Public policies and programs are intended to improve the lives of citizens. When they are well-designed and well-implemented, policies and programs can do much to generate positive economic and social outcomes. We take the view that public policies are investments and thus, their benefits should outweigh their costs over time (Mintrom 2018). Considerable efforts are currently being made to utilize evidence, conduct experiments, and use program monitoring to increase the likelihood that policies and programs will generate intended effects. Here, we explore the neglected connection between design thinking and effective commissioning of public services. This connection is important as design thinking can be an effective method for ensuring citizens receive the services they need. Often, there are gaps between the intentions behind government service provision and citizens’ experiences of that service. We contend that design thinking can help to close that gap through improving the empathy policy designers and public managers exhibit towards service clients, as well as through improved understanding of contexts and utilization of local
knowledge. There will always be a demand on government to deliver more and better services while keeping taxes low. Design thinking can improve collaborative efforts in service delivery and increase the odds that public investments will generate intended outcomes and enhance public value (Mintrom and Luetjens 2017; Moore 1995).

2. Variance in service performance and outcomes

As a general practice, policy design tends to occur far from the places where policy implementation happens. Consequently, policy design is often removed from the gritty environments experienced daily by citizens and service managers as they translate policies into actions. Information relevant to policy design and the promotion of better outcomes does not automatically filter back to policymakers in ways that can inform their design work. Differences between the world of policy designers and the world of service providers and clients mean implementation of a given policy can result in starkly different outcomes across localities (Howlett and Rayner 2007). The strategic choices service providers make and the actions they pursue materially influence policy outcomes (Meier and O’Toole 2001). Given this, those charged with policy design should be fully aware of the contexts in which the resulting policies are to be implemented. Often, they are not. Further, there are strong institutional and organizational pressures in local settings that can blunt the intended purposes of public policies (Alford and O’Flynn 2012).

A lot of policy analysis over the past few decades has sought to apply forms of comparative institutional analysis to identify and explain local variations in the effectiveness of public policies. While it is usually challenging to draw strong conclusions for why policy outcomes differ across localities, policymakers frequently desire to improve those outcomes and reduce variations across them. That desire contributes greatly to the diffusion of policy innovations (Mintrom 1997). It also explains the tendency for specific policy approaches to be clustered under popular headings which have their own life cycles. The bigger challenge – which transcends policy fads and fashions – is to design public policies that contribute as effectively as possible to the solving of problems for the greatest number of people.

3. Key features of effective commissioning

The origins of contemporary application of commissioning can be traced back to the United Kingdom in the 1980s and 1990s, when attempts were made to address fragmentation and poor coordination between health and social care authorities (Sturgess 2018). Commissioning has subsequently been recognized as a vital tool in the New Public Management arsenal (Boston 1996; Hood 1991, 1995). Commissioning focuses on the challenges of front-line delivery as opposed to focusing on policy or budgetary levers. Often, commissioning involves engagement with, or delegation to, a third party to undertake a defined task (Sturgess 2018). It seeks to align authority and accountability so that decisions about the allocation of resources can be rapidly informed by evidence of delivery results. Commissioning, therefore, calls for
understanding of the processes associated with service delivery and acceptance by providers of some responsibility for ongoing satisfactory performance (Sturgess 2018).

Governments face a variety of challenges where commissioning can assist. These include how to ensure better integration of services where services are unavoidably fragmented; effective performance management where service providers deliver social outcomes within the constraints of available resources; strategic engagement with external or inter-governmental suppliers, including the design and ongoing management of the systems through which these services are delivered. Sturgess (2018) identifies the common link between these challenges as a concern for better organization and management of the space between policy and funding, on the one hand, and service delivery, on the other.

An array of terms are commonly used in discussions of commissioning. These include procurement, purchasing, and contracting. It is important to note that commissioning is generally thought of as the full set of activities from needs assessment to service delivery and outcome evaluation. Procurement is the process of identifying a supplier, given specified service needs. Purchasing is the buying or funding of services. Contracting is specifying the services the supplier is to deliver and monitoring service delivery (Dickinson 2014). Each of these may make up a part of the commissioning process, but individually, they are not synonyms for commissioning.

Dickinson (2014) draws lessons from the United Kingdom’s experience about what can be done to increase the chance of commissioning being successful. These lessons include:

- Commissioning inevitably takes place under conditions of imperfect information and time and resource constraints. It is most likely to be successful when a group of committed people come together under a common vision and work together to achieve it.
- Commissioning should be supported by appropriate financial incentives, regulation, and performance management frameworks.
- Commissioners should have a clear sense of the needs of a defined population and seek to procure services that match these needs.
- Commissioners should possess the technical and managerial skills needed to assess the vulnerability and resilience of the services being commissioned.

