



Good Regulatory Practices in Jordan

Manual for Impact Evaluation Policy of the Government of Jordan



2022

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Good Regulatory Practices in Jordan

Amendments to the “2020 Manual for Impact Evaluation Policy” of the Government of Jordan

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INTRODUCTION

Purpose of the amendments

This report includes amendments to the “Manual for Impact Evaluation Policy” adopted by the Prime Ministry of the Government of Jordan in 2020 (hereafter: the “2020 Manual”). This is a revised version of an early draft report submitted to the Government of Jordan in June and July 2021. This version has benefited from feedback received since then.¹

The amendments complement the 2020 Manual with three specific additions:

- They propose a mechanism and criteria to guide officials in the Government of Jordan to appropriately target and tailor the type and depth of regulatory analysis, thereby helping to rationalise the allocation of time, financial and human resources to RIA (Part I. of the report);
- They develop elements for the identification, characterization and assessment of regulatory impacts on social groups (particularly women and vulnerable people) and on the environment (Part II.); and
- They outline the main concepts and tools to design and execute ex post evaluations of individual legislations and regulations (Part III.).

Structure of this report

This report is structured in three distinctive parts, covering proportionate RIA analysis; social and environmental impact assessment; and ex post evaluation of legislation, respectively. Each part introduces conceptual and methodological aspects in a practical and user-friendly way, following a layered approach to guidance and information:

- Annotated templates indicate the main elements to be considered in ex ante and ex post analyses and point to relevant guidance sections and explanations in the report;
- Core concepts and tools are then presented; and
- More in-depth explanations, examples and checklists are attached in annexes.

By so doing, the amendments pursue a twofold purpose: they can easily be incorporated in the original 2020 Manual document; and they allow for future quick cross-references across the Manual sections by RIA drafters and evaluators, depending on their needs and expertise.

Other preliminary remarks

The amendments to the 2020 Manual proposed in this report result from a literature review and desk work by the World Bank Team on international practices and methodologies.² Underlying concepts and ideas outlined in the report have been initially discussed in June and July 2021 with experts in the Institutional Development Unit (IDU) of the Prime Minister Office, and the Legislative Opinion Bureau (LOB) of the Government of Jordan. IDU and LOB colleagues have then shared feedback and recommendations for improvement at workshops held in November 2021 in Amman.

¹ This report was drafted by Lorenzo Allio, a World Bank Senior Consultant. It is a deliverable produced by the World Bank Group as a part of its technical assistance on Good Regulatory Practices in Jordan under the Jordan Multi Donor Trust Fund and the Program for Results.

² Separate background papers with overviews of international practices with targeting RIA efforts and ex post evaluation will be prepared by the World Bank Team.

The report does not alter nor challenge what presented in the 2020 Manual. That Manual is broadly sound and presents most of the key elements pertaining to RIA and public consultation. However, parts of the Manual are not as practical and precise as they could be; and some of the English terminology used there could be more accurate. For instance, and importantly, the term “Impact Evaluation” is used in the 2020 Manual as referring to *ex ante* impact assessment – whereas in Part II. of this report (and in international guidance) that term relates to a specific type of *ex post evaluation*.

How these amendments fit into the 2020 Manual

It is proposed that:

- Part I. of this report be inserted at the beginning of the 2020 Manual, as a part of the Section “Scope of Application”;
- Elements included in Part II. of this report complement “Step 4th Option Analysis” of the 2020 Manual and can be added in relevant sections there; and
- Part III of the report be added to the 2020 Manual at the end. The Section there on “Step 7th Review and Evaluation”.

Note: Elements appearing in *red italics* in these three parts of the report are descriptive only and provide “instructions” on how to use the related sections. They should not be inserted in the revised version of the 2020 Manual.

The RIA templates proposed in Section I.2a and I.2b of this report should replace the “models” included in the 2020 Manual.

LIST OF ACRONYMS

CBA	: Cost-Benefit Analysis
CEA	: Cost-Effectiveness Analysis
IDU	: Institutional Development Unit (PMO)
LOB	: Legislative Opinion Bureau (of the Government of Jordan)
MCA	: Multi-Criteria Analysis
PMO	: Prime Minister Office (of the Government of Jordan)
RIA	: Regulatory Impact Assessment

PART I. – PROPORTIONATE ANALYSIS IN RIA

What you find in this Part:

- I.1. (a) The rationale for ensuring that efforts to carry out RIAs are adequate, sustainable and proportionate to the needs of the government; and (b) The logic behind screening government initiatives.
- I.2. The draft Templates for the resulting “Basic RIA” and the “In-depth RIA”.
- I.3. Practical guidance on applying the targeting process.
- Annexes with relevant checklists and minimum requirements.

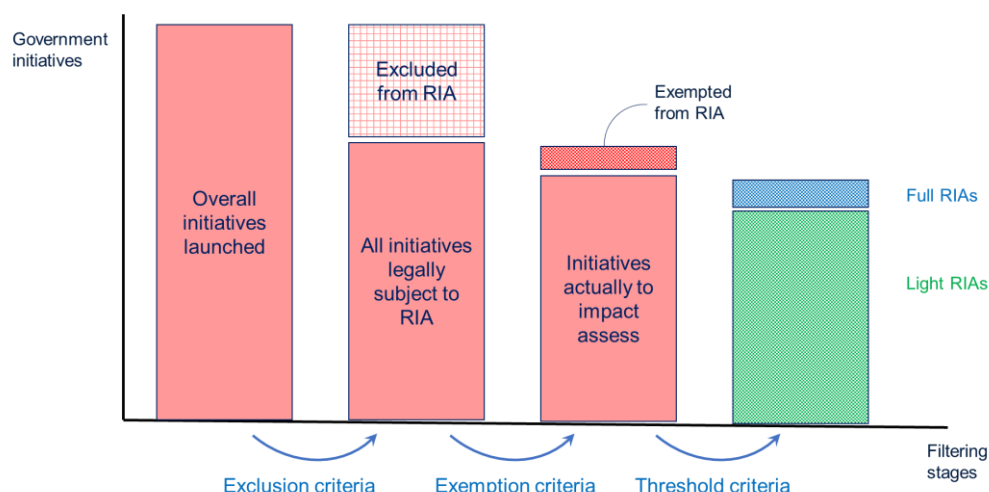
I.1. The importance of targeting the efforts for RIA analysis

Regulatory Impact Assessment (RIA) is a systemic approach to identify and define policy issues comprehensively and coherently, and to critically assess the likely positive and negative effects of the regulatory and non-regulatory alternatives proposed to address them. The completion of a RIA report is the result of a structured process that follows a number of steps [see 2020 Manual, p.7 of the English version]. All of those steps are important for the analysis to be relevant and to support decision-making.

Targeting efforts – Resources are scarce; the political agenda is pressing; and not all Government initiatives require the same type and depth of analysis, if at all. Which initiatives are subject to RIA, and which ones are excluded or may be exempted from it? And once you know that you have to produce a RIA, how to tailor the analysis?

Targeting the analytical efforts for RIA is a fundamental element to make a RIA system efficient, proportionate and credible. Targeting follows a **staged, consecutive screening process**, as illustrated in Figure I.1. Government initiatives are first checked for **exclusion**, then **exemption** and eventually benchmarked against proportionality **threshold criteria**. At the end of the targeting process, it will be determined whether RIAs will take the form of “Basic RIAs” or “In-depth RIAs”. You find the related templates in the next section.

Figure I.1. Streamlining analysis through a staged targeting



Source: Elaborated by the author.

The goal of the mechanism is to produce adequate, relevant analyses where they add value, narrowing the production of the more elaborated In-depth RIAs down to about 5-10 % of all RIAs carried out.

I.2a. Basic RIA Report Template

Ministry / Agency	Title of the Proposal	
Contact details (email, telephone)		Date
"This impact assessment reasonably explains the possible impacts of the proposed action." Signature		
Problem definition		
Define the problem or issues that justify government action. • What triggered this initiative? (e.g. ordinary planning; stakeholder complaints, ...) • What are the causes of the problem? • What are its main consequences? (e.g. financial, economic, social /health, environmental)		
Frame the current policy context. • Will the problem get better or worse without government action? • What is the existing policy and legal framework? Why is it not sufficient to address the problem? • Why are you recommending this specific option? Why not market forces / non-regulatory action?		
Policy Objectives		
Define here the goals that the proposed intervention seeks to achieve. • What are their measurable targets and deadlines (S.M.A.R.T. approach)?		
Option description		
Describe in your own words the proposed intervention, considering how it will unfold after implementation till the achievement of the set objectives. • How will the intervention trigger positive change in (the targeted groups of) society? • What stakeholders will be most affected?		
Benefits from the intervention		
List and describe, in qualitative terms, the economic, social / health and or environmental benefits that are expected from the implementation of the proposed intervention, compared to the current situation. • When are the benefits occurring? For which category of stakeholders? • How did you determine such benefits? What evidence leads you to such results?		
Costs from the intervention		
List and describe, in qualitative terms, the economic, social / health and or environmental costs that are expected from the implementation of the proposed intervention, compared to the current situation. For direct compliance costs on businesses and for the financial costs on the State budget, provide quantitative assessments (monetization) to the extent possible. • What are the direct and the indirect costs? • Are specific categories of stakeholders more / disproportionately impacted by the intervention? Why? • How did you determine such costs? What evidence leads you to such results?		
Monitoring and Evaluation		
Describe the performance indicators that will have to be in place to measure compliance and progress in meeting the set objectives. To the extent possible, indicate which authority should collect and report the resulting data, and when.		
Public consultation		
Describe the consultation process that you are planning to run / you have conducted. • What consultation methods are you using / were used (e.g. online, hearing, focus groups, ...)? • Have you identified target groups of stakeholders or experts? How? • During which period are you opening the consultation / was the consultation open? • What are / were the specific questions?		
[If the consultation has taken place] Summarise the main comments and responses received from the public and the stakeholders. • What have you discarded and what retained from the submissions? Why?		

I.2b. In-depth RIA Report Template

Ministry / Agency	Title of the Proposal	
Contact details (email, telephone)		Date
This impact assessment reasonably explains the possible impacts of the proposed action. Signature		
Problem definition		
Define in great detail the problem or issues that justify government action. Provide quantitative evidence in support of your statements to the extent possible. • What triggered this initiative? (e.g. ordinary planning; stakeholder complaints, ...) • What are the causes of the problem? • What are its main consequences? (e.g. financial, economic, social /health, environmental)		
Frame the current policy context. Provide quantitative evidence in support of your statements to the extent possible. • Will the problem get better or worse without government action? • What is the existing policy and legal framework? Why is it not sufficient to address the problem? • Why are you recommending this specific option? Why not market forces / non-regulatory action?		
Policy Objectives		
Define here the goals that the proposed intervention seeks to achieve. Differentiate between general, specific and operational objectives. • What are their measurable targets and deadlines (S.M.A.R.T. approach)?		
Options description		
Describe in your own words all the options you have considered as a part of this RIA, including at least a non-regulatory alternative. For each option, consider how it will unfold after implementation till the achievement of the set objectives. • How does each option trigger positive change in (the targeted groups of) society? • What stakeholders does the option affect most?		
Impact characterisation and valuation		
<u>For each option</u>, list and describe the expected economic, social / health and or environmental benefits, compared to the current situation. Provide a quantification assessment (monetization) of the benefits to the extent possible, in a dedicated table. • What are the direct and the indirect benefits? • How did you determine such benefits? What evidence leads you to such results?		
<u>For each option</u>, list and describe the expected economic, social / health and or environmental costs, compared to the current situation. Provide a quantification assessment (monetization) of the costs to the extent possible, in a dedicated table. • What are the direct and the indirect costs? • Are specific categories of stakeholders more / disproportionately impacted by the intervention? Why? • How did you determine such costs? What evidence leads you to such results?		
Option comparison and recommendation		
Describe the methodology chosen to compare the options (e.g. CBA, CEA, MCA), and explain why you opted for such a method. • What criteria did you include in the methodology? How important are these criteria (relative weight) • What are the underpinning assumptions, the limitations and the uncertainties?		
Rank the options as resulting from your analysis and indicate the preferred option. • What determines the selection of the preferred option? (e.g. highest net benefits, least costly, ...)? • How do you plan to mitigate significant adverse impacts of the preferred option (if any)?		

Monitoring and Evaluation
<u>[Only for the recommended option]</u> Describe the performance indicators that will have to be in place to measure compliance and progress in meeting the set objectives. • What is the implementation calendar? • Which authority should collect and report the resulting data, and when?
Public consultation
Describe the consultation process that you are planning to run / you have conducted. • What consultation methods are you using / were used (e.g. online, hearing, focus groups, ...)? • Have you identified target groups of stakeholders or experts? How? • During which period are you opening the consultation / was the consultation open? • What are / were the specific questions?
<u>[If the consultation has taken place]</u> Summarise the main comments and responses received from the public and the stakeholders. • What have you discarded and what retained from the submissions? Why?
Technical Annexes
Attach all relevant documents and additional information to the report that you deem useful to further support the analysis.

I.3. How to target RIA efforts

I.3.1. Determining whether a RIA is necessary or not

This section helps you understand whether you have to carry out a RIA and when, in case, an analysis may be suspended (or postponed). The section clarifies, in other words, what are the “exclusion” and what are the “exemption” criteria.

When you do not need to carry out a RIA: Exclusion

Box I.1. RIA exclusion criteria

*While as a general rule all Government initiatives need to undergo impact assessment, in a number of cases **you do not need to carry out a RIA**. Initiatives that are explicitly excluded from the obligation to be impact assessed:*

- Rules approving **budget** and balance sheets and regulations giving effect to budget decisions and similar proposals;
- Rules **merely consolidating or splitting** pre-existing provisions, provided that the substance and effects of the latter are not modified;
- Rules merely accounting for provisions of **ratified international agreements**;
- Rules related to **national defense** or **security**, or pertaining to **military affairs**;
- Exclusively **administrative executive** provisions.
- Rules implementing **automatic changes** in statutory fees;
- Rules intended to repeal or remove redundant legislative provisions with **no or very minor impact** on businesses, government, individuals.

