their actions were in line with the underlying policy objectives. Whenever possible, we tried to pose the question with a reference to the challenges related to the specific policy they were supposed to comply with. Second, we also inquired about the reasons for these challenges and used the factors identified in the literature as guidance. Most of the interviews were recorded and the different stories reported were then systematically coded according to a standardized coding grid in the four countries. The coding method was closely coordinated between the four countries within regular team meetings, thereby continuously discussing upcoming difficulties and ambiguities to align coding practice. For instance, we re-evaluated the appropriateness and comprehensiveness of our interview guidelines and the coding grid after the first interviews to make sure that the coding covered all the factors that came up during the interviews. For instance, we introduced the category of "overcompliance", which we initially did not anticipate as empirically relevant. We also added certain factors such as administrative creativity to account for the prominence of this reason for (non)compliance during the first interviews. This procedure guaranteed a high consistency of the interview responses and the data coding. At the

same time, the aforementioned team meetings also revealed that there were cultural differences in the SLMs' responses between countries in terms of their willingness to talk about their own non-compliance. Although this leads to some bias in the data, we will do justice to this fact when interpreting the results.

5   Results

In the following sections, we will first provide an overview of the number of (non-)compliance stories collected per country and policy sector, including the distributions of compliance degrees across countries. Second, we will present the main factors mentioned in relation to non-compliant and compliant behavior of SLMs and the reasons given for what we termed "complementary modification", also providing some details about the importance of those factors in the different settings.

5.1   SLM compliance in countries and policy sectors

In total, 399 stories were coded, mostly in the area of education and health. SLMs in social work (i.e., welfare services) have only been interviewed in Germany and Israel. Table 2 provides a breakdown of stories according to country and policy sector.

Table 2: Distribution of compliance stories across countries and sectors

country	Education	Health	Police	Social work	Total
Germany (DE)	31	22	14	8	**75**
Switzerland (CH)	47	56	28	0	**131**
Italy (IT)	22	33	18	0	**73**
Israel (IL)	74	15	4	27	**120**
Total	174	126	64	35	**399**

Figure 1 illustrates that non-compliance (either full or partial) is a phenomenon that occurs in about a quarter of the stories. Even when asked about particularly challenging measures, the SLMs reported that in more than 38%, their SLO was fully compliant. When interpreting this distribution, however, it is important to note that we explicitly asked about *difficulties* in

11

implementing COVID-19 measures. Thus, the relative distribution of non-compliance and compliance (and the in-between categories) in Figure 1 does not correspond to the distribution in the overall population of measures. Look at the prevalence of the different levels is still insightful because it shows the *relative* occurrence of (non-)compliance between the different sectors and countries as well as the relative importance of individual variables for the occurrence of (non-)compliance. Thus, our data show that SLMs are able to comply in most cases, even when faced with the highly challenging situation of the COVID-19 crisis.

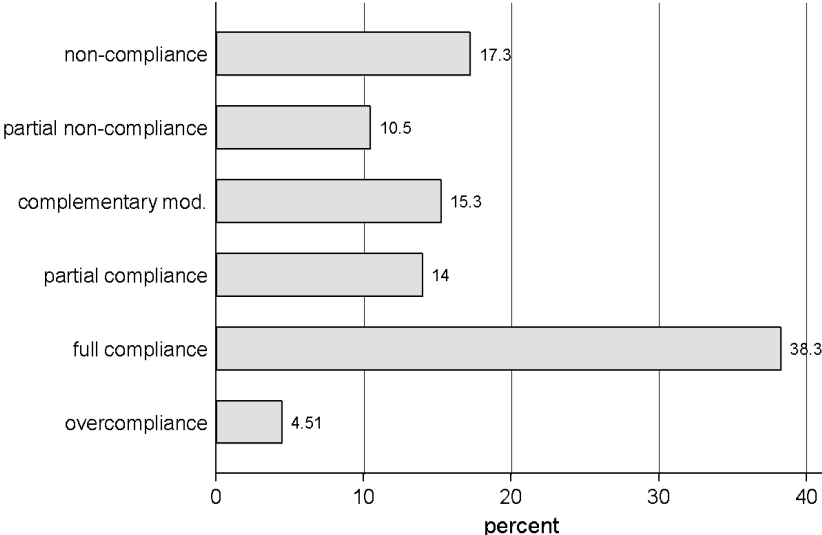*Figure 1: Prevalence of compliance levels*

Figure 2 provides a further break down of compliance levels across countries. This depiction confirms the observation of a high share of compliance despite specifically asking for potentially non-compliant behavior. The most frequent category in most countries is "full compliance", with Italy (IT) having the highest full compliance quota of 56.2 %. In Israel (IL), however, full compliance is observed only in 16.7 % of the stories. Instead, complementary modification is the most frequent category reported here. In comparison with the other countries, a relatively large share of 30.5% of the stories in Switzerland (CH) is about non-compliant behavior of SLMs (IT: 17.8%, DE: 14.7%, IL: 4.17%).