4. Design thinking and effective commissioning

In the tradition of public policy theory and teaching, design has long been seen as a component of policy development (Howlett 2010; Lynn and Gould 1980; Schneider and Ingram 1997). Policy implementation depends on the design of products and services (Alford 2009; Lipsky 1980; Wilson 1989). Design thinking in industrial settings is concerned with making product developers more aware of the practices and expectations of the consumers of their products (Brown 2008, 2009; Brown and Wyatt 2015; Liedtka, King, and Bennett 2013; Martin 2009). With respect to public policy, gaps often exist between policy design, the services governments deliver, and the needs and expectations of citizens. To remedy this, good policy should be
informed by deep knowledge of the contexts and clients for which that policy is being made. This is crucial for enhancing public value (Moore 1995).

Design thinking holds significant promise for ensuring that policy investments generate expected social and economic returns. It can be usefully thought of as an increasingly significant branch of evidence-based policy making. While we strongly argue for evidence-informed policy development, we are aware of the critics. Scholars such as Cairney, Oliver, and Wellstead (2016) have noted that there are limits to evidence-based practice. Among other things, there can be disagreement on the best way to gather evidence of policy success, uncertainty about generalizing conclusions from specific evidence, and opposition to interventions not developed in local areas. Further, even though there is much support for evidence-based policy, critics remind us it is naïve to expect a linear relationship between evidence and the development of policy that is fully – or even partially – informed by it (Wesselink, Colebatch, and Pearce, 2014). For those who care to make a positive difference in the world, these critics offers a reminder that evidence never simply speaks for itself. Policy designers must be socially perceptive when gathering evidence and politically savvy when deploying it. As we show, design thinking can contribute to improved use of evidence in policymaking and in program implementation.

Public service commissioning reduces the role of government in the provision of service, transforming government into an enabler and an overseer that assesses the needs of defined populations and the outcomes delivered by commissioned services (Dickinson 2014). Design thinking encourages end-users, policy designers, central departments, and line agencies to work in a collaborative and iterative manner (Mintrom and Luetjens 2016, 2017). The most important skill for a design thinker is to “imagine the world from multiple perspectives – those of colleagues, clients, end-users, and customers (current and prospective)” (Brown 2008, 87). This is where greater empathy for different perspectives emerges. Design thinking does not start with a presumption of a known answer or even a well-defined problem. Through iterative ethnographic methods, design thinking can reduce gaps between the goals of policymaking and the experiences of citizens as they interact with government-funded services.

Focusing on the lived experiences of service-users is expected to promote better policymaking. In the best cases, such policies should lead to implementation of programs that enhance public value and represent good return on the investment of public funds. Suppose a government had the goal of improving educational processes and outcomes in public schools. A design project intended to inform such an effort would start by seeking to identify regularities across individual behaviour that suggest the need for more worthy forms of mechanism design and service delivery than currently exist. Such a project might work through questions of this sort:

- Where are the areas of poorest school performance at present?
- What factors appear to engender poor school outcomes?
- Where is poor schooling most likely to be observed in the coming years?
- How are the teaching strategies of teachers in poorly performing schools different from those of teachers in high-performing schools?
Under what circumstances does poor school performance lead to other problems, such as teen unemployment, substance dependency, or criminal activity?

What do children and parents in poorly performing schools want from school teachers and school leaders?

What are some success stories of interventions that have assisted schools to turn around their performance and generate good outcomes for their students?

This set of questions specific to improving educational processes and outcomes could be readily adapted to prompt design thinking across other areas where some form of policy change is considered necessary to improve social outcomes.

The application of design thinking – tapping the knowledge of targeted individuals, creating opportunities for significant public engagement of diverse perspectives, and prototyping interventions – can be pursued through a range of techniques. Here, we briefly introduce five: (1) environment scanning, (2) participant observation, (3) open-to-learning conversation; (4) mapping; and (5) sensemaking. All could usefully inform commissioning work with the purpose of securing better social outcomes. Mintrom and Luetjens (2016) discuss these strategies in more detail.

1. Environment scanning. This strategy explores present behaviours of individuals and groups in given localities and the outcomes resulting from those behaviours. It also seeks to identify trends that may influence future outcomes (Fahey and King 1977). It requires taking stock of a particular situation and scanning for new inputs, materials, influences and technologies applied in other fields that may be relevant (Etzioni 1986). Used appropriately, it creates an evidence-based method of gathering, synthesizing, and interpreting information, which can shift the attention of an organization towards new opportunity areas, threats, and potential blind spots. Environment scanning can assist with commissioning, by improving knowledge of policies and programs that work well across many contexts and the factors shaping success.