When you may not carry out a RIA: Exemption

Box I.2. Exemption from the RIA requirement: Important considerations

*For all the other Government initiatives, a RIA must be carried out **unless there is an explicit decision** not to do so. A ministry or regulatory agency **may be exempted** from RIA obligations typically in **exceptional instances of urgency and emergency**.*

- Such cases should be determined only and directly **by a Cabinet-level decision**;
- Unlike the cases for which RIA is expressly not required (see above), exempting a regulatory agency from carrying out RIA is a matter of **political discretion** (for instance in ascertaining what constitutes “urgency” or “emergency”), or it reflects an **objective need of crisis management**.
- By definition, these cases are to be handled on a **case-by-case basis**.
- Accordingly, the procedure to request the exemption from RIA should also be formalized (e.g. written request by the ministry; written derogation by the Prime Minister’s Office (IDU) in coordination with the Legislative Opinion Bureau.
- A RIA-exempted initiative should be made subject to **subsequent analysis** after a given standard deadline, which conditions its legal effects (sunset clause).

I.3.2. Differentiating between Basic RIA and In-depth RIA

Once you know that your initiative is not being exempted from RIA, you have to ensure that the type and depth of your analysis is appropriate and proportionate. To that end, you need to apply a **multi-criteria “filtering test”**, which will lead you to two possible scenarios:

- **The Basic RIA:** Also called “Light RIA”, this is the minimum-required, standard analysis, which you need to carry out. It should lead to a high-level overview of the identified problem and explore the main implications of the proposed intervention. Its main role is to facilitate the decision whether or not to intervene, and to **avoid regulatory failure** errors or omissions in the justification and rationale for proposed interventions. When carrying out this analysis, you should organise some level of consultation with relevant stakeholders and affected groups, including other government departments, in order to assess and further develop the assessment of the pros and cons associated with each option. Expected impacts (costs, benefits and risks associated with each option) should be expressed at least in qualitative terms.
- **The In-depth RIA:** This is a more detailed assessment of several relevant options, looking at the social and economic costs and benefits of each option, and the risks associated with each option, based on information obtained during the initial consultation process and other information-gathering and analytic techniques (including, but not limited to, economic analysis). In an In-depth RIA you should seek to quantify and monetizing impacts as much as possible. Because it requires additional time, resources and expertise, such assessment should be kept to a workable minimum, where they are most relevant and needed.

How to determine the type of RIA

To determine whether to opt for a Basic RIA or a In-depth RIA, you must **answer all the questions included in the RIA Targeting Checklist – see Annex A.I.1.**

Broadly speaking, you must consider

- the political salience of the initiative;
- the level of controversy of the issue among the public; and
- the scale of the expected impacts

You have to carry out an In-depth RIA if **at least three** of your answers meet that criterion. Should one of the questions from 3-8 meet the In-depth RIA threshold indicated, you should particularly focus on **that type of impact** in your analysis.

***Note:** The tailoring of RIA efforts is not mechanical. Besides being agreed internally within your ministry, there should be margins for discussion with the Prime Minister’s Office (IDU) in coordination with the LOB about the opportunity to opt from one type of RIA or the other. In many cases, informal dialogues with Regulatory Oversight Bodies such as [the IDU] and LOB will provide a very efficient short-cut to determining the tailoring of RIA efforts. The contribution of external stakeholders and experts in this respect is also critical.*

Annex A.I.2. informs you on the type of analysis that you must deliver in a Basic and an In-depth RIA.

ANNEXES to Part I. Regulatory Impact Assessment (RIA)

A.I.1. RIA Targeting Checklist

You must fill this checklist once you have established that your initiative must be accompanied by a RIA and there is no exemption. Only one answer is allowed per each question.

Ministry / Agency	Title of the Proposal	Date	
Contact details (email, telephone)		Low	Medium / High
•			
1. Public controversy: extent to which positions of relevant stakeholders are particularly conflictual about the issue. <i>Basic:</i> The initiative is expected to cause minimal controversy but is generally supported by all key stakeholder groups, including lobby groups <i>In-depth:</i> The initiative is expected to cause significant controversy, is opposed by most stakeholders, or faces large opposition		☐	☐
2. Financial impacts: change in the revenues and expenditures in the Government budget (Treasury), in the current and following two fiscal years. <i>Basic:</i> Less than JOD 150m / year <i>In-depth:</i> More than JOD 150m / year		☐	☐
3. Direct compliance costs for the affected business sector: immediate administrative or implementation costs incurred to comply with the possible legal requirements. <i>Basic:</i> Less than JOD 300m / year <i>In-depth:</i> More than JOD 300m / year		☐	☐
4. Number of businesses potentially affected: expressed in overall businesses and as Small- and Medium-sized Enterprises (SMEs). <i>Basic:</i> Less than 5,000 (overall) / less than 1,000 SMEs <i>In-depth:</i> More than 5,000 (overall) / more than 1,000 SMEs		☐	☐
5. Market competition: introduction of market entry barriers, monopolistic structures, price controls, or obstacles to innovation. <i>Basic:</i> No <i>In-depth:</i> Yes		☐	☐
6. Social impacts: risk of disproportionate adverse effects on specific groups in society. <i>Basic:</i> The initiative does not differentiate between vulnerable groups on the basis of age, income, disabilities, gender <i>In-depth:</i> The initiative directly results from a dedicated Government strategy or action plan on vulnerable groups, including gender equality		☐	☐

7. Environmental impacts: risk of deterioration of air, soil, waters, biodiversity and use of natural resources. • <u>Basic:</u> <i>The initiative does not create significant impacts on the environment</i> • <u>In-depth:</u> <i>The initiative may cause irreversible degradation of the environment / results from a dedicated Government strategy or action plan</i>	☐	☐
TOTAL (summarize number of “ticks” in the two columns to determine the level of analysis required)		

A.I.2. Minimum analytical requirements

Section of the RIA Template	Basic RIA	In-depth RIA
General information on the initiative	Mandatory	
Accreditation ("sign-off")	Mandatory	
Problem definition		
Description of the problem	<i>in general qualitative</i>	IN DETAIL QUANTITATIVE
"No-action option" (baseline scenario)	<i>in general qualitative</i>	IN DETAIL QUANTITATIVE
Policy Objectives		
S.M.A.R.T. formulation	KPIs, targets	
(Preferred) Option description		
General description	IN DETAIL	
Impact characterisation and valuation		
Economic impacts on business and consumers	QUANTITATIVE	QUANTITATIVE
Social impacts (incl. health, gender)	<i>qualitative</i>	QUANTITATIVE
Environmental impacts	<i>qualitative</i>	QUANTITATIVE
Financial impacts on State budget	QUANT	QUANTITATIVE
Distributive impacts	<i>qualitative</i>	QUANTITATIVE
Alternative Options descriptions		
General description		At least one non-reg. alternative
Economic impacts on business and consumers		QUANTITATIVE
Social impacts (incl. health, gender)		QUANTITATIVE
Environmental impacts		QUANTITATIVE
Financial impacts on State budget		QUANTITATIVE
Distributive impacts		QUANTITATIVE
Option comparison and recommendation		
Methodological description (CBA, CAE, MCA)		IN DETAIL
Findings		QUANTITATIVE
Monitoring and Evaluation		
Implementation arrangements	<i>in general</i>	IN DETAIL
Monitoring activities and responsibilities	<i>optional</i>	IN DETAIL
Public consultation		
Description of the process	<i>in general</i>	IN DETAIL
Summary of the inputs received and their consideration	<i>in general</i>	IN DETAIL

PART II. SOCIAL AND ENVIRONMENTAL IMPACT ASSESSMENT

What you find in this Part:

II.1. Catalogue of impacts

II.2. Distributional impacts

II.3. Impact valuation

Relevant annexes

[Introductory remarks to this Part]

The 2020 Manual covers the most important elements of impact characterisation and assessment (see pp.22ff of the English version). This Part II. of the report roughly reflects the same structure of the 2020 Manual, placing additional emphasis on the social and environmental nature of regulatory impacts. The inputs provided in this Part II. can therefore be inserted in the related sections of the Manual.]

II.1. Catalogue of impacts

[The 2020 Manual correctly indicates that the first step in assessing the impacts is to proceed to their characterisation – along the following axes:

- The impact dimensions – economic, social and environmental impacts;*
- The nature of the impacts – positive (benefits), negative (costs) and distributional impacts;*
- The emergence of impact along the result chain (intervention logic) – direct and indirect (second-order) impacts, and impacts over time.*

The tables in Annex A.II.1. of this report complement the list of the most important social and environmental impacts outlined in the 2020 Manual (pp.24-25 of the English version) with relevant operational questions that help determine whether such impacts are likely to emerge from the option considered.]

Note: Extensive lists of related impacts can be also consulted in the **European Commission Toolbox #18 “Identification of Impacts”**, at https://ec.europa.eu/info/sites/default/files/br_toolbox-nov_2021_en_0.pdf.

II.2. Distributional impacts

When carrying out social impact assessments, it is often opportune to consider granular distribution of both costs and benefits among specific groups in society. Accordingly, you should collect and consider disaggregated data concerning potential impacts on fundamental rights, such as social and gender inclusion and equality, as well as the protection of vulnerable persons in society.

Disaggregated analysis can help you identify or look for alternative perspective to the problem you are investigating, and consider mitigating / complementary measures to minimise potentially negative impacts on specific societal groups generated by the option.

Concretely, this means ascertaining whether the proposed option is likely to create (or fails to mitigate) situations in which some parts of society experience inequalities based on gender or sexual orientation, ethnic and racial origins, religion or belief, disability, age, etc.

Box II.1. Navigating through social distributional impacts in RIA: Key questions

Is the option going to have (directly or indirectly) a different impact on persons of different gender, age, or health status? Is this a desired outcome or is it an unintended consequence? How?

Is the option going to promote equality between persons of different gender, age, or health status? Why? How?

Is the option going to contribute to combating discrimination of specific groups such as people with a minority ethnic background, religious communities, LGBTIQ people, children, older people, or person with a disability?

Income distribution, social protection and inclusion can be addressed also by investigating subordinate questions, such as:

- Is the option going to affect people/households' level of income or wealth, income distribution, or risk of poverty?*
- Is the option going to affect the access to and quality of social protection benefits, including social services of general interest, particularly for those subject to social exclusion and from disadvantaged background?*
- Is the option going to affect the access to and quality of basic goods and essential services, including education, particularly for those subject to social exclusion and from disadvantaged background?*

*Source: Adapted from the **European Commission Better Regulation Toolbox**, “**Tool #29. Fundamental Rights, Including the Promotion of Equality**”, and “**Tool #30. Employment, Working Conditions, Income Distribution, Social Protection and Inclusion**”, at: https://ec.europa.eu/info/sites/default/files/br_toolbox-nov_2021_en_0.pdf.*

*Additional guidance can be retrieved from the **International Association for Impact Assessment (IAIA)**, **Social Impact Assessment: Guidance for assessing and managing the social impacts of projects**, IAIA, 2015, at www.iaia.org/uploads/pdf/SIA_Guidance_Document_IAIA.pdf.*

II.3. Impact valuation

When performing a Basic RIA, you are not required to fully quantify and monetize distributional, social and environmental impacts. You should strive to do so when carrying out an In-depth RIA (see Annex A.I.2 above).

However, this does not exempt you from clearly identifying those impacts (with the support of the impact catalogue questions in Annex A.II.1) and express a qualitative assessment. Indicating the source of your estimate is important to ensure review and replication of the assessment. The following table – with some examples added – helps you organise such an assessment.

Figure II.1. Qualitative assessment grid with examples

Type of impact	Main social group or environmental element affected	Type of impact: positive / negative (description)	Qualitative valuation (High / Medium / Low)	Source
Example 1: Environment, water	Waters of the Yarmuk River basin	Negative (expected contamination by bio-cumulative hazardous substances)	Medium	University of Jordan-Aqaba study (2021)
Example 2: Gender, discrimination	Young women in rural regions of the country	Positive (expected increase in access to education)	High	Ministry of Education database, UNICEF study (2021)
...				

While economic costs and benefits might be relatively easy to quantify and monetise, the same is not necessarily true for distributional, social and environmental impacts. The main reasons for such difficulty are that (a) such impacts are typically more diffused and affect categories of stakeholders, groups in society or overall interests more diffusely; and (b) there are no explicit “markets” for such impacts, therefore no direct prices can be observed. As a consequence, these impacts are, by their nature, more complex and time consuming to estimate

The quantification challenge – Distributional, social and environmental impacts are typically less easy to express in monetary terms than economic impacts. Think of an air pollution mitigating regulation. Knowing the price and the operating costs for industry to install and maintain emission filters is easier than monetising their positive impact on the environment (cleaner air) and people (healthier conditions). Yet, monetisation is not impossible!

In practice, you need to find alternative ways other than market prices to obtain an estimate of the expected (correct) monetary value of the impact considered. Such alternative ways are called “**shadow prices**” and can be drawn either directly (implementing related valuation methodologies) or indirectly (by plugging values estimated in reliable literature in the analysis).