*Figure 2: Distribution of compliance levels across countries*
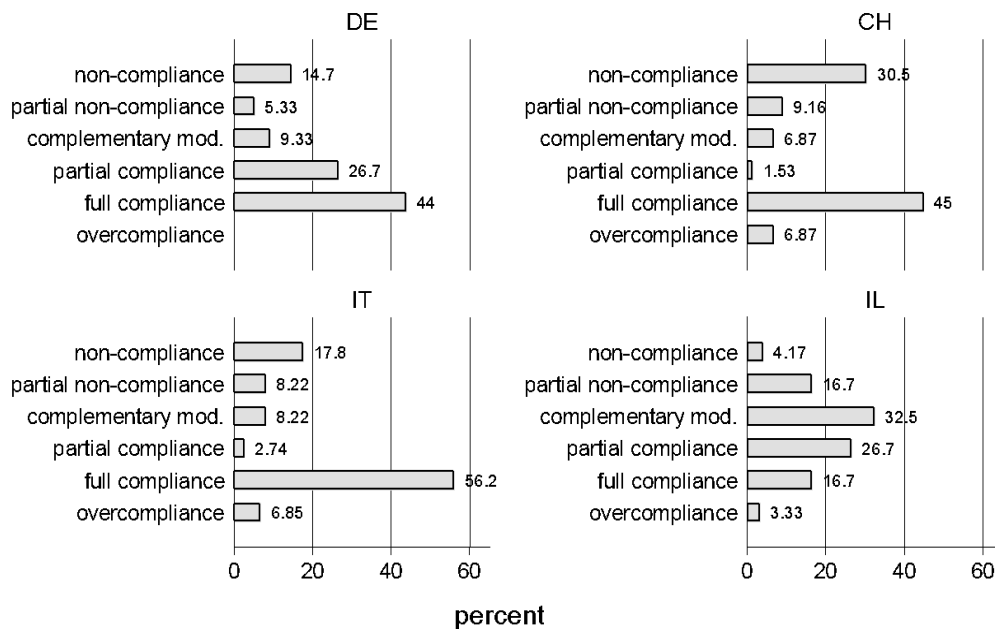
When asking about the motives for their behavior, it is interesting that the interviewees typically mentioned only between one and three reasons for why they complied (or not). 50% of respondents mention only two reasons or less (median value). In the following sections, we will build on these insights and first outline the most important factors explaining non-compliance, before looking at the factors fostering compliant behavior of SLMs. Owing to its ambiguous role in the conceptualization of compliance degrees, we will finally have a separate look at the reasons for "complimentary modification" in order to determine if the reasons reported are different from compliance and non-compliance.

5.2   Reasons for non-compliance

Overall, as summarized in figure 4, the results show that the most important factor explaining SLMs' non-compliance resulted from a prioritization of their clients' needs over policy goals. In 57 stories, SLMs decided to not comply with a specific measure because they thought that enforcing the measure in question would disadvantage their local public. For example, managers of nursing homes had to weigh up whether the COVID-19 measures towards their residents would restrict their quality of life too much in their remaining lifetime or whether these measures were justified to protect their health. Various interviews revealed that certain rules were not strictly followed because the quality of life of the residents would have suffered disproportionately in view of the SLMs. Two additional causes for non-compliance were the perception of SLMs that the measures would not be effective if implemented (perception of

13

effectiveness) and insufficient resources to implement the measures. This includes, e.g., insufficient infrastructure such as sufficiently large dining or class rooms to ensure the necessary distance between individuals, or insufficient personnel to monitor and enforce the measures. Measures were often not followed if the self-perception and/or the professional norms of the SLMs did not correspond with the policy goals, if – owing to administrative burdens such as reporting and documentation requirements – compliance costs were perceived as too high and if a SLM found the measures too ambiguous.