2. Participant observation. Observation refers to the ability to notice significant and seemingly insignificant details to gather information. In developing a framework for understanding information processing in problem solving tasks, Newell and Simon (1972) emphasized the importance of task effects on decision behaviour. While environment scanning facilitates the broad exploration of an issue, observation requires engaging with people encountering specific problems. Participant observation can access tacit, otherwise, difficult-to-capture knowledge from subjects (Polanyi 1966). Design thinking applies observation to understand people and their behaviour in the context of their lives. This can involve observing someone complete a task or engage with a service. The observer accompanies the subject through the steps and may ask the subject to explain what they are doing at each step. Observation is particularly useful for understanding the effect that a policy has on marginalized groups of people. In this context – as in many others – empathy is critical to effective observation (Wagenaar 2014). Observation can improve knowledge of local settings and specific policy requirements emerging within them.
3. Open-to-Learning Conversation. There is a common tendency among service-producing organizations to limit choices for clients and make incremental adjustments. Problems are addressed using standard operating procedures that attempt to maintain predefined notions of order. This is true in all sectors of society, including the public sector. Chris Argyris (1982; 1991) explored this phenomenon in the context of single- and double-loop learning. Single loop learning suggests that when something goes wrong, people seek alternate strategies that will work within present constrained choices. In double-loop learning, the alternate response is to question the existing choice set. Double-loop learning, or divergent thinking, is the route to innovation. To achieve divergent thinking, it is important to have a diverse group of people involved in the process. Open-to-learning conversation encourages divergent thinking (Martin 2009; Neumeier 2009). Such conversation is less about analyzing existing options and more about the creation of new options and questioning the fundamental basis of existing structures. Practice of open-to-learning conversation can assist with commissioning. Specifically, it can improve the ability of policy designers, service managers, and clients to understand each other’s concerns and identify more productive ways of interacting in pursuit of mutually-desired outcomes.

4. Mapping. Mapping has long been used in policymaking to explore the links between mechanism design and implementation (Elmore 1979). A concept map can be used to develop a conceptual framework to guide evaluation or planning (Trochim 1989). Such a framework can organize some of what has been learned during previous phases of design processes. Mapping allows the designer to visualize how things connect and spot emerging patterns. This can be done by putting one idea, or user, at the centre and then mapping how the other ideas and insights play off it. Mapping can be used to systematically visualize human experiences and think about steps or “touchpoints” of a process. Journey mapping communicates the user experience from beginning to end and offers broader, sophisticated, and holistic knowledge of that experience. It can reveal problems and help suggest alternate pathways forward. This can be a very powerful antidote to complacency and a good way to challenge conventional thinking (Radnor et al. 2014). Mapping can assist with commissioning by improving the ability of policy designers to identify where current systems work well, where they do not, and where attention to making improvements should be prioritized.

5. Sensemaking. Karl Weick (1995) defined sensemaking as an action-oriented process that people automatically go through to integrate experiences into their understanding of the world around them. The sensemaking perspective suggests that in organizational settings, much latitude exists in the interpretation of situations and events. Sensemaking requires connections to be forged between seemingly unrelated issues through a process of selective pruning and visual organization. Dialogue is critical to sensemaking. Once data and insights have been externalized – say in the form of post-it notes on the wall – designers can begin the more intellectual task of identifying explicit and implicit relationships, physically drawing out these content-affinities through the process of organization. The designer begins to move content around, physically, placing items that
are related next to each other. Once the groupings begin to emerge, they can be labelled and understood. Sensemaking can assist with commissioning. Like the other techniques discussed here, it can improve in-context learning by encouraging policy designers to work with service managers and clients, take cues from observed practices, and identify promising strategies for aligning policy goals and service provision with client needs.

Table 1 summarizes how these five design thinking strategies can be of benefit for commissioning. In the next section, we illustrate how they can be applied to good effect, using evidence from charter schooling.

5. Design thinking and commissioning: an illustrative case

How much societies benefit from specific public policies will depend on the care taken to ensure those policies are translated into high-quality programs at the local level. To explore this further, we use an illustrative case. The case concerns the efforts of Doug Lemov, an educator who has used opportunities created by the charter school movement in the United States to transform elements of teaching practice.