For example, when attempting to monetize the benefits associated with a policy change leading to a lower number of deaths on the road, or to a better air quality in the city (or, vice-versa, the costs associated with a worsening in air quality), you can revert to the following main approaches or metrics:

- **Revealed preferences**, i.e., information is drawn from the people’s preferences “revealed” by their behaviour or consumption. Examples are
 - **Travel Cost Method**: the costs / time involved in consumption of non-market good or service (e.g. time taken to get to a beach to infer the value)
 - **Hedonic pricing**: estimate of the value for a good or service from a related market (e.g. wages reveal the compensation for a ‘riskier’ job)
 - **Defensive expenditure**: this is undertaken by people to protect themselves from consumption of non-market good or service (e.g. the purchase of safety equipment to reduce risks reveals the significance of that risk);
- **Stated preferences**, through surveys and questionnaires, result from direct indication of
 - the **Willingness to Pay** (WTP: money an individual would give up to receive a good); or
 - the **Willingness to Accept** (WTA: money an individual would be willing to be compensated for forgoing a good)
- the estimated **Value of a Statistical Life (VSL)**, which refers to the “price” people are willing to pay to avoid the risk of a fatality, or the compensation they are willing to accept to incur in the risk of that fatality. The VSL in Jordan is estimated at JOD 360,000; or
- the **Quality (or Disability) Adjusted Life Years (QALY or DALY, respectively)**, which combine longevity and quality of life estimates before and after medical or surgical treatment.³

Note: For ways to quantify health and environmental benefits in risk regulation, see for instance

- *The European Commission Better Regulation Toolbox, “Tool #32 Health Impacts”, “Tool #36 Environmental Impacts”, and “Tool #57.5 Non-market benefits”, at https://ec.europa.eu/info/sites/default/files/br_toolbox-nov_2021_en_0.pdf;*
- *the Guidelines on preparing Economic Analysis issues by the US Environmental Protection Agency (2014), at <https://www.epa.gov/environmental-economics/guidelines-preparing-economic-analyses>;*

³ For recent QALY and DALY methods and values by the World Health Organisation, see https://cdn.who.int/media/docs/default-source/gho-documents/global-health-estimates/ghe2019_daly-methods.pdf?sfvrsn=31b25009_7.

- the **Guidelines for Benefit-Cost Analysis by Harvard University**, at <https://sites.sph.harvard.edu/bcaguidelines/>.

ANNEXES to Part II. Economic, Social and Environmental Impact Assessment

A.II.1. Economic, social and environmental impact catalogue⁴

Economic impacts	Relevant operational questions
Trade, investment flows, and competitiveness	• How will the option affect exports and imports out of and into Jordan? Will imported products be treated differently to domestic goods? • How will investment flows be affected and the trade in services? • Will the option give rise to trade, customs or other non-trade barriers? • Will the option affect regulatory convergence with third countries? Have international standards and common regulatory approaches been considered? • What impact does the option have on the cost of doing business which includes the costs of intermediate inputs (e.g. energy) and production related factors such as labour and capital? • What impact does the option have on business' capacity to innovate i.e. its ability to produce more/higher quality products and services that meet customers' expectations? • What impact does the policy option have on business' market share and comparative advantages in an international context (e.g. imports, exports, investment flows, trade barriers, regulatory convergence, etc.)?
Operating costs and conduct of business	• Will it impose additional adjustment, compliance or transaction costs on businesses? • How does the option affect the cost or availability of essential inputs (raw materials, machinery, labor, energy, etc.)? • Does it affect access to finance? • Does it impact on the investment cycle? • Will it entail the withdrawal of certain products from the market? Is the marketing of products limited or prohibited? • Will it entail stricter regulation of the conduct of a particular business? • Will it lead to new or the closing down of businesses? • Are some products or businesses treated differently from others in a comparable situation?
Administrative burdens on businesses and public authorities / general budget	• Does it affect the nature of information obligations placed on businesses (for example, the type of data required, reporting frequency, the complexity of submission process), or on public authorities (e.g. enforcing institutions)? • Does the option have budgetary consequences for public authorities at different levels of government (national, regional, local) in terms of revenue and expenses, both immediately and in the long run? • Does it bring additional governmental administrative burden? • Does the option require the creation of new or restructuring of existing public authorities?
Innovation and research	• Does the option stimulate or hinder research and development? • Does it facilitate the introduction and dissemination of new production methods, technologies and products? • Does it affect the protection and enforcement of intellectual property rights (patents, trademarks, copyright, other know-how rights)? • Does it promote or limit academic or industrial research?

⁴ Adapted from the *European Commission Toolbox, "Tool #18 Identification of Impacts"*, at: https://ec.europa.eu/info/sites/default/files/br_toolbox-nov_2021_en_0.pdf.

	• Does it promote greater productivity/resource efficiency?
Consumer welfare and households	• Does the option affect the prices consumers pay for goods and services? • Does it have an impact on the quality or safety of the goods/services consumers receive? • Does it affect consumer choice, trust or protection? • Does it affect the level of consumer information? • Does it have an impact on the availability or sustainability of consumer goods and services?
Geographical impacts (urban, rural regions)	• Does the option have significant effects on certain sectors? • Will it have a specific impact on certain regions, for instance in terms of jobs created or lost? • Is there a region or sector which is disproportionately affected compared to other regions or sectors?
Macroeconomic environment	• Does it have overall consequences on economic growth and employment? • How does the option contribute to improving the conditions for investment and the proper functioning of markets? • Does the option have direct impacts on macro-economic stabilization?

Social impacts	Relevant operational questions
Employment and labor markets	• To what extent are new jobs created or lost? • Are jobs created or lost in specific sectors, professions, regions or specific social and or age groups? • Are there significant indirect effects which might affect employment levels? • Are there factors that would further prevent or enhance the potential to create jobs or prevent job losses?
Work quality and occupational safety	• Does the option affect wages or wage setting mechanisms or labor costs? • Does the option affect employment protection, particularly the quality of work contracts, risk of undeclared work or false self-employment? • Does the option affect work organization? • Does the option affect occupational health and safety, working conditions or the effective exercise of labor standards? • Does the option affect social dialogue? • Does the option affect access to vocational training and career development advice?
Social cohesion and social inclusion, protection and equality	• Will the option have an impact on inequalities and the distribution of incomes and wealth in Jordan as a whole or in specific regions? • Will the option change the number of workers with insufficient income? • Does the option impact on poverty rates, severe material deprivation and access/quality of social protection schemes? • Will the affordability of basic goods and services be affected, particularly for those subject to social exclusion and from disadvantaged background?
Access to (and effects on) social protection, health and educational systems	• Does the option have an impact on social protection, health and educational services in terms of quality/access for all? • Does the option affect the access of individuals to public/private education or vocational and continuing training? • Does the option affect the level of education and training outcomes? • Does the option affect the financing and organization of social protection, health and educational services? • Does it affect universities and academic freedom / self-governance?
Public health and safety	• Does the option affect the health and safety of individuals/populations, including life expectancy, mortality and morbidity, through impacts on the socio-economic environment (working environment, income, education, occupation, nutrition)? • Does the option increase or decrease the likelihood of health risks due to substances harmful to the natural environment?

	• Does it affect health due to changes in the amount of noise, air, water or soil quality? • Will it affect health due to changes in energy use and/or waste disposal? • Does the option affect lifestyle-related determinants of health such as diet, physical activity or use of tobacco, alcohol, or drugs? • Are there specific effects on particular risk groups (determined by age, gender, disability, social group, mobility, region, etc.)?
Crime, security and terrorism	• Does the option improve or hinder security, or impact on crime or terrorism risks? • Does the option affect the criminal's chances of detection or his/her potential gain from the crime? • Is the option likely to increase the number of criminal acts? Does it have an impact on a specific type of crime (money laundering, corruption, illicit production and trafficking, cybercrime, etc.)? Will it divert people away from/ or prevent crime? • Does it affect law enforcement capacity to address criminal activity? • Will it have an impact on security interests? • Does it affect the victims of crime and witnesses or their rights?
Governance, participation, good administration and rule of law	• Does the option affect the involvement of stakeholders in issues of governance? • Are all actors and stakeholders treated on an equal footing, with due respect for their diversity? Does the option impact on cultural and linguistic diversity? • Does it affect the autonomy of the social partners in the areas for which they are competent? Does it, for example, affect the right of collective bargaining at any level or the right to take collective action? • Does the implementation of the proposed measures affect public institutions and administrations, for example in regard to their responsibilities? • Does the option make the public better informed about a particular issue? Does it affect the public's access to information? • Does the option affect political parties or civic organizations?
Culture	• Does the proposal have an impact on the preservation of cultural heritage? • Does the proposal have an impact on cultural diversity? • Does the proposal have an impact on citizens' participation in cultural manifestations, or their access to cultural resources?

Environmental impacts	Relevant operational questions
Air quality and climate	• Does the option affect the emission of greenhouse gases (e.g. carbon dioxide, methane, nitrous oxide, etc.) into the atmosphere? • Does the option affect the emission of ozone-depleting substances? • Does the option have an effect on emissions of acidifying, photochemical or harmful air pollutants that might affect human health, damage crops or buildings or lead to deterioration of the environment (soil or rivers etc.)?
Water quality and resources	• Does the option decrease or increase the quality or quantity of freshwater and groundwater? • Does it raise or lower the quality of waters in coastal and marine areas (e.g. through discharges of sewage, nutrients, oil, heavy metals, and other pollutants)? • Does it affect drinking water resources?
Soil quality	• Does the option affect the acidification, contamination or salinity of soil, and soil erosion rates? • Does it lead to loss of available soil (e.g. through building or construction works) or increase the amount of usable soil (e.g. through land decontamination)?
Renewable and non-renewable resources	• Does the option affect the use of renewable resources (fish etc.) and lead to their use being faster than they can regenerate? • Does it reduce or increase use of non-renewable resources (groundwater, minerals etc.)?

Biodiversity	• Does the option reduce the number of species/varieties/races in any area (i.e. reduce biological diversity) or increase the range of species (e.g. by promoting conservation)? • Does it affect protected or endangered species or their habitats or ecologically sensitive areas? • Does it split the landscape into smaller areas or in other ways affect migration routes, ecological corridors or buffer zones? • Does the option affect the scenic value of protected landscape?
Animal welfare	• Does the option have an impact on health of animals? • Does the option affect animal welfare (i.e. humane treatment of animals)? • Does the option affect the safety of food and feed?
Land use	• Does the option have the effect of bringing new areas of land ('Greenfields') into use for the first time? • Does it affect land designated as sensitive for ecological reasons? Does it lead to a change in land use (for example, the divide between rural and urban, or change in type of agriculture)?
Waste production / generation / recycling	• Does the option affect waste production (solid, urban, agricultural, industrial, mining, radioactive or toxic waste) or how waste is treated, disposed of or recycled?
Sustainable consumption and production	• Does the option lead to more sustainable production and consumption? • Does the option change the relative prices of environmental friendly and unfriendly products? • Does the option promote or restrict environmentally un/friendly goods and services through changes in the rules on capital investments, loans, insurance services etc.? • Will it lead to businesses becoming more or less polluting through changes in the way in which they operate?
Transport and the use of energy	• Does the option affect the energy intensity of the economy? • Does the option affect the fuel mix (between coal, gas, nuclear, renewables etc.) used in energy production? • Will it increase or decrease the demand for transport (passenger or freight), or influence its modal split? • Does it increase or decrease vehicle emissions? • Will the option increase/decrease energy and fuel needs/consumption?
The likelihood or scale of environmental risks	• Does the option affect the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions?
Distributional impacts	• Several of the impact categories listed in the tables above and the related questions relate to the distributional nature that such impacts may have.

PART III. EX POST EVALUATION OF LEGISLATION

What you find in this Part:

- II.4. A short introduction to evaluation as a tool to improve regulatory quality and transparency.
- II.5. The draft Template of the Evaluation Report.
- II.6. A synopsis illustrating the evaluation process and its steps.
- II.7. Practical guidance on identifying what should be evaluated.
- II.8. and II.6. Practical guidance on determining what the evaluation should look for and address.
- II.9. Practical guidance on consultation and reporting.
- Related Annexes.

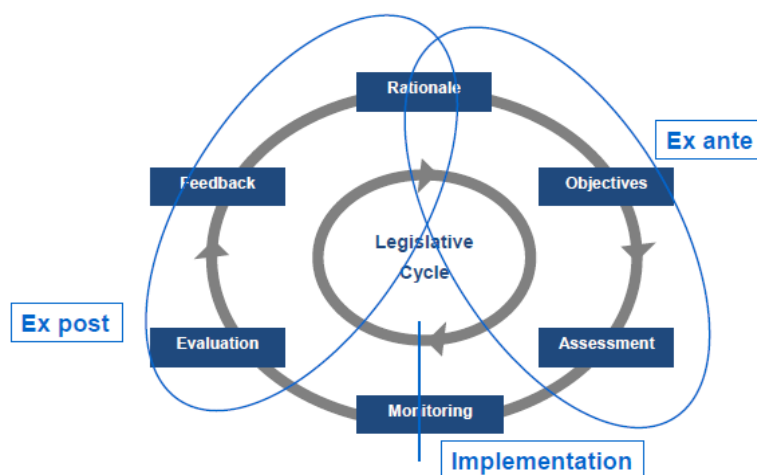
III.1. What is ex post evaluation

Ex post evaluation of legislation refers to the **systematic and thorough review of legal instruments** that have been adopted by government – normally (but not exclusively) covering their **appropriateness (relevance), effectiveness and / or efficiency**. Evaluations therefore establish a factual and objective overview of the current state of play of a government intervention. They are also carried out to check compliance with regulatory and administrative requirements.

“Legal instrument” refers here to the **object of the evaluation**. It may be a law, secondary regulation (a ministerial decree etc.), or legal

Evaluation is called “ex post”⁵ because it takes place **after the adoption** of the government intervention. It usually takes place a certain time after adoption in order to allow for proper implementation, compliance and enforcement of the legislation (see Figure III.1.).⁶

Figure III.1. Situating ex post evaluation in the legislative cycle



Source: Elaborated by the author.

⁵ Regulatory Impact Assessment (RIA) is by contrast often referred to as “ex ante” assessment, to indicate that that analysis is carried out *before* the intervention is adopted. RIA covers the preparatory and elaboration stages of the legislative cycle.

⁶ Figure III.1. shows that evaluation differs from pure **monitoring**, although the latter is an important precondition for evaluation. While evaluation provides a snapshot analysis at a given point in time, monitoring is the continuous process that tracks what is happening during the policy implementation on an ongoing basis.