Figure 3: Frequencies of key reasons for non-compliance
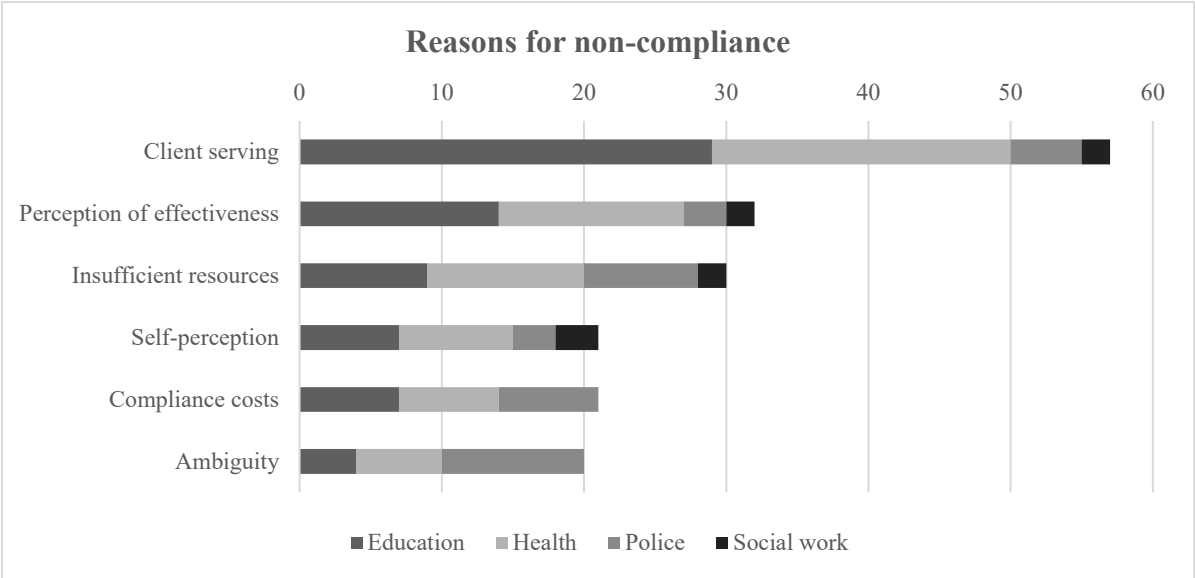
<u>Note:</u> Non-compliance includes non-compliance and partial non-compliance stories.
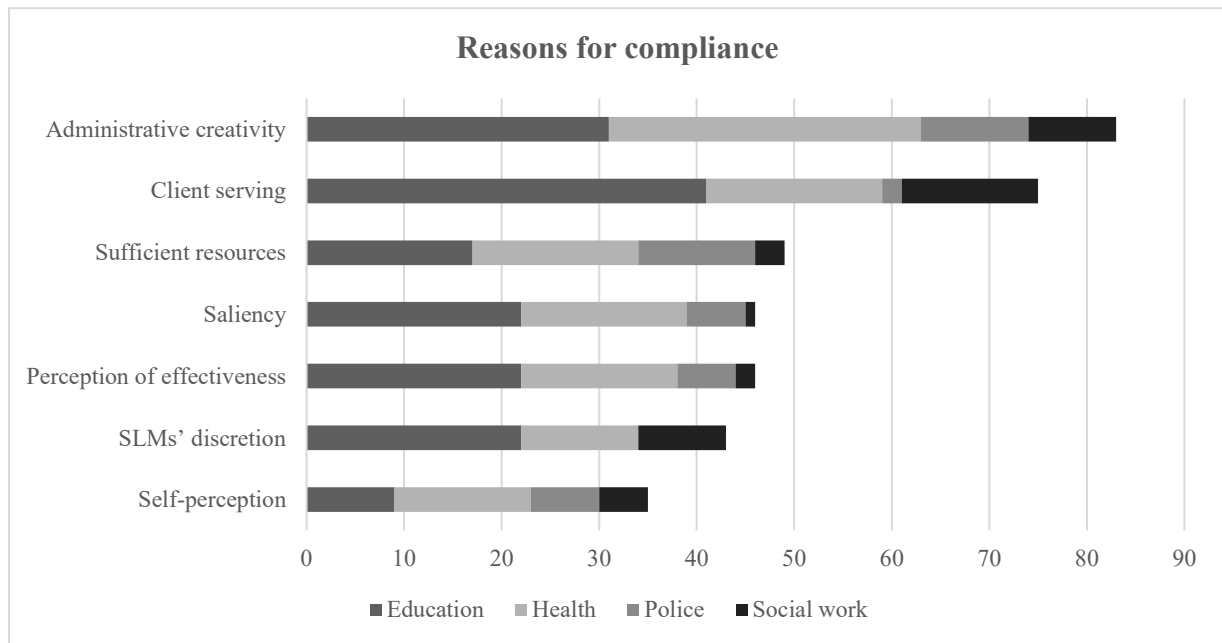
The results also show that reasons for non-compliance differ per policy sector, whereby client serving behavior and the perception of low measure-effectiveness played a central role especially in education and health sectors. In the case of SLMs in policing, the needs of target groups played a subordinate role for SLMs' non-compliance, while ambiguous measures, insufficient resources and excessively high compliance costs were the main reasons for their non-compliant behavior. Due to the rather small number of stories, no tendencies can be derived in the area of "social work". It appears however that SLMs indicated similar factors driving their non-compliant behavior than for SLMs active in health- and education-related management positions.