Charter schools are publicly funded but they enjoy a high degree of autonomy from traditional school district systems of control and accountability. By allowing the creation of charter schools, states in the United States have facilitated a form of marketization in the provision of public schooling, with the various opportunities and risks that accompany such governance changes (Howlett and Ramesh 2016). The first charter schools opened in Minnesota in 1992 (Mintrom and Vergari 1997). Although they are granted their independence by states, charter schools are given no guaranteed student base. They survive on their ability to attract and retain viable student numbers. Since their inception, charter schools have been expected to be more innovative than traditional public schools. It has also been expected that competition from these schools will pressure traditional public schools to improve their practices. Evidence suggests charter schools have been more open to innovation than traditional public schools. Often, this has involved taking selective practices developed in traditional public schools and combining them to create a more innovative kind of

| Design thinking strategy       | Benefits for commissioning                                                                 |
|-------------------------------|------------------------------------------------------------------------------------------|
| 1. Environment Scanning       | Improves knowledge of policies and programs that work well across many contexts and the factors shaping success. |
| 2. Participant observation     | Improves knowledge of local settings and specific policy requirements emerging within them.       |
| 3. Open-to-learning conversation | Improves the ability of policy designers, service managers, and clients to understand each other’s concerns and identify more productive ways of interacting in pursuit of mutually-desired outcomes. |
| 4. Mapping                    | Improves the ability of policy designers to identify where current systems work well, where they do not, and where attention to making improvements should be prioritized. |
| 5. Sensemaking                | Improves in-context learning by encouraging policy designers to work with service managers and clients, take cues from observed practices, and identify promising strategies for aligning policy goals and service provision with client needs. |
schooling. The extent to which innovative practices in charter schools have filtered back to traditional public schools has remained a difficult question to answer (Mintrom 2001; Plank 2006).

Uncommon Schools is a nonprofit network of over 50 public charter schools operating in New York, New Jersey, and Massachusetts. Enrolments at schools in the network is currently 18,000. The schools aspire to work effectively with families in low-income communities to prepare their children for college and college graduation. Uncommon Schools won the 2013 Broad Prize for Public Charter Schools for demonstrating “the most outstanding overall student performance and improvement in the nation in recent years while reducing achievement gaps for low income students and students of color” (Lemov 2015, xxxii).

An unusual amount of knowledge has been shared about Uncommon Schools as the result of the books written on exceptional teaching produced by Doug Lemov (Lemov 2015; Lemov, Woolway, and Yezzi 2018). Lemov is a former charter school principal and a managing director of Uncommon Schools, who leads its Teach Like a Champion team. Lemov has made a science out of using educational data to identify the top performing teachers and then studying and codifying their instructional methods.

The design thinking approach worked as follows (Lemov 2015). Using a form of environment scanning, Lemov reviewed school-level results on standardized state tests, like the New York State assessment sixth-grade math results. For each school, he recorded the percentage of students deemed proficient on the standardized test. Next, he ranked those same schools based on their recorded student poverty rate (judged by the percentage of children eligible to participate in the federally funded free lunch program). Lemov graphed these two indicators.

As expected in data like these, there is a strong negative relationship in schools between rate of student poverty and average levels of student proficiency on standardized state tests. The higher the percentage of students in poverty in a school, the lower the expected percentage of students deemed proficient. However, Lemov’s interest lay in schools that recorded high levels of proficiency, despite having high levels of student poverty. A handful broke the trend. Consistent with sensemaking practices, Lemov asked: What are teachers doing differently in those schools? Specifically, how did they approach teaching, lesson-planning, and relationship management with students and their families?

Lemov’s question led him to visit schools and engage in close observation of teaching practices. He spoke with principals and teachers, and – most importantly – codified the specific, concrete, actionable classroom practices of teachers who attained such outstanding results with their students. Through observation and open to learning conversation, Lemov developed a set of teaching techniques that he then systematically trained teachers in Uncommon Schools to utilize. We might say that through system mapping, Lemov was able to carefully trace the steps from teacher preparation and classroom interactions to student learning and, ultimately, student acquisition of knowledge required to perform effectively in high school and beyond. Following adoption of these teaching techniques, the Uncommon Schools have been generating significant improvements in student outcomes compared to what all the typical social indicators would lead us to predict.
Lemov developed his set of teaching techniques into a book, *Teach Like a Champion*, first published in 2012. It has been estimated one-quarter of the population of teachers in the United States subsequently read the book or were exposed to techniques in it. That is almost 800,000 teachers, across all types of schools – public, independent, private, urban, suburban, and rural. The book, in translation, has been highly influential in many countries around the world, including Brazil, India, and China.

Without doubt, Doug Lemov’s innovation actions that were facilitated by the charter school movement have had a major impact on teaching practices well beyond the Uncommon Schools where it all began. Lemov has used design thinking and evidence-based techniques to deploy resources – teachers, students, classrooms – in a fashion that yields high returns on investments, whereas others continue to use the equivalent resources and obtain limited results. Lemov has shown that it is possible to make significant changes in school practices and generate better student outcomes.