There are, therefore, important linkages between ex post evaluation and ex ante RIA – as well as some relevant conceptual differences:

- On the one hand, evaluation and RIA support each other. An evaluation can validate the chain of expected changes produced by the legal instrument (the so-called intervention logic), which was in principle originally defined in the RIA. By indicating whether and where bottlenecks have emerged along that chain, the evaluation significantly contributes to defining the context within which future actions have to be elaborated – i.e., the problem definition step in the subsequent RIA analysis, if the Government decides that a new regulatory initiative needs to be launched.
- On the other hand, evaluation and RIA place different “objects” at the center of their analyses. Occurring before the adoption of the government measure, RIA starts by understanding whether there is a *problem or issue that requires intervention* and follows on to identify the most appropriate solution. Ex post evaluation, by contrast, considers the *existing solution* (a legal instrument already in force) as its starting point and investigates whether there are problems with that instrument in terms of implementation, effectiveness, relevance etc.

Evaluation helps you to

- Establish whether there has been timely, fully and correct implementation;
- Identify what short and long-term have occurred from the implementation, affecting whom, how and why; and
- Assess whether the original objectives of the legal instrument have been achieved and at what cost.

There are many benefits for government from carrying out evaluations, including: enhancing evidence-based decision-making; promoting participation; prioritizing planning and rationalizing resources; stimulating policy integration and, more generally, increasing government effectiveness, proportionality, credibility and legitimacy. The added value to regulatory quality from developing a structured evaluation system increases if evaluations are implemented consistently and embedded in the regulatory governance.

Box III.1. Types of Ex post evaluation

You may decide to carry out **three different types** of evaluations, depending on your needs and resources, as well as the overall purpose of the evaluation exercise. The three types are sequential and of increasing complexity:

- **Process evaluation** – This type of evaluation seeks to assess whether a law/regulation administratively and procedurally is being implemented as foreseen. It investigates the extent to which the implementation process is unfolding correctly or not; and why. It is about identifying and understanding the factors that have helped or hindered implementation.
- **Performance evaluation** – This type of evaluation provides a description of the relationship between the legal instrument (the intervention) and the effects that it generates. The latter may be the immediate consequences (e.g. steps that stakeholders have undertaken to comply with a regulatory requirement) and assessing the economic and social consequences of such steps). To that end, it is important to first draw up the so-called “intervention logic” (see Section III.5. below).
- **Impact evaluation** – This type of evaluation comes at a later stage in the analysis. It rests on the findings of the Performance evaluation (i.e. the verification of the emergence of some changes occurred after the implementation of the legal instrument, and checks whether the stated (higher level) objectives were achieved. If possible, it also checks the extent to which those impacts can be attributed to the examined legal instrument and not to some other causes. It also rests on the intervention logic model.

Note that these types of evaluation are sequential. This means that you need to first carry out a “Process evaluation” before embarking in a “Performance evaluation”, and in turn the latter is a precondition to the launch an “Impact evaluation”. The Process evaluation cannot determine whether the legal instrument met its intended objectives – that can only be achieved using a performance and impact evaluations.

Nevertheless, ascertaining the levels of implementation and compliance must be the first step: if that assessment shows that the law or regulation has not been implemented, this means that the expected impact (i.e. intended overarching objectives) are unlikely to occur. Even if the assessment may identify some positive changes at the impact level, if implementation did not occur such positive changes were most likely realized from factors other than by the law or regulation which is subject of the assessment.

Note also that ex post evaluation may well vary in scope and depth of the analysis. The choice whether to keep an evaluation short and relatively “light” is made on a case-by-case basis, and may depend on several considerations, including:

- the acknowledgment, upon the initial checking, that the **legal instrument has not been implemented, or only partially or wrongly**. This “forces” the evaluator to limit its considerations to the implementation process; or
- evaluators may nonetheless keep their evaluation confined to specific elements, even if implementation has occurred and the legal instrument has produced effects. In this case, it is the ministry or the Government that **determines a priori the scope of the evaluation**, for instance by requesting
 - an appraisal of the implementation process, only – possibly by considering narrow metrics such as administrative burden on businesses, or the legality and proportionality of licensing requirements;
 - the analysis of a specific type of impact, only (e.g. the effects of the legal instrument on foreign investment; on high-tech SMEs growth; or on the promotion of gender equality).

For more information on the **screening and evaluation of licensing** legal provisions and the related procedures, see **Annex A.III.3** attached to this report.

As to the decision on which legal instrument should be subject to an ex post evaluation (the reasons for such a decision and who is expected to take it), see Section III.4.1. below.

III.2. The Ex post evaluation Report Template

Note: The type of information and evidence that to be included in the report varies from one evaluation to the other, depending on the type of evaluation and the nature of the evaluation questions that you set out to investigate. For this reason, filling the template should not be your first priority when designing and conducting an evaluation. Once it is decided what legal instrument should be evaluated, your starting point should be the elaboration of the “intervention logic” and its application to the evaluation, as outlined in Sections III.5. and III.6. below (in case, follow the example in Annex A.III.1 for inspiration.)

As much as possible and when available, you should rely on information outlined in the ex ante Regulatory Impact Assessment (RIA), both as a starting point of the design of the evaluation exercise and as the expected baseline against which to benchmark the actual situation captured by your findings.

Ministry / Agency	Title of the Evaluation	
Contact details (email, telephone)		Date
This report satisfactorily meets evaluation quality standards. Signature		
EXECUTIVE SUMMARY		
Use plain language to summarise the scope, purpose and key findings of the evaluation, and the recommendations. Add graphs, tables and visuals (if possible). Proposed length: 1-2 pages.		
A. INTRODUCTION		
A.1. Selection of the legal instrument Identify the legal instrument and describe the reasons why it is selected for evaluation. (Cfr. Section III.4.1.) <u>Administrative information</u> - Title of the legal instrument / Reference to the Official Gazette - Type of legal instrument - Related implementing regulations (if at all) <u>Selection information</u> - Does the legal instrument fall under a government / ministerial programme for evaluation? - If not, why has it been selected?		
A.2. Policy context Describes the purpose of the legal instrument and how it fits in the wider policy framework. If available, the original RIA may provide valuable inputs. - What issues did the legal instrument seek to address? - Which parts of the population was the legal instrument expected to affect? - Are there any parts of the population affected (directly or indirectly) by the legal instrument other than those that were initially expected? - What other government interventions have been implemented since the adoption of the legal instrument, which may affect the original objectives? - Have the framework conditions changed since the adoption of the legal instrument?		
B. GOALS AND SCOPE OF THE EVALUATION		
Present the purpose of the evaluation, what it is expected to deliver. (Cfr. Section III.4.2.) - What are the main objectives pursued by the evaluation? - What type of evaluation is conducted (e.g. process / performance / impact evaluation)? - What evaluation criteria does it investigate (e.g. compliance, impact; effectiveness; efficiency, etc.)? - What are the explicit evaluation questions that the evaluation sets out to answer? - What period does the evaluation cover?		

C. EVALUATION DESIGN
C.1. Intervention logic Describe the chain of results (from inputs to impacts) that forms the basis of the evaluation work, showing the intended logic from the Government intervention to the expected changes and the final expected results. You can also provide a visual illustration of your model. (Cfr. Sections III.5. and III.6.) • What are the expected steps, in the result chain, that structure the logical change in behaviour and move the intervention from implementation to outputs, outcomes and final impacts? • What are the causal relationships that explain the shift from one step to the next in your intervention logic?
C.2. Methodology This section is the methodological protocol of your evaluation. Report on the approaches, tasks and methods that you followed throughout the exercise to address all evaluation questions. (Cfr. Section III.7.1.) • Which agency is responsible for launching the evaluation? Has the evaluation (or parts thereof) been outsourced to external contractors or other parties? Why? What mandate / Terms of Reference have they been given (please attach the ToR to the report)? How have the process and findings of their work been validated? • What procedural steps have been followed from the inception to the conclusion of the evaluation? • What assumptions underpin the model? How are the assumptions backed by specific evidence? • What stakeholders have been consulted during the evaluation? Why? Through which channels? • What are the data sources used? What data collection methods have been used? • What have been the limitations (if any) that have prevented further necessary analysis?
D. EVALUATION RESULTS
Report the main findings from the evaluation exercise. Underpin your statements with as much (quantitative) evidence as possible. (As noted in Section III.6.1. of the report, it is always possible to implement a "Process Evaluation" but, only when the conditions are appropriate, "Performance" and "Impact Evaluations" are to be carried out.)
D.1. Questions for Process Evaluation • Has the legal instrument been adopted timely and in full? If not, why not? • Have there been difficulties in the implementation process? If yes, which ones? Why? • What elements of the legal instrument have (not) been complied correctly / fully / timely, and why? • Has the legal instrument been adequately enforced? If not, what difficulties have there been? Why? • What has been the cost of implementation of the legal instrument? Could such cost have been minimised?
D.2. Questions for Performance AND for Impact Evaluation • Using data evidence, have intermediate outcomes and, in case, also the strategic objective been met? Have there been any unintended consequences? • How strong is the cause-effect relationship between law enforcement and the results? • What has been the overall cost of achieving the outcomes and impacts? Could such cost have been minimised? • What benefits were generated during the implementation / by achieving the objectives? • How do the findings compare with the anticipated estimates in the related RIA (if available)? • Which are the stakeholders most affected favourably and which ones have been particularly harmed by the legal instrument? • To what extent will outcomes and impacts be expected to continue after the evaluation period? • Are the outcomes / levels of impact in line with the effects of other relevant interventions?
E. CONCLUSIONS AND RECOMMENDATIONS
<i>This part of the report is very important because many readers will only read this part.</i>
E.1. Conclusions The Conclusions are factual, objective and neutral implications, not value-based or normative inferences, drawn from the findings. Present the lessons learned and include a systematic screening of the evidence, indicating which findings match the expectations, which findings are too preliminary to conclude (wait and see) and what does not work. Do not include new details or issues at this stage – all information should always be presented in the analysis section first. • Summary of the findings against the criteria used for the evaluation. Systematic screening of the evidence, indicating which findings match expectations, which findings are too preliminary to conclude (wait and see) and what does not work. • Are there lessons learned for similar or associated policies? • Are there lessons learned in terms of the evaluation process?

E.2. Recommendations

The Recommendations directly follow up with those main elements of the conclusions, which deserve further attention by the ministry / government. They typically point to corrective action. You can present Conclusions and Recommendations jointly, e.g. in a table that highlights also “who should do what and when”, or present them separately, as a stand-alone section.

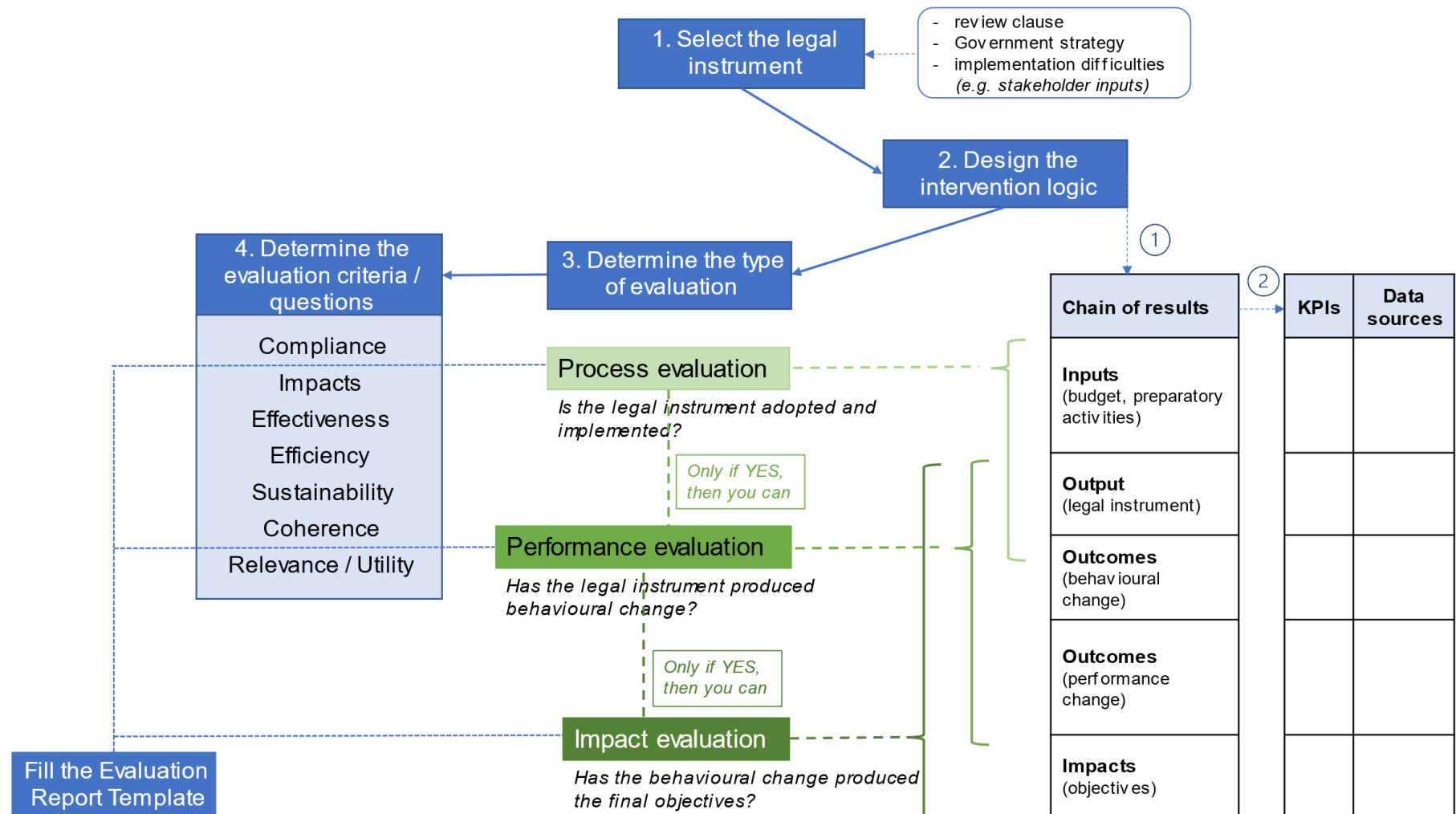
- Recommended action to address each conclusion.
- Indicate the responsible body charged with executing the recommendation, related deadlines and expected outcomes.
- Indicate monitoring mechanisms to ensure compliance with the recommended actions.