Insufficient resources and too high compliance costs were relevant factors for all four policy sectors. Indeed, SLMs often reported lacking personnel resources to monitor compliance (e.g., lacking the number of policy officers to control the wearing of masks in crowded public places). However, in this specific crisis, also infrastructure resources were key to compliance and sometimes lacking, such as insufficiently large rooms to adequately comply with the distancing rules in schools or retirement homes.

5.3 Reasons for compliance

Figure 4 summarizes the most important factors explaining partial compliance, full compliance and overcompliance. According to the stories collected in the four countries, administrative creativity, client serving, sufficient resources, high saliency, a positive perception of the effectiveness of the measures, SLM's discretion as well as a fit of SLM's self-perception with policy goals increased compliance. An important insight from the interviews, which was not was not systematically coded however) is the relevance of time in explaining compliant behavior. For factors such as the perception of measure-effectiveness as well as saliency, we found differences in the frequency with which these factors were mentioned depending on the stage a story occurred within the crisis. For instance, the perceived saliency of the crisis tended to decline overtime, as people became more and more exhausted by the crisis over time and longed for normality. Thus, while saliency was very often the reason for compliant behavior at the beginning of the crisis, SLMs referred less to this factor in stories that had occurred at the end of the crisis.

Figure 4: Frequencies of key reasons for compliance

Reasons for compliance

Administrative creativity
Client serving
Sufficient resources
Saliency
Perception of effectiveness
SLMs' discretion
Self-perception

0 10 20 30 40 50 60 70 80 90

■ Education ■ Health ■ Police ■ Social work

<u>Note:</u> Compliance includes partial, full and over-compliance stories

The most important factor in three out of four areas was administrative creativity; that is, the capacity of SLMs to find creative solutions in difficult situations in order to be able to implement the political measures in line with the set goals. Related to this, compliant behavior often depended on the degree of discretion SLMs were given in the implementation of a certain measure. Results also show that particularly SLMs active in education, social work and health very often explain their compliant behavior with a reference to a client serving motivations. Overall, we see that other than in the case of non-compliance, SLMs in policing tended to report similar factors when explaining their compliant behavior compared to those in the other three policy sectors. Administrative creativity, the existence of sufficient resources, saliency and a perception of high measure-effectiveness were key factors fostering compliance also in the case of chiefs of police stations. The ambiguity of higher level instructions was also reported as a factor hindering compliance but in these cases, SLMs were still able to comply eventually.

5.4 Reason for complementary modification

We categorized stories as cases of "complementary modification" whenever a policy obligation was deliberately complemented or adjusted with the explicit aim to achieve its original goal. This happened in 15.3% of the stories (figure 1) and was reported particularly prominently in Israel (figure 2). As depicted in figure 5, the most important factors leading to complementary modification of SLMs in the four countries were client serving motives, the perception of

16

effectiveness of the measure in question, administrative creativity, SLMs' discretion, the self-perception of the SLM, the perceived saliency of the crisis and insufficient resources. Owing to the low case numbers, we do not provide a break down according to policy area. Complementary modification examples include teaching in a nearby forest or opening classes for students with special needs despite a school closure directive. Another example can be found in the area of health services. Here the directive was to restrict home visits by health professionals only to administer vaccinations. Yet, a SLM reported that home visits also took place in exceptional cases, for instance if here was a suspicion of domestic violence. Comparing the most important reason for complementary modification on the one hand with the reasons given for compliance and non-compliance on the other provides evidence that complementary modification should indeed be considered a separate category that cannot simply be seen as another shade of compliance. Instead, it covers cases in which the entrepreneurial spirit of SLM was most pronounced.