Evidence suggests that the kind of design thinking applied by Lemov at Uncommon Schools and in other charter schools in the United States has produced important system-level results. For example, Stanford University’s Centre for Research on Education Outcomes (CREDO) released a report in 2017 which found that students who attended charter schools in New York City gained, on an average, an additional 23 days of learning in reading and an additional 63 day of learning in mathematics over their district school peers. Students attending a charter school affiliated with a Charter Management Organization, such as Uncommon Schools, had a greater positive impact: the equivalent of 57 days of learning in reading and 103 more days in mathematics (CREDO 2017). In 2013, CREDO reviewed charter schools in 26 states and New York City and found that charter school students had greater learning gains in reading than their peers in traditional public schools and had equivalent learning gains in mathematics (CREDO 2013).

The case of Doug Lemov and the Uncommon Schools offers a positive illustration of the potential for service commissioning in the form of charter schools to generate improved returns on public investments in education. However, the case also leads us to note that not all charter schools have been as successful at the Uncommon Schools. While leaders of charter schools – including chains of such schools – have often been highly innovative, instances have also been observed of charter schools generating no better outcomes than traditional public schools. The commissioning of education via charter schools has opened the possibility for people like Lemov to enhance the returns we can expect from public investments in education. How could commissioning be set up so that more charter schools produced positive results like the Uncommon Schools? More broadly, how might greater integration of design thinking and community engagement lead to better social outcomes from current and future public policy settings? We believe the increasing focus on the articulation of policy goals at the local level could yield many future benefits. Further systematic empirical work, comparing different ways of commissioning could generate many insights for those seeking better returns on public policy investments.

This illustrative case has focused on the application of design thinking by the party being “commissioned”. However, it is also important to consider the “commissioner”
As Dickinson (2014) notes, to encourage the success of commissioning, commissioners – which typically means policy designers and public managers – need to have a clear sense of the needs of a population and procure services to meet those needs. The aforementioned strategies of design thinking (environment scanning, participant observation, open to learning conversation, mapping, and sensemaking) could be readily deployed by commissioners to ensure they are procuring services appropriately for the relevant population. After selecting a service provider, policy designers, service managers, and clients could deploy these design thinking strategies to increase the likelihood that the services being delivered are of most value to their client communities.

How much commissioners currently engage in design thinking is an empirical question that we cannot answer here. That being said, we make two comments on this matter. First, we anticipate a high level of variance across commissioners in their appetite for applying designing thinking. Conceptually, the range of possibilities runs from close engagement in design thinking to none at all. With respect to “close engagement”, we could imagine situations where commissioners of services work with service providers – and, potentially, with service clients and other stakeholders – to better design the services to be delivered. Scope for such engagement is probably broadest in areas of human service provision, such as delivery of welfare services, health care services, training, and all levels of education from early childhood through to tertiary. Our second comment relates to the “mindsets” accompanying commissioning. Commissioning emerges from the need for all organizations to consider the classic “make or buy” choice (Coase 1937; Demsetz 1991). What goods and services should the organization itself make and deliver and what ones should it “buy” from others? When organizations “buy” through commissioning, they will often be doing so because they conclude that they lack the in-house talent and resources required to perform the work themselves. While this conclusion may be justified, it can be accompanied by a fixed mindset that leaves many design decisions to the service provider. The thrust of our argument throughout this article suggests the merits of the “growth” mindset (Dweck 2008). That is, significant additional public value could be created through commissioners showing greater appetite to embrace “design thinking” and engage more closely with service providers, clients, and stakeholders in determining the precise nature of the services to be delivered. But we also appreciate the cautionary wisdom contained in the old proverb, “Don’t keep a dog and bark yourself”.

6. Conclusion

Governments everywhere will always face pressures to provide more and better services to citizens while keeping taxes as low as possible. Given these dynamics, experiments with the governance and commissioning of service provision should be prioritized. It is an area of public management ripe for further evidence-based investigations of the conditions under which changes can produce sustained, beneficial social and economic outcomes.

Here, we have argued that the returns on investment in policy and programs could be increased through consistent efforts to encourage more engagement between
traditional policy developers and local service managers. Commissioning arrangements could be established in ways that promote such engagement. We have suggested that insights from design thinking could support such initiatives. Paying more attention to how policies shape local interactions among service providers and citizens is important to achieving better outcomes. Greater application of design thinking opens the desirable possibility of more policy innovation and the improved use of scarce public resources.

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ORCID

Michael Mintrom http://orcid.org/0000-0001-7163-3997

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