TECHNICAL ANNEXES

Attached relevant technical annexes, as appropriate. Such annexes might include (but not be limited to):

- Glossary and explanation of technical terminology
- Data sources and bibliographic references
- Details on the assumptions, limitations and gaps in the methodology and/or evidential basis of the evaluation
- Details on the data collection and validation process
- List of stakeholders consulted, a summary of their inputs, and whether those have been retained or discarded in the evaluation (and why)
- Technical calculations and models
- Maps, charts, graphs, etc.
- Information on the involvement of external experts / consultants that carried out (parts of) the evaluation, including the original Terms of Reference for such external work.

III.3. Ex post evaluation of legislation: Process overview

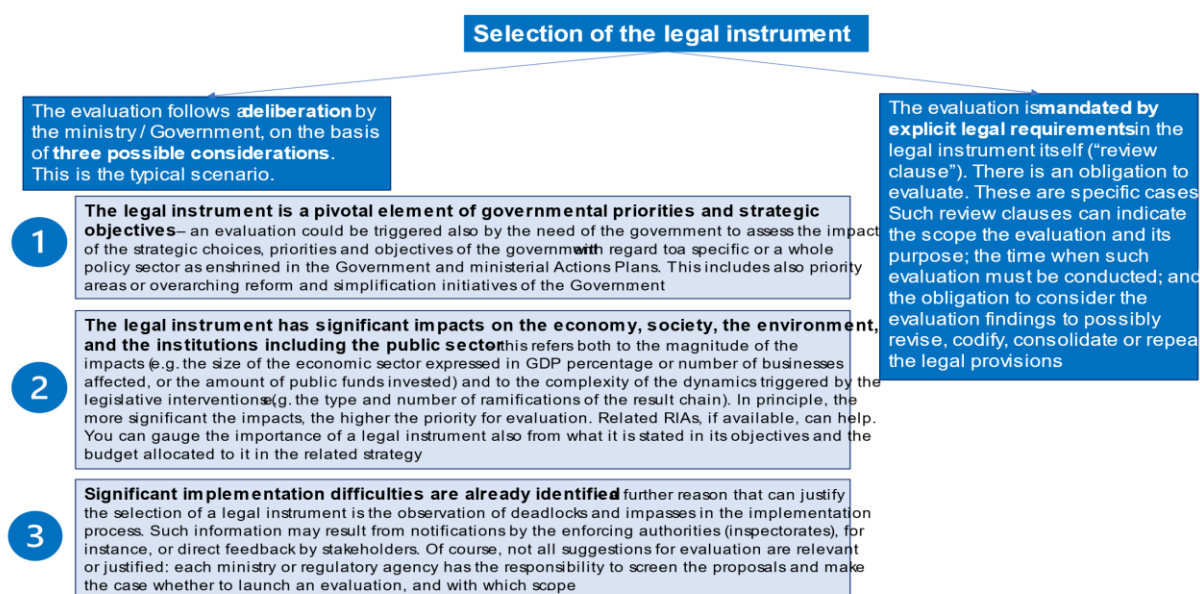


III.4. The rationale for the evaluation

III.4.1. How to select the object of the evaluation (the legal instrument)

In **Section A. of the Report Template** (“Introduction”), you must indicate why you are working on your evaluation; and provide background information on the legal instrument (the “context”). The selection of the legal instrument may be voluntary (by decision of the ministry / Government) mandatory (by law) – see Figure III.2.

Figure III.2. Rationale for the evaluation



Source: Elaborated by the author.

Action: Check the legal instrument that you are considering for evaluation. If it contains review clauses, notify this internally and organise the process according to the Evaluation Plan (see Annex A.III.2). If there are no review clauses, liaise with your superior and relevant colleagues at PMO (IDU) to seek agreement.

III.4.2. How to determine the purpose and scope of the evaluation

In the **Sections B. of the Report Template** (“Goals and scope of the evaluation”), you must indicate both the objectives that your evaluation pursues (the purpose) and the scope that it covers.

- The **purpose** of an evaluation refers to its aims: **“what do I want my evaluation to tell?”**
- The **scope** of an evaluation defines which issues or themes are addressed or taken into consideration during the exercise: **“what do I want my evaluation to cover?”**

The scope refers for instance to the timeframe, specific types of interventions, target groups, types of impacts, funds of interventions and other aspects). It also refers to whether the evaluation should cover an entire law (including its implementing acts); or only selected legal provisions (e.g. individual “articles” of a law); or several laws pertaining to the same policy or thematic area.

There is a trade-off between a larger scope (that includes various legal instruments) – **comprehensiveness** – and resource availability and capacity – **feasibility**, even if such a broad approach serves your purpose better. This because, in particular, the possible scope of an evaluation may range along a continuum from single, well-defined regulatory initiatives with explicit objectives and a limited number of affected regulated parties to wide and complex legal initiatives that are part of overarching policy strategies.

Setting an acceptable / appropriate scope early is therefore critical. It is up to your ministry (which is in charge of the legal instrument) to define the scope of the evaluation, if needed in consultation with the Prime Minister’s Office to ensure coherence between Government evaluation initiatives. There is no silver bullet to determine the interplay between purpose and scope of an evaluation. You can manage it by considering the starting point:

- either the evaluation focuses on “*the impact OF what?*” question, in which case the emphasis is placed on the instruments used to achieve something and the purpose of the evaluation is derived accordingly;
- or the evaluation addresses on “*the impact ON what?*” question, i.e. it is centred around the regulated parties, the end-users or the beneficiaries (including social entities or the environment) of the regulation, from there various relevant instruments are considered as falling within the scope of the exercise.

Note: Within the same legal instrument, more than one evaluation could be carried out if the legal instrument addresses different topics and seeks to achieve different objectives.

Example: A Law on the Execution of Penal Sanctions can contain provisions pertaining to

- the security arrangements of the prisons and the standards for custody and detention of inmates; and
- provisions on the promotion of the social re-integration of inmates upon their release from prison.

These are different objectives set out in the same law and their achievement requires separate implementing processes and the involvement of different types of actors, and which face different challenges. An evaluator should consider evaluating these two aspects separately, although they are integral part of the same legal instrument.

Decisions on the **level of efforts** to invest in a given evaluation must be taken on a case-by-case basis. While you are well placed to provide opinions on the type and depth of the analysis, the decision should be taken jointly by your ministry with the PMO (IDU).

Box III.2. Setting out resources and time for evaluation

In principle, the resources and time allocated, and the work undertaken, should reflect:

- the **requirements in review clauses**, which may set minimum levels of analysis and evaluation;
- the **importance and priority** given to the intervention, e.g. whether the law or regulation is (or was) a priority of a Government strategy, or whether there is a pressing call for review by stakeholders;
- general factors such as the **magnitude and complexity** of the intervention; significance and nature of the expected or observed impacts;
- the emergence of **significant (negative) unintended consequences**. If this has occurred, the role of the intervention in generating such unexpected changes needs to be analysed and understood properly, with a view to draw up mitigating actions.

In conjunction with your top management and the PMO (IDU), you should moreover consider overlaps and synergies with other on-going (evaluation) work to ensure the most cost-effective and relevant execution of their evaluations.

III.5. The rationale for the intervention

Consult this guidance to adequately prepare the **Section C. of the Report Template** (“Evaluation design”).

III.5.1. The “intervention logic” model

Once you have established what you want to evaluate and why (see the previous section), the most critical step is now to determine the original “rationale for intervention”, i.e. **what the legal instrument that you want to evaluate was supposed to do and achieve**.

Any government action (and hence also the law or regulation you are working on) generates changes in behaviour and consequences, which should lead to the desired impact: the mitigation of a societal problem or the achievement of an agreed policy objective. To identify such changes and consequences, it is necessary to draw up the **causal relationships** that link the initial situation analysis (the problem that the law was deemed to address) with the expected sequential outcomes generated by the requirements included in the proposal; and, ultimately, with the final impacts (objectives). Such an analysis is called “**intervention logic**” (or “**result chain**”) model.

A **result chain** establishes the causal logic from the implementation of the legislation, beginning with resources available, to the end, looking at long-term goals. It sets out a logical, plausible outline of how a sequence of inputs, activities, and outputs for which a legislation is directly responsible interacts with behaviour and performance changes to establish pathways through which impacts are achieved (see Box II.3.)

Box III.3. The components of the intervention logic – Some definitions

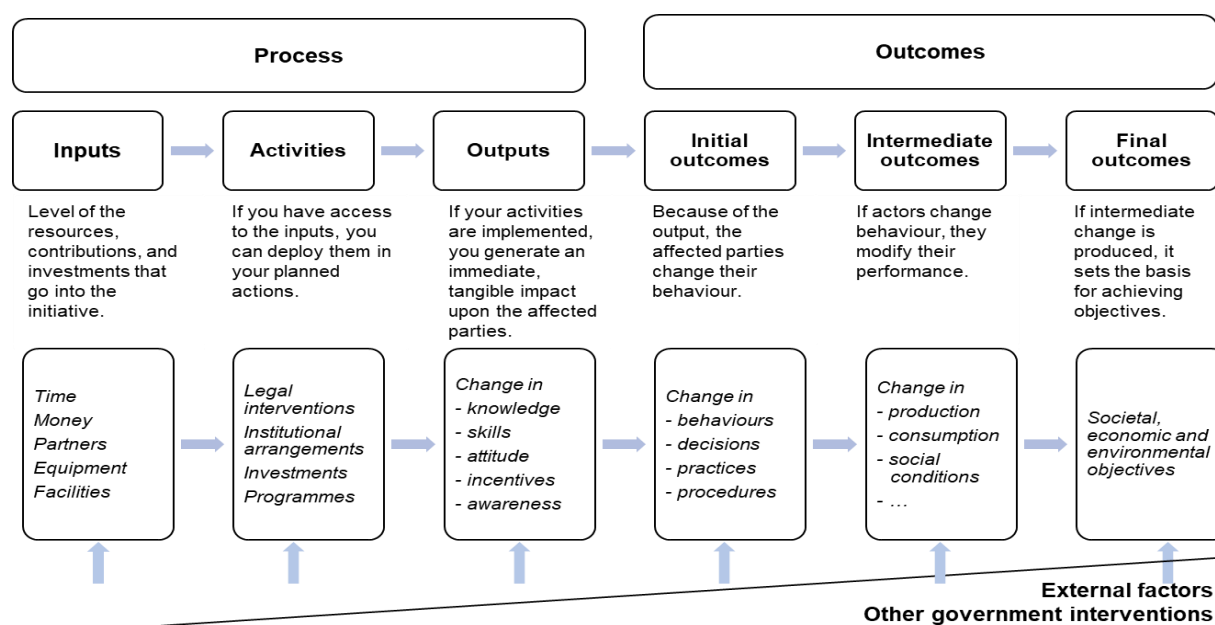
A typical intervention logic spells out the following elements:

- **inputs** are the financial, human, material, time resources being invested for the formal requirements provided for by the legislation;
- **activities** are the tangible interventions resulting from using the inputs. Carrying out the activities ensures that the formal legal requirements are implemented and are enforceable);
- **outputs** encompass the immediate effects that result from the adoption of the formal requirements foreseen by the intervention;
- **outcomes** represent changes in behaviour and in performance in the organisations or among the individuals or groups, which result from the compliance with (and enforcement of) the legal requirements; and
- **Impacts** are the final results achieved, which usually aspire to be positive, stemming from the changes triggered by the materialisation of the outcomes.

Constructing the intervention logic means considering how different actors are expected to react, what actions are expected to be triggered by the intervention, how both actors and actions are expected to interact to deliver the expected changes over time and ultimately achieve the set objectives.

The intervention logic covers the implementation, compliance and enforcement as well as the different effects (i.e. the different level of outcomes) that the proposal is expected to trigger (see Figure III.3. below). It provides a working tool against which to test hypotheses and assumptions about what actions will best produce the envisaged outcomes. It not only shows the “positive” desired dynamics but also helps identify what other scenarios could also have happen (and possibly “gone wrong”).

Figure III.3. The intervention logic model



Source: Elaborated by the author.

Note: If available and carried out correctly, the ex-ante impact assessment (RIA) underpinning the legal intervention that you are evaluating should already clearly indicate the expected intervention logic. You should refer back to the RIA and in that case, you do not need to develop a new intervention logic, but to determine whether the one outlined in the RIA has materialised (or, in case, was poorly designed).

III.5.2. How to develop your intervention logic

1 To develop the chain of results for your intervention you need to explore “*what happens if*” something occurs. Each level along the chain depicts the sequence that must come into being for the next outcome up the chain to be achieved. While the chain or result should be as streamlined as possible, it is important to note that the more we move along the chain, the higher the chances that external factors influence the outcomes. Such factors are less under our control (if at all).

2 **Carefully establish cause-effect relationships** between each link of the chain. During the process of creating a subsequent step and explain the preconditions for it to materialise, you should articulate as many **assumptions** about the change process as you can, so that they can be examined and even tested to determine which ones may be hard to support or unrealistic.

3 You need to **find correspondence** of your assumptions and chain **in evidence**, to corroborate your model.

4 Once the chain is complete, you need to **draw up performance indicators** to express each of the steps of the intervention logic model. Indicators are measurable evidence of meeting a goal. To track the progress towards outcomes, there should be a starting point or a baseline. Indicators helps you “test” your intervention logic, along the following three basic questions: Is your theory 1) *plausible*, 2) *feasible*, and 3) *testable*?

Tips:

- **Modify your perspective** as you move on along the chain, seeking each time to understand how different actors at that particular stage would react given the changed context.
- You can minimise subjectivity and uncertainty if you **rely on stakeholder and expert insights** and drawing from previous policy examples and **international experiences**.