Figure 5: Frequencies of key factors explaining complementary modification
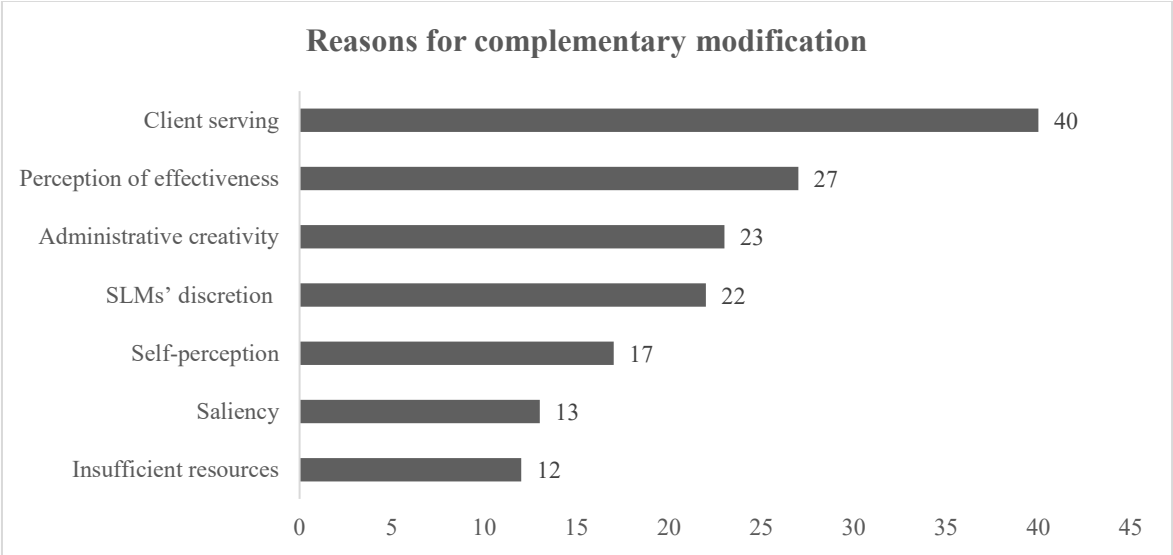
6   Discussion

Overall, SLMs tend to comply rather than not to comply with COVID-19 measures in the four countries investigated, despite the fact that they were explicitly asked for instances of non-compliance. Specifically, 28% of the stories referred to non-compliance or partial non-compliance, whereas 72% reflected some degree of compliance. As expected, we also find evidence for asymmetric causality. For example, client-serving is given as the most prominent reason for non-compliance, whereas administrative creativity is most important for compliance,

which was not mentioned at all in non-compliance stories. Another example is "professional norms" which was mentioned in non-compliance stories, but not in compliance stories. Besides the general tendency to comply and the fact that it is crucial to conduct separate analysis for compliance and non-compliance, three additional insights emerge from this study.

First, our data shows substantial differences between the shares of (non-)compliant behavior across the countries, with Italy having the highest reported level of full compliance and Israel the lowest level of full compliance. At the same time, the proportion of stories about non-compliance is much higher in Switzerland than in the other countries. One possible explanation may be the variance in SLMs' willingness to report on non-compliance during the data collection process. Whilst for instance Swiss SLMs did not seem to have any problem in reporting non-compliance and criticizing decisions of authorities, Italian SLMs were rather cautious in this regard and often preferred to highlight instances of compliant behavior. Therefore, the ratios of compliant versus non-compliant behavior per country have to be compared with caution due to potentially varying degrees of influence of social desirability in the responses.

Second, comparison of policy sectors also identified differences between SLMs in education, health, police and social work. It stands out that motivations for SLMs' non-compliance in policing were different than non-compliance in education, health or social work. Specifically, client serving and appreciation of measure effectiveness were much more prominent in education, health and social work and much less important to police-station chiefs. By contrast, police-station chiefs mentioned lack of resources and ambiguous or incoherent policies as triggering their non-compliance. In other words, police-station chiefs demonstrate a tendency to follow rules when having the capacity to do so, that is, when having the required resources and the ability to interpret what the formal measures require them to do. This finding echoes that the 'law and order rationale' is more relevant in policing than for social policy sectors. Particularly for SLMs active in health and education (and also social work, although less prominent), client serving behavior was one of the most important if not the most important justification in explaining both compliance and non-compliance. In general, SLMs in education, health and social work often put the well-being of their clients in the center of their decision making, even resorting to non-compliance if they felt that a given measure would disadvantage their clientele.

Lastly, the results show that administrative creativity was a key factor driving compliance in all four sectors. SLMs reported that the nature of this fast-developing crisis with large

uncertainty led to measures that were adopted (too) quickly by policy makers, often without testing their applicability in the field. Hence, SLMs were often confronted with hardly applicable instructions and stated that they needed creative solutions in order to be able to implement the measures in line with the underlying objectives. This applied creativity is also clearly visible in instance of "complementary modification" were SLMs' deliberately complemented or adjusted a policy obligation with the explicit aim to achieve its original goal. Hence, our results show that SLMs' capacity to creatively adopt the policies to their implementation context was a key element of successfully combating the virus. In order to leave enough room for this creativity, leaving sufficient discretion to SLMs was also a central condition for compliant behavior.

