

# Rules v discretion: Which way should we lean?

More discretion in public administration is welcome, but every effort must be made to uphold impartiality and accountability to maintain public trust.

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What do school admissions, government procurement and social assistance have in common?

They are all domains in which administrators and officials are exercising greater flexibility and discretion in decisions that affect citizens, firms and other societal stakeholders.

While greater flexibility is to be welcomed, it is important to remember the role that fixed rules and qualifying criteria have played in taking Singapore to where it is today, so that the values of fairness and impartiality continue to be prioritised as the foundations of good governance. This requires clear evaluation criteria for public officers making qualitative assessments, along with a system of checks and accountability. Most importantly, it requires that public administrators be well-trained and perform their duties with integrity and professionalism.

## ADMISSIONS FOR STUDENTS

One area where greater discretion is being exercised is admission to national schools and tertiary institutions.

As the Direct School Admission (DSA) route enters its 20th year, its importance has grown considerably. The year 2023 saw nearly 40 per cent of Primary 6 pupils submit DSA applications for secondary school.

The DSA represents a major reform of the school admissions framework, which hitherto had been based almost exclusively on results attained in the Primary School Leaving Examination. The DSA broadens admissions criteria by recognising other talents beyond academic performance, such as in the area of sports, music or leadership. Initially implemented in just seven schools, DSA is now available for the vast majority of secondary schools and all junior colleges, with DSA places set aside for about 20 per cent of each cohort.

Our tertiary institutions, too, have discretionary admission routes which aim to assess applicants' potential beyond grades through interviews, aptitude tests and portfolios. The share of students admitted this way has increased significantly over the years. For instance, the Nanyang Technological University admitted over half of its freshmen through aptitude-based admissions in 2023.

While the old grades-based system had its limitations, we should not overlook its contributions. It defined the bar for school qualification independent of other considerations, leaving no room for bias, perceived or otherwise. The system provided bright students from less privileged backgrounds a clear path into their schools and courses of choice, enabling them to obtain a good education and setting them up for success in life. This enabled social mobility and laid the foundation for Singapore's system of meritocracy.

Recent moves to broaden our definition of meritocracy will enable a wider range of talents to be recognised, so that our students have the best chance of developing their strengths and maximising their potential. With discretionary intake, schools and



Pupils waiting to collect their PSLE results in 2022. It is precisely because of the strong foundations that years of rules-based admissions have set that schools today are trusted to exercise discretion in their intake of students. Key to this is trust in the professionalism and integrity of school leaders and administrators, on whom the system relies. ST FILE PHOTO

universities may select students on a more holistic basis, beyond examination grades. This can improve the fit between student and school, enabling institutions to admit those who can benefit most from its programmes while also contributing positively to the learning environment.

It is however important to ensure that this process is implemented fairly and rigorously, so that public trust in the system is maintained. While schools need not disclose reasons for non-selection of particular applicants, there should be clear internal criteria and processes for evaluating applications, with assessments properly documented for accountability. Having applications reviewed by more than one person can mitigate the risk of blind spots and biases, intentional or otherwise.

In February 2024, Minister for Education Chan Chun Sing shared in Parliament that MOE would thoroughly investigate any allegations of unfair practices in the DSA, and its reviews thus far had found the schools to have conducted their selection processes "rigorously, objectively and professionally".

That an average of only seven sets of parents on average a year have questioned the outcome of their child's DSA application suggests that public trust in the system remains strong.

It is precisely because of the strong foundations that years of rules-based admissions have set that schools today are trusted to exercise discretion in their intake of students. Key to this is trust in the professionalism and integrity of school leaders and administrators, on whom the system relies. These values must continue to be reinforced within the teaching profession and education service.

## GOVERNMENT PROCUREMENT

Likewise, the integrity and judgment of public officers are critical for government procurement, which has a bearing both on the efficiency of public spending as well as fair

opportunities for businesses that supply goods or services to the Government.

Singapore's procurement system, which prioritises transparency and fairness, has been vital for clean government. The default mode of procurement is an open tender or quotation that is not restricted to specific suppliers. The tender specifications are set out publicly on the Government's electronic business (GeBiz) portal, with the bids received and tender award subsequently published. There are checks and balances, with more than one public officer involved in the process. All these minimise the opportunity for corruption.

In the past, public officers in charge of purchases have often defaulted to the lowest quote. However, in seeking the best value for money, public agencies ought to consider both price and quality of the goods and services they purchase.

In 2018, the Government announced that the price-quality method, which factors in both price and quality, would become the main option used to evaluate tenders.

This requires clear criteria for the assessment of quality, so that there is transparency and a level playing field for suppliers. At the same time, procurement officers should be empowered to exercise judgment in assessing bids, rather than be constrained by a rigid set of rules. Officers must have strong professional competencies and integrity to be entrusted with such judgment. Concurrently, there is a need for a robust system of audits and accountability. In particular, conflicts of interest must be scrupulously avoided.

Again, as the system shifts towards a more flexible approach, it is important to recognise how past practice has established a strong foundation for the present, and take every care to maintain trust and accountability going forward.

## SOCIAL ASSISTANCE

A third area that has benefited from greater flexibility and

discretion is social assistance.

In disbursing Community Care (ComCare) assistance to needy families, social service officers are guided by the schemes' eligibility criteria and prescribed support levels, but are also given some leeway to exercise flexibility.

Individual and family circumstances vary significantly, hence the reviewing officer needs to make a holistic assessment that factors in a household's unique needs as well as support received from family and community sources. Empowering officers to exercise such discretion helps to better tailor social assistance to ground needs, while recognising the need for fairness and broad consistency in how support is rendered across the 24 social service offices spread out across Singapore.

Exercising discretion within a broad framework of rules must rest on a good understanding of social assistance principles by trained officers. These officers would benefit from mutual support within a professional community that shares best practices, norms and benchmarks that are informed by practice and research.

In these and other domains of governance, the shift from prescriptive rules to principles-based governance with greater flexibility is already under way.

While there are clear benefits from flexibility and discretion, it cannot be assumed that system integrity and public trust are a natural state of affairs. As rules and processes change, systems of accountability need to be updated and strengthened in tandem, while values must continue to be reinforced. Only with robust systems and good people in place can Singapore continue to thrive as the challenges of governance grow ever more complex.

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