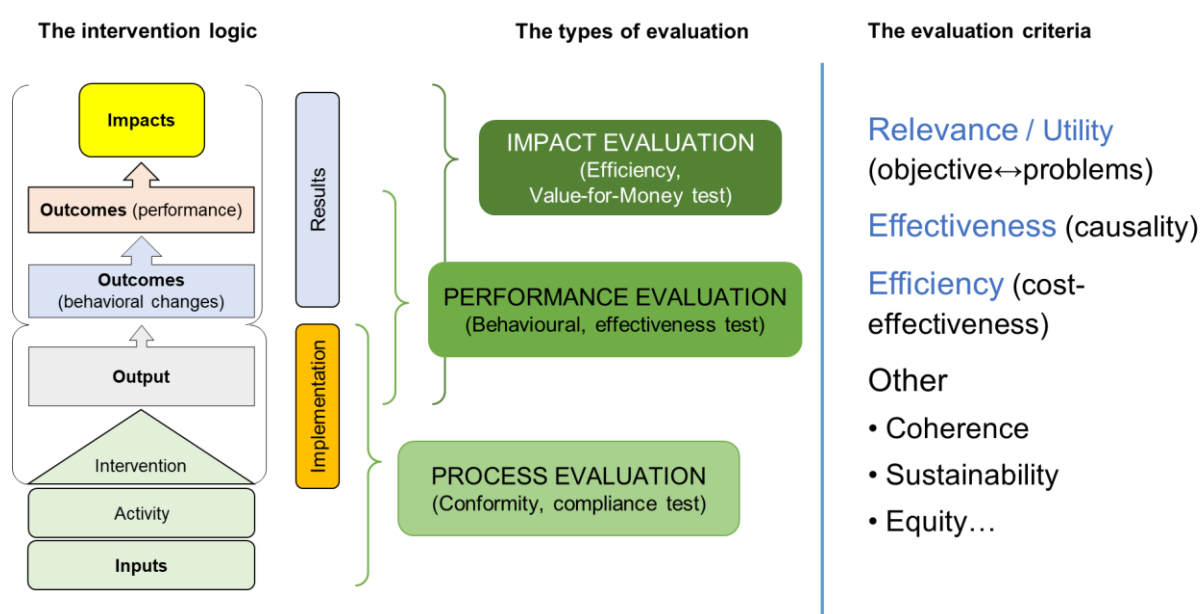
- **Plausibility** refers to the logic of your pathway(s). Does it make sense? Are the outcomes in the right order? Is the previous step actually direct preconditions to the following outcome? Are there big gaps in the logic?
- **Feasibility** refers to how realistic it is that the proposal can achieve your long-term outcome. Are there resources to implement all the interventions you have specified? Do you need to bring in additional partners? Do you need to adjust the scope, expectations or timeline of your model?
- **Testability** refers to how well you have crafted your indicators. Have you identified clear, relevant and measurable indicators that can be evaluated in a timely manner?

The intervention logic not only draws up the expected chain of results that the legal intervention was expected to trigger – it also serves as the conceptual basis for you to determine the design of your evaluation (see Section III.6. below).

III.6. The design of your evaluation

The elaboration of the intervention logic helps to shape the entire evaluation exercise, starting from determining the type of evaluation that should, or can be carried out and the related key evaluation questions. Figure III.4. visualises the segments of the result chain that each type of evaluation typically covers. Each type can in turn be associated various criteria and evaluation questions, as outlined in Section III.6.1. and III.6.2., respectively.

Figure III.4. The intervention logic and the evaluation design: An overview



Source: Elaborated by the author.

III.6.1. How to select the type of evaluation

As introduced in Section II.1. of this report, you may consider carrying out three types of evaluation. While all evaluations should deliver a “process evaluation”, not all of them can include a “performance” or an “impact evaluation”. Box III.4. lists the factors that you must consider when deciding for which type of evaluation to opt.

Box III.4. Selecting the appropriate type of evaluation

Several considerations help you choose the most appropriate evaluation approach:

- **the overall objectives of the evaluation:** this is linked also to the policy demand and the specific research questions it needs to answer, for example, if the evaluation objective is to answer the net effects of the legal instrument then impact evaluation approach should be chosen;
- **the complexity of the intervention logic:** where the logic model is particularly complex, restricting the scope of the evaluation to consider shorter, simpler “links” in the results chain can increase the ability of performance evaluations to provide good evaluation evidence. (However, if significant confounding factors remain, a robust impact evaluation with suitable controls might be necessary to generate reliable findings.);
- **the existing data sources and measurability of outcomes:** if there is already a wide range of good quality data sources covering outcomes of interest, the feasibility of undertaking robust impact evaluations (sometimes to relatively short timescales) will be greatly increased;
- **the time and resource availability:** in most cases, impact evaluations will require conducting a representative survey and organising a dedicated research team, often externally contracted. This can imply a considerable time and resource commitment. On the other hand, performance evaluation can be managed with less resources and can be completed more quickly compared to impact evaluation – whereas process evaluations might require access to internal administrative data, only;
- **the timing of the evaluation:** impact evaluations are more feasible and the findings more reliable, the longer the time passed since the implementation of the law. If the evaluation takes place relatively shortly after formal entry into force of the legal instrument, it is likely that only a process (and, at best, a performance) evaluation is possible.

Once drawn up, the intervention logic assists you with choosing the appropriate type of evaluation, since it helps situate where your evaluation best fits sequentially and chronologically in the expected result chain (recall Figure III.4. above). Specifically,

- **Process evaluation:** This investigates whether the requirements necessary to trigger the chain of results have been adopted, implemented and enforced as planned – or, in other words, it focuses on the **inputs and activities** of the intervention logic drawn up in the previous step. This type of evaluation can be launched relatively soon after the entering into force of the legal instrument, as soon as there is awareness of existing ongoing activities.
- **Performance evaluation:** If sufficient time has passed since the entry into force of the legal instrument, and if the activities have been fully implemented (something that must be determined through the process evaluation), it is possible to consider the next step in the intervention logic – i.e. the extent to which the **outputs** have materialised, and whether these have triggered the expected change in behaviour of the targeted groups (**initial outcomes**).
- **Impact evaluation:** Impact evaluation can be launched only if sufficient data is available to investigate all the steps of the intervention logic, including **the intermediate outcomes and the final impacts**. This often requires several years elapsing since the first planned activities are delivered. Impact evaluation is a more complex exercise, since the “further we move” along the intervention logic, the more likely the general context has changed and external factors have co-influenced the achievement of the pursued goals and the type of results that are to be investigated. At the same time, attributing direct causality between the various steps of the intervention logic as triggered by the law becomes less and less certain (see Figure III.3. above). Impact evaluation thus opens a wide range of subsequent questions, depending on how the evaluation unfolds and our findings. For these reasons, in order to carry out an impact evaluation, you need not only to carry out the process evaluation and the performance evaluation first, but also to ensure that sufficient time and resources are available for the exercise.

Sometimes, it is only possible to determine the ultimate type of evaluation that can be conducted only after having started the evaluation exercise, because not all information is available from the outset and data is generated or contextualised while the investigation is ongoing. For this reason, it is important that you start your evaluation with a structured approach, which is framed by the so-called “**evaluation questions**”. Formulating the right questions is the next step in the design of your evaluation.

III.6.2. How to set your evaluation criteria and questions

One or several evaluation criteria can be associated to each type of evaluation, depending on the kind of information that your evaluation is tasked to provide to decision-makers. Table II.1. lists the principal evaluation criteria as well as examples of typical evaluation questions. It also associates the criteria to the types of evaluation.⁷

⁷ All three types of evaluation can apply several criteria. The table draws from the so-called Development Assistance Committee (DAC) Evaluation Criteria developed by the OECD, which can be consulted at <https://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm>.

Table III.1. Key evaluation criteria and questions, and associated evaluation types

CRITERIA	EVALUATION QUESTIONS (sample)	TYPE OF EVALUATION
Legality	<i>The adherence of the instrument being evaluated with provisions stated in and obligations imposed by the law.</i> • Has the legal instrument been issued and enforced in accordance with the law? • Does the legal instrument have legal validity?	Process evaluation
Compliance	<i>The extent to which the legal obligations provided for by the law / regulation have been complied with.</i> • What needed to be implemented, when and by whom? • What were the inputs made available for the implementation? Have they been used? • How far has implementation progressed? • What difficulties have there been in the implementation process? • Who has (not) complied, and why? • Are there margins to improve compliance or enforcement?	Process evaluation
Impact	<i>The positive and negative; direct and indirect; primary and secondary; short-term and long-term, intended and unintended effects produced by the law / regulation.</i> • What has happened further to the implementation of the law? • How many people have been affected? • Are there any unintended consequences?	Process evaluation Performance eval. Impact evaluation
Effectiveness	<i>The extent to which the various stages of the intervention logic have been achieved or are expected to be achieved.</i> • Have the expected outputs, outcomes and impacts been achieved? • To what extent have the target groups been reached? • How strong is the cause-effect relationship between law enforcement and the effects? • Have the eventual unintended consequences jeopardised the achievement of the objectives?	Performance eval. Impact evaluation
Efficiency	<i>A measure of how economically resources / inputs (such as funds, expertise, time, etc.) have been converted into results.</i> • Is the relationship between input of resources and results achieved appropriate and justifiable? What is the cost-benefit ratio? • Are there any alternatives for achieving the same results with less inputs (funds)? Would we have better results with resource reallocation?	Performance eval. Impact evaluation

CRITERIA	EVALUATION QUESTIONS (sample)	TYPE OF EVALUATION
Sustainability	<i>The probability of continued long-term benefits from implementation. The resilience to risk of the net benefit flows over time.</i> • To what extent will activities, results and effects be expected to continue after the evaluation period? • How have Sustainable Development Goals been integrated in the design / implementation of the law / regulation? • How does the law reflect the Sustainable Development or Growth Strategy of the Government? • How have the interlinkages between economic, environmental, social, institutional dimensions of sustainable development been taken into account? • What are the multiple long-term effects of the intervention? • How has the principle of intergenerational equity been applied?	Performance eval. Impact evaluation
Coherence	<i>The consistency / complementarity and alignment of the law / regulation with respect to guiding general principles, strategic objectives and other policies of the Government.</i> • Are the outcomes in line with the effects of other relevant interventions? • Have synergies and economies of scale been maximised / trade-offs identified, addressed and mitigated? • How was coordination ensured?	Performance eval. Impact evaluation
Relevance / Utility	<i>The extent to which the objectives of the law / regulation are still consistent with the context, the needs of the beneficiaries and / or the government's priorities and policies.</i> • Has the purpose of the law been relevant to address the original problem? Is it still relevant and does it need to be pursued? • How important is the law for the target group, and to what extent does it address their needs and interests? • To what extent does it reflect the key priorities of the Government?	Impact evaluation

III.6.3. How to select performance indicators

Once you have drawn up your intervention logic model and established the type of your evaluation, you need to determine how you can concretely carry out the analysis.

Indicators are those quantitative or qualitative variables that specify what is to be measured, in order to ascertain whether progress is being made along the intervention logic – from implementation towards the achievement of impacts.

A clearly articulated intervention logic provides a useful map for selecting the indicators that will be **measured along the chain**. Thus, you need to identify **at least four sets of indicators**, i.e. for

- (i) **implementation** (or regulatory administration);
- (ii) **behavioural changes** (behavioural compliance);
- (iii) **performance changes** (when applicable); and
- (iv) **final outcome** (impact indicator).

Indicators may be qualitative or quantitative. The number of indicators to associate to each segment of the chain depends on how many are needed to answer the question “Has the outcome been achieved?” You should avoid setting too complex and too many indicators. Less is Better!

III.7. The execution and reporting of your evaluation

III.7.1. Consult relevant stakeholders and collect reliable data

The identification of appropriate indicators is one of the last stages of the preparation (design) of your evaluation. Selecting the indicators opens to the next methodological question – “*where and how can I get the relevant data?*”

Reaching out to all relevant stakeholders that are affected by the law and / or that can contribute to the evaluation exercise is key. The definition of the audience for the evaluation should also reflect your specific needs. Consultation and data collection methods are therefore integral parts of your evaluation exercise – see **Section C.2. of the Report Template**.

Tip: For guidance on those aspects, cfr. the “requirements” provided in the **2020 Manual (p.8ff)**.

III.7.2. How to prepare the Evaluation Report

The Evaluation Report is the key deliverable of the evaluation process, presenting the ministry’s evidence-based judgements and answers to the evaluation questions. The elaboration of the report along uniform standards fosters transparency and consistency and increases the chances that the evaluation findings are made relevant. You should therefore use the Evaluation Report Template provided in this report – and make it reader-friendly and relevant (see Box III.5).

Box III.5. Making your findings matter: Good reporting practices

- Use a clear and concise (yet precise) language, avoiding complex technical terminologies and administrative jargon;
- Rephrase, or explain in footnotes, technicalities, or put them in technical annexes attached to the report;
- Be precise and concise, including only relevant information;
- Be measured and prudent in your claims, substantiating them with facts and references;
- Do not present opinions as facts, checking the accuracy of every claim and where the facts may be inconclusive, acknowledge so;
- Make your document easy to navigate, ensuring sections are clearly marked and there is a coherent logical flow through them, and using visuals and tables clearly.

III.7.3. Quality control

Both the conformity with the agreed procedural standards and the quality of the evaluation work carried out is the primary responsibility of your ministry. The top management in your ministry must ensure that the Evaluation Report is complete and of adequate quality, and approve it.