7   Conclusion

Four main contributions emerged from approaching SLMs as policy targets of COVID-19 measures in four different countries and four different policy sectors. First, challenges in the conceptualization, operationalization and explanation of (non-)compliance are well-documented and often ascribed, among other reasons, to the current siloed compliance literature. Compliance studies, especially quantitative inquiries, tend to focus on a pre-defined set of motivations and barriers for compliance or non-compliance (e.g., May & Winter, 2009). In contrast, this study considers a pre-defined set of motivations combined with determinants emerged in data collection, which draw both on the rich and vast compliance literature as well as on the interviews. This allows a more comprehensive understanding of what triggers compliance and non-compliance and stresses the understanding that determinants of compliance and non-compliance are not identical. Findings also emphasize that multiple, co-existing motivations and barriers trigger both compliance and non-compliance.

Second, an additional tendency in current compliance literature is considering compliance with one policy that requires simple, one-time, straightforward behavior in order to comply, that is, binary design of compliance, such as paying tax, keeping speed limits, etc. By distinguishing levels of compliance, this study suggests a fruitful path for operationalizing (non)compliance in future research, which will allow examination of compliance with policy that requires complex or repeated behavior. Moreover, the examination of compliance with multiple different means allows better generalizations of the findings.

Third, current street-level literature overlooks variance mainly across professions and across states or countries (Gofen & Lotta, 2021; Hupe & Buffat, 2014). Considering SLMs from different policy sectors and from different countries allows new insights, including the finding that policy sector variance resembles in the different countries.

Fourth, although occupying a structural position in transforming formal policy directives to daily delivery actions, street-level management only recently started to gain scholarly attention (Gassner & Gofen, 2018, 2019). Findings here further uncover the ways through which SLMs, as middle managers (Floyd & Wooldridge, 1994), translate and adapt formal, general directives to daily direct-delivery practices. Findings also emphasize their clientele-agency perspective, which reflects a deep understanding and profound commitment to their local public (Gassner & Gofen, 2018, 2019)

To further understand the contributions and implications of street-level management for policy implementation, future research is required, for example, in additional aspects of SLMs' work and in additional policy sectors. Future research is also required in order to advance the conceptualization of (non-)compliance and uncover nuances in its determinants.

8 References

Barbieri, P. N., & Bonini, B. (2021). Political orientation and adherence to social distancing during the COVID-19 pandemic in Italy. *Economia Politica*, *38*(2), 483–504. https://doi.org/10.1007/s40888-021-00224-w

Bardach, E., & Kagan, R. A. (1982). *Going by the book: The problem of regulatory unreasonableness*. Temple University Press.

Beckenstein, A., & Gabel, H. L. (1986). The economics of antitrust compliance. *Economic Journal*, 673–692.

Boin, A., Ekengren, M., & Rhinard, M. (2020). Hiding in Plain Sight: Conceptualizing the Creeping Crisis. *Risk, Hazards & Crisis in Public Policy.* Advance online publication. https://doi.org/10.1002/rhc3.12193

Breit, E., Andreassen, T. A., & Fossestøl, K. (2022). Development of hybrid professionalism: street-level managers' work and the enabling conditions of public reform. *Public Management Review*, 1–23. https://doi.org/10.1080/14719037.2022.2095004

Brodkin, E. Z. (2021). Street-Level Organizations at the Front Lines of Crises. *Journal of Comparative Policy Analysis: Research and Practice*, *23*(1), 16–29. https://doi.org/10.1080/13876988.2020.1848352

Brodkin, E. Z., & Marston, G. (2013). *Work and the Welfare State: Street-Level Organizations and Workfare Politics*. Georgetown University Press.

Bryant, A., & Charmaz, K. (2011). Introduction: Grounded Theory Research: Methods and Practices. In A. Bryant & K. Charmaz (Eds.), *The SAGE Handbook of Grounded Theory* (1-28). Sage.

