



Proportionate Outcomes

June 2011

Outcomes of decisions need to be fair, reasonable, evidence-based and proportionate to the matter being decided upon and the circumstances of the case.

Evidence based outcomes

Outcomes of decisions need to be fair, reasonable, evidence-based and proportionate to the matter being decided upon and the circumstances of the case.

As there will always be at least one alternative outcome arising from a decision making process, there should always be appropriate evidence to support the particular decision made. Decision makers should ensure:

- There is an appropriate quality and quantity of evidence to support the decision;
- They are able to explain the decision with confidence, not concern; and
- They balance use of precedents that provide a body of knowledge and learning from past experience, with an assessment of each case on its own merits.

Balanced outcomes

Some decisions are complex and have wide ranging implications. Others may be relatively simple, day-to-day decisions about operational activities. The outcomes of each decision need to be proportionate, taking into consideration:

- An assessment of the benefits and impact of the preferred outcome for those affected including individuals, the public and the public authority;
- The costs and benefits of implementing the preferred outcome taking into account one-off implementation costs, compliance costs, and ongoing costs, and the opportunity cost of using the same resources elsewhere;
- The relative benefit, impact and costs of any alternative outcome; and
- The need to balance a range of needs including:
 - Community expectations, policy and agency priorities;
 - Public interest as well as the needs of the affected individuals; and
 - The need for innovation and change and any associated risks.

Public authorities and decision makers should engage in reflective review of the outcomes of decisions to ensure they are balanced, evidence-based and proportionate.

Considerations of consequences

While decision makers intend to make good decisions with good outcomes, sometimes unintended consequences can result. As much as possible, all potential consequences of a decision should be explored to avoid unintended, undesirable outcomes.

Improving outcomes through reviews

Reviews of decisions (internal or external) should be seen as part of the public authority's process of continuous improvement. Adverse findings for an individual decision maker or public authority should generally not be taken negatively or personally. Feedback should be taken onboard and seen as an opportunity for learning and improving outcomes for similar decisions in the future.

Proportionate Outcomes - Checklist

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This checklist may be useful to assist public authorities and decision makers in considering outcomes that are fair, reasonable, evidence-based and proportionate.

	YES	NO	IN DEVELOPMENT
Considerations for public authorities			
• Do processes allow sufficient time for decision makers to make evidence-based decisions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Is there recognition of the competing needs the decision maker has to consider to reach a balanced and proportionate decision?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Is guidance or training provided to decision makers about how the agency prioritises competing needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Is easy access provided to precedents, templates and advice to assist decision makers to make evidence-based and proportionate decisions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Is reflective review of outcomes part of the decision making process?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Is there a system in place to undertake an internal review of individual decisions when appropriate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Is there a mechanism in place to identify and manage potential risks when making decisions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Considerations for decision makers			
• Do you know your organisation's priorities in terms of what weight to put on the competing needs of individuals, the public and the organisation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Do you know if the decisions you make strike the right balance between competing needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Are you aware of the long-term consequences of your decisions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Are you advised if your decision is appealed against, overturned or approved by a higher authority?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Do you know where to find appropriate documented evidence of decisions that have been made previously?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Are you aware of who might review decisions that you make and how you can learn from them?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>