To ensure that your report meets the standards, you can envisage the following mechanisms:

- **Self-evaluation:** you can produce a self-evaluation statement that you submit to your top management (or appointed internal peers) for verification. In that statement you could include (1) the extent to which the research assignment could be implemented, (2) any differences between the planned time path and the actual duration of the evaluation, and (3) differences between estimated and actual costs.
- **Internal peer reviewers:** in the number of one or two per evaluation, appointed by a top manager in your ministry, these colleagues can review the evaluation plan, drafts of the Evaluation Report, and other deliverables. Their task is to give you advice on how best to proceed and, at the end of the process, provide an overall appraisal of your evaluation.
- **Advisory panels:** these panels could be established for major evaluation exercises. They can include representatives of other public authorities (e.g. local governments, or inspectorates) and / or of relevant external stakeholders and experts. The panels could also meet at key moments during the evaluation process (e.g. to discuss the evaluation plan, provisional reports and the draft final report).

You can use the **checklist in Annex A.III.4.** as a tool to review the quality of your report.

ANNEXES to Part III. Ex post evaluation of legislation

A.III.1. Part III. illustrated: The example of the “Law on advisory services for rural development”

This section offers a fictional yet concrete example of how the guidance information covered in Part III. of this report may be applied to a single law. Let’s assume that the object of our evaluation is a **law setting out minimum standards and requirements for the organisation and delivery of counselling services and training activities for agriculture and rural development in Jordan**. The law requires that certified advisors deliver training to farmers, with the purpose of raising the level of their knowledge so that they better exploit the use of new techniques and products. The overall goal set out in the law is to increase production (through higher productivity rates) and hence the farmers’ income.

We assume that we cannot rely on a pre-existing RIA related to this law.

Following the guidance, the following steps allow us to design and conduct our evaluation:

i) Elaboration of the intervention logic

(This step refers to Section III.5.2 in particular.)

First, we must develop the sequential chain of results upon which the successful implementation of the law is based. Table A.III.1 proposes a possible intervention logic.

Table A.III.1. Advisory services law: The intervention logic

INPUTS	- Financial and human resources used to design the training programme (including selection, formation and certification of trainers and advisors) - Financial and human resources used to advertise, organise and deliver the training to the farmers
ACTIVITIES	- Delivery of the training programme for advisors - Certification, registration and licensing of the advisors / trainers - Delivery of the advisory services and training to farmers
OUTPUTS	Raising the level of knowledge of the farmers (attending the training)
INITIAL OUTCOMES (behavioural)	Application of new knowledge, production method, technologies etc.
INTERMEDIATE OUTCOMES (performance)	Increase in the level of production (and/or productivity) in farms
IMPACTS	- Higher income of farmers - Higher employment (seasonal and full time)

ii) Determination of the type of evaluation

(This step refers to Section III.6.1. in particular.)

The next step for us is to then decide on the type of evaluation we are going to conduct. The law considered in our example allows in principle to carry out all three types of evaluation. Specifically:

- **Process evaluation:** As we know, the process evaluation pivots around checking the implementation (or not) of the legal requirements stipulated in the law. It therefore focuses on the inputs and activities of the intervention logic that we drew up in Step i).

In the case of this law, carrying out a process evaluation would mean for us to collect data related to (a) the enactment of necessary implementing regulations (if prescribed by the law); and (b) the design, organisation and delivery of both the trainings for the advisors (with related certification and licensing) and the ones for the farmers. After reviewing these performance indicators, we will have to investigate whether what has actually happened is in compliance with and reflects what was foreseen in the provisions of the law, whether the relevant provisions have been implemented timely and fully and which

provisions have not – and why. We should also assess the extent to which the non-implementation of any of the activities has jeopardised the realization of the intended results.

- **Performance evaluation:** We would carry out a performance evaluation if we knew that all the planned activities have been implemented. (We would know that only *after* conducting the process evaluation or on the basis of information recorded through the related monitoring system, if in place.) Recall, the performance evaluation extends the scope of investigation to the realisation of the outputs, and whether these have triggered the expected change in behaviour of the targeted groups (initial outcomes).

In our example, the critical step would thus be to ascertain that those farmers that have attended the training or the counselling services organised in the framework of the activities regulated by our law have actually acquired more knowledge about agricultural techniques and tools. If they have, the next evaluation step would be to investigate whether those farmers have applied those techniques and tools in their fields. It appears evident that a process evaluation implies two things:

- on the one hand, the demonstration, on the ground of objective evidence, of the existence of the cause-effect mechanisms that we have modelled in the intervention logic; and
- secondly, the elapsing of a certain period for our evaluation to take place since the entering into force of the law, because the technical time must be allowed for the implementing measures (if required) to be enacted, for the trainings to be organised and delivered (first to the advisors, who must also be certified, and then to the farmers) and for the latter to make use of the knowledge acquired.

We have to prove, in other words, that the use of new agriculture techniques and tools that we were to record in our evaluation is linked only to those farmers who attended the training. If that is the case, there is a clear direct causal relationship between the training and the use of new production methods – hence we can “attribute” the change to the law. If we were to observe that other farmers do apply the new techniques and tools, even if they have not attended the training, then the law is only one of the concurrent factors that prompted such a change in the Jordanian farms.

- **Impact evaluation:** We would opt for an impact evaluation if we can find evidence pertaining to the intermediate outcomes and the final impacts.

In our example, the impact evaluation extends the scope of the evaluation to determine whether there are concrete changes in the situation of the farmers further to the dynamics put in place by our law. Building on the previous step, we would therefore have to ask whether the fact that farmers apply the new techniques and tools in their fields leads to an increase in the overall productivity (and/or the production) of their farms – and eventually whether they get higher income. In doing so, we have again to define the causality mechanisms at play, i.e. whether our law is the only factor producing a positive effect on the farmers’ income, or just one of the co-determinant factors, or even whether it is not relevant at all. In our example, we must proceed stepwise:

- first, we must check whether there is an increase in the income of those farmers who attended the training and who then applied the new techniques. If that is not the case, then our law has not delivered on its purpose, and we must investigate why that happened (e.g. there could be a flaw in the assumptions / design of the law, or some of the links in the intervention logics have not performed). If indeed the trained farmers are richer, then we must ensure that such higher income is the result of applying the new techniques and tools taught during the training – and not, for instance, changes in prices of the agricultural products (e.g. because of tariffs and quotas or because of subsidies that the farmers received during the same period of our evaluation);
- second, we need to check what happened to those farmers who did not attend the training. If their financial situation has not changed, then the training is likely to have played a major role in improving the situation of the farmers applying the new knowledge learned there. If the other farmers also got richer during the same period, then the training is not the only cause – and actually it might not even be a relevant cause of the increase in income. We will have to investigate why farmers in Jordan (trained or not) experienced an increase in their income and eventually determine whether the law is effective (and relevant) or not.

iii) Formulation of the related evaluation questions

(This step refers to Section III.6.2. in particular.)

We formulate the evaluation questions that best reflect the overarching goals of our evaluation, and also that we are able to address given the resources available and the timing at which our evaluation takes place. Sometimes,

the questions need to be adapted or even expanded and new ones added while we are carrying out the evaluation, because new evidence redirects the exercise.

Following Table III.1, if we opt for a process evaluation, we can refer to the “**Compliance**” and the “**Impact**” criteria. Accordingly, possible evaluation questions for our law on advisory and training services to farmers could be:

- *Did the law on advisory and training services require the enactment of implementing measures? If yes, have those been enacted? If not, why?*
- *What budget was available to organise and deliver the training programmes to the advisors and to the farmers, respectively – and how much has been disbursed? Why was not all of it spent / has the budget exceeded?*
- *How many trainings were planned, and how many were organised?*
- *How many advisors / farmers (respectively) have been trained? How many were certified / graduated (respectively)?*

The other types of evaluation allow the investigation of additional criteria. The evaluation questions will **differ according to the segment of the intervention logic** they refer to. Table A.III.2. below provides some examples.⁸

⁸ In this example, it is assumed that both the law on advisory and training services and the measures taken to implement it are lawful and valid. Accordingly, Table A.III.2. does not consider the “legality criterion” explicitly.

Table A.III.2. Advisory services law: Formulating evaluation questions

Criteria	Related to the Outputs (acquisition of new knowledge)	Related to the Initial outcomes (application of new techniques / tools)	Related to the Intermediate outcomes (increase in production / productivity)	Related to the Impacts (higher income)
Effectiveness	How many participants in the trainings have passed the test, demonstrating to have acquired new knowledge / skills?	How many of the graduated farmers actually did apply the new techniques? How many did not – why?	Has the production in the farms of the graduated farmers increased during the evaluation period? Has the production in other farms increased in the same period?	Has the average wage of the graduated farmer increased? (compared to all the Jordanian farmers)
Efficiency	Considering the cost of running the trainings, how many farmers passed? Are there better ways to achieve the same performance?	---	Considering the cost of the trainings, what is the cost-benefit ratio resulting from the recorded increase in the production? Is this justified compared to other policy approaches?	What is the financial cost (public budget) of increasing the average wage of a trained farmer by 10 JOD?
Sustainability	---	How many trainings need to be organised, to ensure a constant increase in the use of new techniques? Can these dynamics become common (without trainings)?	---	To which extent has the law contributed to meeting the relevant national SDGs?
Coherence	---	---	Are there other programmes or laws in place to foster agricultural production? Does this law complement / substitute / negatively affect those measures?	How is the economic support to the Jordanian farmers coordinated? How does this law fit in the overarching policy of the government for rural development?
Relevance / Utility	---	---	Is there still a need to increase the overall agricultural production of the farmers through the use of new techniques?	What is the contribution of the law to fostering the economic well-being of the Jordanian farmers? (compared to other instruments)
Distribution		Have the training successfully targeted tailored groups of farmers (e.g. those in remote mountain areas or on islands)?	Have targeted farmers especially experienced an increase in production / productivity?	Has the level of income of targeted farmers particularly increased?

iv) Selection of the performance indicators

(This step refers to Section III.6.3. in particular.)

The next step for us is to find how to **measure and express information related to our evaluation questions**. This is the function of the performance indicators. For each step of the intervention logic, we must identify the types of data needed to determine the current state of play.

We must select those indicators that allow us to address the relevant evaluation questions. If we opt for a complete impact evaluation, we must identify indicators for all the steps of the chain. Table A.III.3. lists some possible performance indicators related to our law on advisory and training services to farmers in Jordan.

Table A.III.3. Advisory services law: Formulating performance indicators

Stage in the intervention logic	Issue to be assessed	Indicator
Inputs	Issuing sub-legal acts	% of sub-legal acts issued (required / actually enacted)
	Financial and human resources used to design the training program for advisors	Amount of budget spent for training the advisors Number of civil servants engaged (and their cost) for developing and organizing the trainings to advisors
	Financial and human resources used to certify and license the advisors	Amount of budget spent for certification and licensing of advisors Number of civil servants engaged (and their cost) for certification and licensing
	Financial and human resources used to train the farmers	Amount of budget spent for training the farmers Number of public advisors engaged (and their cost) for training the farmers
Activities	Delivery of the training programme for advisors	Number of advisors trained Types of training provided Satisfaction level of advisors Cost per training
	Certification, registration and licensing of advisors / trainers	Number of private and public advisors certified Number of advisory companies licensed Satisfaction level of certification/licensing requirements from advisors Cost per certification and licensing
	Delivery of advisory services and training to farmers	Number of farmers advised/trained Types of trainings/advice provided Satisfaction level of farmers Cost for training one farmer
Outputs	Increase in the level of knowledge and skills of farmers (attending the training)	Number (or %) of farmers with knowledge / skills on new production methods Types of new knowledge / skills earned
Initial outcomes (behavioural)	Application of new knowledge, production method, technologies etc.	Number (or %) of farmers that are applying new production methods
Intermediate outcomes (performance)	Increase in the level of production in farms	Level (volume) of production of farmers trained (vs non-trained farmers)
Impacts	Increasing income of farmers	Level of income of farmers trained (vs non-trained farmers)
	Increasing employment (seasonal and full time)	Number of jobs (seasonal and full time) created by farmers trained and their average salaries

v) Definition of the data collection and consultation methods

(This step draws from guidance at p.8ff of the 2020 Manual.)

How do we get the data from that is necessary to “populate” our indicators? In our example, the easiest and most direct source of data for most of the performance indicators outlined in Table A.III.3. are **official databases and administrative records**, including for instance the result of tests conducted during and after the trainings.

We should foresee **surveys or focus groups** with advisors to discuss about both certification and licensing requirements and the training programme delivered to them, with a view to obtain their feedback and satisfaction. Whether to opt for surveys or smaller focus groups (less expensive and labour intensive) depends on the number of advisors that are envisaged to be certified.

Representative surveys should also be organised in relation to other performance indicators, such as the level of production and the level of income of the trained farmers; whether they have applied new production methods; and their level of satisfaction with the training or advice received.

If attributional approaches are followed, we need to envisage collecting data about the comparison groups to determine the counterfactual through statistical analysis of quantitative data.

When it comes to reaching out to relevant stakeholders, we must consider that various actors are involved in / affected by the advisory and training campaign set up by our law:

- **Farmers who are members of national or regional organisations** or farmers managing large cultivations are likely to be more visible, receptive, and powerful in reporting their policy stances. Because of the relative weight of this group of stakeholders in the Jordan agricultural sector, it is fundamental that we engage with them if the objective of the law is to increase agricultural productivity and production, and the farmers' income. Impacts of any measure in that respect should be visible on this group and it is to be expected that organised farmers are able to produce position papers and studies. Direct meetings with the organisations and focus groups are appropriate.
- **Farmers active in remote areas and on smaller parcels** are by contrast likely to be not only less organised, but also less informed on the initiatives launched by the government and the related opportunities for engagement that could be offered to them. Nonetheless, those small farmers are still primary stakeholders because any improvement in agricultural productivity is also (or even especially) of benefit for lower income farms. At the same time, any online consultation or use of social media might be ineffective because it is unlikely that such farmers are particularly highly literate in new information technologies and tools. As evaluators, we should therefore take active steps in order "not to leave anybody beyond", for instance by organising individual interviews and meetings in those specific areas.
- Various sectors of **agri-business**, such as the crop-protection industry, the biotech industry, the manufacturers of agricultural machineries etc. tend to have high capacities to mobilise interests and evidence to underpin the evaluation of our law. They are arguably less affected by the measures because advisory services to farmers (for instance dedicated training on a new variety of seed to plant, or of feed to use) in Jordan might not have as significant direct economic consequences on the industry's turnover as for instance trade policy measures or fiscal decisions. The programme, nonetheless, might lead to a (significant) increase in sale of their products. Because of their directly knowledge and role for the success of the measure, nonetheless, we should consult them. The industry might have an interest in facilitating better implementation of the trainings or the introduction of the new techniques and tools, if the evaluation were to reveal inefficiencies in those regards.
- **Consumers** might be a further relevant source of evidence and information on the impact generated by the advisory services and trainings offered to farmers. For instance, they might have opinions on the impact that the new agricultural techniques deployed further to the measure might have generated in terms of change in the landscape; and in the availability, quality or price of the products, etc. However, these are not indicators reflecting the primary goal of our law. For this reason, it might be sufficient for us to generally offer the possibility to consumers to express their opinion, for instance by launching an online (perception) survey or creating social-media platforms.

vi) Proceed with the evaluation report

Once the processes presented above are completed, we have all the material necessary to fill in the Evaluation Report Template outlined in the report.