Cox, R. H., Dickson, D., & Marier, P. (2021). Resistance, Innovation, and Improvisation: Comparing the Responses of Nursing Home Workers to the COVID-19 Pandemic in Canada and the United States. *Journal of Comparative Policy Analysis: Research and Practice*, *23*(1), 41–50. https://doi.org/10.1080/13876988.2020.1846994

Davidovitz, M., Cohen, N., & Gofen, A. (2021). Governmental Response to Crises and Its Implications for Street-Level Implementation: Policy Ambiguity, Risk, and Discretion during the COVID-19 Pandemic. *Journal of Comparative Policy Analysis: Research and Practice*, *23*(1), 120–130. https://doi.org/10.1080/13876988.2020.1841561

Floyd, S. W., & Wooldridge, B. (1994). Dinosaurs or Dynamos? Recognizing Middle Management's Strategic Role. *The Academy of Management Executive (1993-2005)*, *8*(4), 47–57.

Gassner, D., & Gofen, A. (2018). Street-Level Management: A Clientele-Agent Perspective on Implementation. *Journal of Public Administration Research and Theory*, *28*(4), 551–568. https://doi.org/10.1093/jopart/muy051

Gassner, D., & Gofen, A. (2019). Coproduction investments: Street-level management perspective on coproduction. *Cogent Business & Management*, *6*(1), Article 1617023. https://doi.org/10.1080/23311975.2019.1617023

Gofen, A. (2013). Mind the Gap: Dimensions and Influence of Street-Level Divergence. *Journal of Public Administration Research and Theory*, *24*(2), 473–493. https://doi.org/10.1093/jopart/mut037

Gofen, A. (2015). Reconciling policy dissonance: patterns of governmental response to policy noncompliance. *Policy Sciences*, *48*(1), 3–24. http://www.jstor.org/stable/44113984

Gofen, A., Bresler-Gonen, R., & Golan-Hoss, E. (2014). "Hey, Mayors, Leave Them Kids Alone". *Urban Affairs Review*, *50*(3), 391–416. https://doi.org/10.1177/1078087413501637

Gofen, A., & Lotta, G. (2021). Street-Level Bureaucrats at the Forefront of Pandemic Response: A Comparative Perspective. *Journal of Comparative Policy Analysis: Research and Practice*, *23*(1), 3–15. https://doi.org/10.1080/13876988.2020.1861421

Goodman, C., Kachur, S. P., Abdulla, S., Bloland, P., & Mills, A. (2007). Drug shop regulation and malaria treatment in Tanzania--why do shops break the rules, and does it matter? *Health Policy and Planning*, *22*(6), 393–403. https://doi.org/10.1093/heapol/czm033

Harper, C. A., Satchell, L. P., Fido, D., & Latzman, R. D. (2021). Functional Fear Predicts Public Health Compliance in the COVID-19 Pandemic. *International Journal of Mental Health and Addiction*, *19*(5), 1875–1888. https://doi.org/10.1007/s11469-020-00281-5

Hood, C. (2006). Gaming in Targetworld: The Targets Approach to Managing British Public Services. *Public Administration Review*, *66*(4), 515–521. https://doi.org/10.1111/j.1540-6210.2006.00612.x

Huber, J. D., & McCarty, N. (2004). Bureaucratic Capacity, Delegation, and Political Reform. *American Political Science Review*, *98*(3), 481–494.

Hupe, P., & Buffat, A. (2014). A Public Service Gap: Capturing contexts in a comparative approach of street-level bureaucracy. *Public Management Review*, *16*(4), 548–569. https://doi.org/10.1080/14719037.2013.854401

Keulemans, S., & Groeneveld, S. (2020). Supervisory Leadership at the Frontlines: Street-Level Discretion, Supervisor Influence, and Street-Level Bureaucrats' Attitude Towards Clients. *Journal of Public Administration Research and Theory*, *30*(2), 307–323. https://doi.org/10.1093/jopart/muz019

Klemsdal, L., Andreassen, T. A., & Breit, E. (2022). Resisting or Facilitating Change? How Street-Level Managers' Situational Work Contributes to the Implementation of Public Reforms. *Journal of Public Administration Research and Theory*, *32*(4), 736–749. https://doi.org/10.1093/jopart/muac004

Lipsky, M. (1980). *Street-level Bureaucracy: Dilemmas of the Individual in Public Services*. Russell Sage Foundation. http://www.worldcat.org/oclc/6209977

Lotta, G., Coelho, V. S. P., & Brage, E. (2021). How COVID-19 Has Affected Frontline Workers in Brazil: A Comparative Analysis of Nurses and Community Health Workers. *Journal of Comparative Policy Analysis: Research and Practice*, *23*(1), 63–73. https://doi.org/10.1080/13876988.2020.1834857

May, P. J. (2004). Compliance Motivations: Affirmative and Negative Bases. *Law <html_ent Glyph="@amp;" Ascii="&"/> Society Review*, *38*(1), 41–68. https://doi.org/10.1111/j.0023-9216.2004.03801002.x

May, P. J., & Winter, S. C. (2009). Politicians, Managers, and Street-Level Bureaucrats: Influences on Policy Implementation. *Journal of Public Administration Research and Theory*, *19*(3), 453–476. https://doi.org/10.1093/jopart/mum030

Meza, O. D., & Moreno-Jaimes, C. (2020). Taming the Beast: Managers' Tactics to Change Frontline Workers' Adversarial Interaction with Policy Targets. *International Journal of Public Administration*, *43*(10), 866–875. https://doi.org/10.1080/01900692.2019.1660991

Montpetit, É. (2008). Policy Design for Legitimacy: Expert Knowledge, Citizens, Time and Inclusion in the United Kingdom's Biotechnology Sector. *Public Administration*, *86*(1), 259–277. https://doi.org/10.1111/j.1467-9299.2007.00698.x

Moynihan, D., Herd, P., & Harvey, H. (2015). Administrative Burden: Learning, Psychological, and Compliance Costs in Citizen-State Interactions. *Journal of Public Administration Research and Theory*, *25*(1), 43–69. https://doi.org/10.1093/jopart/muu009

Oberfield, Z. W., & Incantalupo, M. B. (2021). Racial Discrimination and Street-Level Managers: Performance, Publicness, and Group Bias. *Public Administration Review*, *81*(6), 1055–1070. https://doi.org/10.1111/puar.13376

Pérez-Chiqués, E., Strach, P., & Zuber, K. (2021). Competing Emergencies: A Policy Analysis of the Opioid Epidemic during COVID-19. *Journal of Comparative Policy Analysis: Research and Practice*, *23*(1), 85–94. https://doi.org/10.1080/13876988.2020.1845568

Schneider, A., & Ingram, H. (1993). Social Construction of Target Populations: Implications for Politics and Policy. *American Political Science Review*, *87*(2), 334–347. https://doi.org/10.2307/2939044

Seawright, J., & Gerring, J. (2008). Case Selection Techniques in Case Study Research: A Menu of Qualitative and Quantitative Options. *Political Research Quarterly*, *61*(2), 294–308. https://doi.org/10.1177/1065912907313077

Thomann, E., Maxia, J., & Ege, J. (2023). How Street-level Dilemmas and Politics Shape Divergence: The Accountability Regimes Framework. *Policy Studies Journal*.

Thomann, E., van Engen, N., & Tummers, L. (2018). The Necessity of Discretion: A Behavioral Evaluation of Bottom-Up Implementation Theory. *Journal of Public Administration Research and Theory*, *28*(4), 583–601. https://doi.org/10.1093/jopart/muy024

Tummers, L. (2012). Policy Alienation of Public Professionals: The Construct and Its Measurement. *Public Administration Review*, *72*(4), 516–525. https://doi.org/10.1111/j.1540-6210.2011.02550.x

Tummers, L., & Bekkers, V [Victor] (2014). Policy Implementation, Street-level Bureaucracy, and the Importance of Discretion. *Public Management Review*, *16*(4), 527–547. https://doi.org/10.1080/14719037.2013.841978

Tummers, L., Bekkers, V [V.], Vink, E., & Musheno, M. (2015). Coping During Public Service Delivery: A Conceptualization and Systematic Review of the Literature. *Journal of Public Administration Research and Theory.* Advance online publication. https://doi.org/10.1093/jopart/muu056

Tyler, T. R. (2006). Psychological perspectives on legitimacy and legitimation. *Annual Review of Psychology*, *57*, 375–400. https://doi.org/10.1146/annurev.psych.57.102904.190038

Wang, H., Li, J., Mangmeechai, A., & Su, J. (2021). Linking Perceived Policy Effectiveness and Proenvironmental Behavior: The Influence of Attitude, Implementation Intention, and Knowledge. *International Journal of Environmental Research and Public Health*, *18*(6). https://doi.org/10.3390/ijerph18062910

Weaver, R. K. (2015). Getting People to Behave: Research Lessons for Policy Makers. *Public Administration Review*, *75*(6), 806–816. https://doi.org/10.1111/puar.12412

Winter, S. C., & May, P. J. (2001). Motivation for Compliance with Environmental Regulations. *Journal of Policy Analysis and Management*, *20*(4), 675–698. https://doi.org/10.1002/pam.1023

Zhang, Y., Yang, F., & Zhao, M. (2021). Managerial Communication and Frontline Workers' Willingness to Abide by Rules: Evidence From Local Security Agencies in China. *American Review of Public Administration*, *51*(4), 293–307. https://doi.org/10.1177/0275074020983798