A.III.2. Organising the evaluation exercise: The Evaluation Plan

Organizing the design, management and execution of and evaluation needs anticipation and planning. Drawing up an Evaluation Plan helps you timely prepare for your evaluation, avoid missing important steps and estimate the timing and resources that the exercise will require,

A typical Evaluation Plan includes the following elements:

1. **Title page:** Contains an easily identifiable program name, dates covered, and basic focus of the evaluation.
2. **Intended use and users:** Fosters transparency about the purpose(s) of the evaluation and identifies who will have access to evaluation results. It is important to build a market for evaluation results from the beginning. Clarifying the primary intended users, the members of the stakeholder evaluation workgroup, and the purpose(s) of the evaluation will help to build this market.
3. **Program description:** Provides the opportunity for building a shared understanding of the theory of change driving the program. This section often includes a logic model and a description of the stage of development of the program in addition to a narrative description.
4. **Evaluation focus:** Provides the opportunity to document how the evaluation focus will be narrowed and the rationale for the prioritization process. Given that there are never enough resources or time to answer every evaluation question, it is critical to work collaboratively to prioritize the evaluation based on a shared understanding of the theory of change identified in the logic model, the stage of development of the program, the intended uses of the evaluation, as well as feasibility issues. This section should delineate the criteria for evaluation prioritization and include a discussion of feasibility and efficiency.
5. **Methods:** Identifies evaluation indicators and performance measures, data sources and methods, as well as roles and responsibilities. This section provides a clear description of how the evaluation will be implemented to ensure credibility of evaluation information.
6. **Analysis and interpretation plan:** Clarifies how information will be analyzed and describes the process for interpretation of results. This section describes who will get to see interim results, whether there will be a stakeholder interpretation meeting or meetings, and methods that will be used to analyze the data.
7. **Use, dissemination, and sharing plan:** Describes plans for use of evaluation results and dissemination of evaluation findings. Clear, specific plans for evaluation use should be discussed from the beginning. This section should include a broad overview of how findings are to be used as well as more detailed information about the intended modes and methods for sharing results with stakeholders. This is a critical but often neglected section of the evaluation plan.

A.III.3. Assessment Methodology for Licensing legislations and procedures

The approach and assessment relied on a number of legal and institutional principles derived from good practices in the field of licensing and legislative governance.

Main criterion	Sub-criteria
Legality	Clear and sound legal basis
	Complete and detailed legislations
	Legal fees
Necessity	Clear objective / purpose of the license
Simplicity	Clear process starting point of government procedures
	Complete and clear legal and technical requirements
	Implemented risk-based licensing method
	Necessary and efficient licensing committee
	Clear and detailed processes
	Necessary / one-off required documents
	One-off license
	Clear fees and expenses

Based on the above-mentioned criteria, the responsible government agency should assess:

- All related legal instruments governing licensing.
- All related institutional procedures implemented.

Main criterion	Sub-criteria	Explanation	Best practices in the field of licensing
Legality	Clear and sound legal basis	The legal basis for legislation, especially (the law) followed by the (regulation, instructions), is assessed to determine the presence of a clear, specific and tiered legal basis that outlines the authority of the entity to grant the license.	- Law explicitly stipulating the entity's authority to issue the license. - A valid legal basis on which the regulations / instructions are issued.

Necessity	Complete and detailed legislations	Completeness of legislations issued by the entity is assessed by determining whether to issue stipulated regulations and instructions, for which all procedures and requirements that the entity and investor need to know are detailed.	- Stipulated regulations and instructions are issued without delay. - Legislation is detailed to ensure reducing the discretionary authority of the entity/ employee.
	Legal fees	The legal basis for legislation, especially (the law), is assessed, then the (regulation, instructions) to determine the presence of a clear, specific and tiered legal basis for licensing fees.	- Fees should be determined in the main legislation (law), through explicitly stipulating it or referring it clearly to the regulation. - No additional fees not clearly defined are imposed. - "Fees" for licensing are not considered a "service charge" for service provided by the entity, as licensing is a mandate of the entity and does not fall under the concept of "service".
	Clear objective / purpose of the license	The purpose for which the sectoral license is imposed is assessed through reviewing the legislative and institutional system and the sectoral license requirements, in order to determine how aligned the purpose is with the established conditions and methodologies according to best practices in the field of licensing.	Usually, based on best practices in the field of sectoral or special licensing, a sectoral license is imposed on the economic activity if: - The responsible sectoral entity classifies the economic activity or procedure as highly risky, and - That classified activity has a high impact expected on established controls and requirements to protect any of the following areas: - o Environment - o Public health and safety - o Occupational health and safety - o Natural resources - o Flora and fauna - o Public order and security of the community - The nature of the activity and actions require the sectoral entity to validate the economic activity's commitment to implementing established legal and technical requirements before practicing for the first time. Best practices also indicate the importance of ensuring the legal and institutional system for monitoring the economic activity avoids duplication, especially in the presence of another system that can enable the sectoral entity to ensure the economic activity's commitment to established legal and technical requirements, including: - o The entity's own classification system. - o A system of permits to provide the activity's services. - o A system for approving workers or professionals in the activity. - o A surveillance system implemented by the sectoral entity or by another entity or entities to monitor the same activity previously or subsequently. In best practices and best implementation of the risk and subsequent inspection methodology, the load on economic activities is reduced by implementing a support system that relies on the role of the sectoral entity and the roles of other entities concerned with the economic activity, for example:

			- Integration with the existing business registration system at the Ministry of Industry, Trade and Supply and the Companies Control Department and other registration entities, including electronic connection and adoption of unified national number and classification for economic activities - A reporting (registration) system at the sectoral entity to ensure collection of necessary information on activities and monitoring them subsequently. - A municipal licensing system (vocational licenses), through which requirements are checked directly or the sectoral entity is informed when the activity asks for a vocational license for the first time in order for it to inspect the activity subsequently.
Simplicity	Clear process starting point	The clarity of the starting point for the sectoral licensing process in the sectoral entity's legislation were assessed, as well as its overlaps with the vocational licensing system and the other approvals by government entities, such that the starting point is clear and specified for the investor.	Implementation of the "Single Point of Contact" rule, where the investor approaches the responsible sectoral entity identified clearly in the legislation governing license obtainment. The sectoral entity communicates with all other entities for the necessary approvals (not through a representative of the economic activity).
	Complete and clear legal and technical requirements	Legal and technical requirements determined by the sectoral entity and necessary for granting licenses were assessed. Through these requirements the investor can determine the costs it incurs and the obligations it has to fulfil. Their completeness was assessed in terms of their issuance as legislation or separate appendices, and their preliminary clarity in terms of their coverage of all legal and technical aspects of the activity.	- Detailed and complete legal and technical requirements are issued by all relevant directorates to reduce the entity/ employee's discretionary authority and achieve legal certainty in legislation and requirements. - Studies are conducted to reduce the costs for legal and technical requirements to a minimum to ensure the public interest is met.
	Implemented risk-based licensing method	It was assessed whether the sectoral entity adopts and implements, partially or completely, a risk-based licensing method, through which the focus is on high-risk activities in terms of requirements and procedures, and more streamlined requirements and procedures are established for low-risk activities.	- Economic activities are identified and classified according to their riskiness, based on specific and clear criteria of the sectoral entity - Special requirements/ procedures/ pre-inspections/ durations are established for high-risk activities - A fast track for low-risk activities is established in special procedures, e.g. (reporting, registration, subsequent inspection)

	Necessary and efficient licensing committee	The need for a licensing committee formed by legislation that studies license applications, performs pre-assessments and submits recommendations to the competent authority was assessed. It was also assessed whether the committee's powers and method of work are clearly defined in a manner that streamlines rather than complicates procedures.	- Committees are not best practices for regulations, as their formation is required to regulate exceptional cases. - The committee cannot replace the entity's institutionalization of work in the competent technical directorate and ensuring joint work between its different directorates. - If legal and technical requirements are clearly and completely defined by the sectoral entity, the license is issued if requirements are met.
	Clear and detailed processes	The processes stipulated in the sectoral entity's legislation related to the process of application, studying the application and issuing the decision, were initially assessed, along with authorities and durations, which should all be determined clearly and within controls and detailed steps that allow the investor to know the steps, the responsible person, and the expected duration.	- Usually, executive regulations and instructions are issued to determine detailed steps that leave no room for not knowing the responsible directorate, authorities, steps and durations. - Controls on durations are determined either through stipulating a specific time or the "Silence Means Consent" rule.
	Necessary / one-off required documents	Documents requested by the sectoral entity from the investor to complete the sectoral registration process were assessed and benchmarked, and the recurrence of the municipality or other entities requesting the same documents was determined.	- A national electronic system that contains all documents related to the economic activity's work is established. - All government entities are linked to obtain and access such documents with no additional cost or other procedures for the investor.
	One-off license	The license was assessed in terms of durations (annual, once every 3 to 5 years, one-off) and the sectoral entity's need to reissue the license periodically.	- Sectoral licenses are issued on a one-off basis upon first practicing the profession to ensure commitment to requirements (especially for high-risk activities). - Economic activities are monitored by governing legislation, which may not require a license in the first place. - The sectoral or special license and its fees may not be annual since the license is issued on a one-off basis except in exceptional cases; as the economic activity pays annual taxes and should not incur additional costs.
	Clear fees and expenses	The fees' clarity was assessed in terms of how they are determined (as a specific number or percentage) and how they are paid by the investor. Expenses were also determined	- Usually, unified and clear fees are imposed and paid in one step. - In special cases for high-risk activities, legal and financial requirements are set, and require financial solvency. No financial / judicial guarantees that the economic activity cannot benefit from when practicing are imposed. - Fees are consistent with the type of service provided and effort made by the entity granting the license.

		(especially expenses requiring a financial or judicial guarantee) as well as the need for imposing such expenses to ensure the economic activity's commitment or non-infringement of the legislation in the future.	
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A.III.4. Checking the quality of the evaluation: The self-assessment checklist

The following checklist can help you identify issues that should be further expanded or double-checked before submitting your evaluation report.

If you answer “No” to a question, you should explain why and improve your draft report accordingly.

Criteria and related questions	Yes / No
ACCURACY: The accuracy standard refers to the truthfulness of evaluation assumptions, methods, findings, and conclusions, especially those that support interpretations and judgments. 1 Explicit Context Descriptions: Does the evaluation document the legal instrument and its context with appropriate detail and scope for the evaluation purposes? 2 Sound Designs and Analyses: Does the evaluations employ technically adequate designs and analyses that are appropriate for the evaluation purposes? 3 Information Management: Does the evaluation employ systematic information collection, review, verification, and storage methods? 4 Valid Information: Does evaluation information serve the intended purposes and support valid interpretations? 5 Explicit Evaluation Reasoning: Is the evaluation reasoning leading from information and analyses to findings, interpretations, conclusions, and judgments clearly and completely documented? 6 Justified Conclusions and Decisions: Are the evaluation conclusions and decisions explicitly justified in the cultures and contexts where they have consequences? 7 Communication and Reporting: Is the overall presentation and phrasing of the evaluation adequate and does it guard against misconceptions, biases, distortions, and errors?	
UTILITY: The utility standard is intended to increase the extent to which the relevant (affected) stakeholders find the evaluation processes and products valuable in meeting their needs. 1 Attention to Stakeholders: Has the evaluation devoted attention to the full range of individuals and groups affected by the legal instrument and its evaluation? 2 Responsive Purposes: Have the evaluation purposes been identified and developed so that they reflect the needs of the relevant stakeholders? 3 Relevant Information: Does the evaluation information serve the identified and emergent needs of the relevant stakeholders? 4 Meaningful Processes and Products: Does the evaluation construct activities, descriptions, and judgments in ways that encourage participants to rediscover, reinterpret, or revise their understandings and behaviors? 5 Timely and Appropriate Communicating and Reporting: Does the evaluations attend to the continuing information needs of their multiple audiences? 6 Concern for Consequences and Influence: Does the evaluation promote responsible and adaptive use while guarding against unintended negative consequences and misuse?	

ACCOUNTABILITY: The accountability standard encourages adequate documentation of evaluations and their underlying processes. 1 Evaluation Documentation: Does the evaluation fully document its purposes and implemented designs, procedures, data, and outcomes? 2 Transparency and Disclosure: Does the evaluation provide complete descriptions of findings, limitations, and conclusions to all stakeholders, unless doing so would violate legal and propriety obligations? 3 Conflicts of Interests: Does the evaluation openly and honestly identify and address real or perceived conflicts of interests that may compromise the evaluation? 4 Fiscal Responsibility: Does the evaluation account for all expended resources and comply with sound fiscal procedures and processes?	
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Source: Adapted from *Western Michigan University (2018), Checklist of The Program Evaluation Standards Statements, Joint Committee on Standards for Educational Evaluation*, at <https://wmich.edu/sites/default/files/attachments/u350/2021/program-eval-standards-jc.pdf>.