Better Regulation for better results

How European Commission engages citizens in EU law and policy making
How does Better Regulation work?

Three pillars: (1) evaluation; (2) impact assessment; (3) stakeholder engagement throughout the policy cycle.

**Evaluation** looks critically how existing legislation has worked. Identifies strengths and weaknesses, costs and benefits, and the drivers behind.

**Impact assessments** look at: problems, possible solutions and their impacts including the three pillars of sustainable development (economic, social and environmental impacts).

**Stakeholder engagement** uses consultations and feedback opportunities to seek actively the views and data from interested stakeholders.
Evaluations

• Systematic evaluation of EU legislation
• The Commission's applies an "evaluate first principle", before revising the Commission evaluates the existing legislation
• It assess what works, what not and why; the costs and benefits; the coherence with other legislation; and the necessity to act at EU level
• Evaluations identify potentials for simplification and cost reduction
• About 100 evaluations are carried out per year
• Evaluations were carried out for:
  • Less than half of all impact assessments in 2016
  • Almost 70% in 2017
• European Commission, among top OECD performers
What is evaluation?

It is an **evidence-based judgement** of the extent to which an intervention has been effective and efficient, relevant given the needs and its objectives, coherent both internally and with other EU policy interventions, and achieved EU value added.

**Key elements**

- Takes a critical look
- **Independent** and objective judgement based on evidence
- Also looks at unintended or unexpected changes
- Not what has happened but why and **how much** has changed
- Looks for evidence of causality
The purpose

Inform decision-making, input to strategic priority-setting

Transparency, accountability

Assist in efficient resource allocation

Organisational learning
- improve design, good & bad practice, justify new initiatives
What can be evaluated?

**Expenditure programmes/activities**

**Regulatory instruments** (regulations, directives, decisions, “soft law” Instruments, open method of coordination)

**Entire policy areas or sub-areas**

**Cross-cutting themes**

**Strategic objectives**

**Instrument level**

**Aggregate level**

**Fitness checks**

**CORE ACTIVITIES**

**OTHER ACTIVITIES**

**Communication & coordination activities**

**Internal Commission activities**
Evaluation Process

Screening, Planning & Validation

Draft Roadmap

Publish Roadmap (4 weeks Feedback)

Secretariat General

Conducting Evaluation

External work

Internal work

Stakeholder Consultation

Other sources of information

Consultation Strategy

Stakeholders

Steering Group

Dissemination & Follow-up

Final SWD / EC Report

ISC on SWD / EC Report

Draft SWD (before & after RSB)

Regulatory Scrutiny Board

Consultation strategy, external work (ToR, deliverables, QA) and internal work, drafts of SWD, executive summary, (optional report/communication)
### Roadmap Evaluation / Fitness Check Roadmap

Roadmaps aim to inform citizens and stakeholders about the Commission's plans in order to allow them to provide feedback on the intended initiative and to participate effectively in future consultation activities. Citizens and stakeholders are in particular invited to provide views on the Commission's understanding of the problem and possible solutions and to make available any relevant information that they may have, including on possible impacts of the different options.

| **Title of the Evaluation/FC** | The title of the Roadmap has to be identical to the short title in DECIDE! 
Guidance on the proper drafting of short titles is available in GoPro. |
<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>Lead DG - Responsible Unit - AP Number</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Indicative Planning</strong> (planned start date and completion date)</td>
<td><em>pl use quarterly format (e.g. Q4 2017)</em></td>
</tr>
<tr>
<td><strong>Additional Information</strong></td>
<td><em>Insert link to the specific website for the evaluation or website covering the policy area (if there is none, put: – in the field).</em></td>
</tr>
</tbody>
</table>

The Roadmap is provided for information purposes only. It does not prejudge the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by the document, including its timing, are subject to change.

*Tip:* The Evaluation Roadmap will be published by the SG on the Commission’s web site and citizens and stakeholders will be able to provide feedback for a period of 4 weeks. It should be considered as an information tool addressed to the public and therefore it should be written in non-technical language, avoiding acronyms, jargon and detailed technical or legal analysis. It should be finalised at the earliest stage of the evaluation so that best use can be made of feedback from stakeholders.

Although the interservice steering group does not have to be consulted on the draft Roadmap, it is good practice to involve DGs with related policy areas from an early stage in the process.

*Please note that the length limits shown for the various sections are indicative but it is essential that the author DG keeps to an overall maximum of 3 to 4 pages in order to keep the text readable for the public.*
Design

1. Intervention logic
   - Needs
   - Other EU policies
   - Impacts
   - Results
   - Objectives
   - Inputs
   - Activities
   - Outputs
   - Internal factors
   - External factors

2. Evaluation criteria

3. Evaluation questions

4. Methods
   - Logic models, social network analysis
   - SWOT analysis
   - Desk research
   - Questionnaire surveys
   - Interviews, focus groups
   - Case studies
   - Statistics, regression analysis, benchmarking, comparison groups
   - Contribution analysis
   - Expert panels, Delphi survey
   - Cost-effectiveness analysis
   - Cost-benefit analysis
   - Multi-criteria analysis

Evaluation questions:

- To which extent have the objectives been achieved as a result of the implementation of Regulations (EC) No 396/2005 and 1107/2009?
- Have the objectives of the regulations been achieved at the EU level, in MSs, and in the whole? How have they been achieved?
- To which extent have the objectives been achieved at the EU level, in MSs, and in the whole? How have they been achieved?
- To which extent have the objectives been achieved at the EU level, in MSs, and in the whole? How have they been achieved?
What is an intervention logic?

To address an identified problem the EC develops an intervention, which comprises a set of activities that are aimed at contributing to one or several objectives.

The logic of the intervention is the set of statements and assumptions explaining how these activities will lead, step by step, towards these objectives.

We do this... → To change that... → And have an impact on ...

Usually reconstructed from official documents, tested with key stakeholders, and validated in the ISG.
Generic model

EU Intervention
## Evaluation criteria

<table>
<thead>
<tr>
<th>Effectiveness</th>
<th>to what extent were the set objectives achieved and how was this linked to the EU intervention? do the effects correspond to the objectives? Were there any unexpected or unintended effects?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Efficiency</td>
<td>were the effects (benefits) achieved at a reasonable cost?</td>
</tr>
<tr>
<td>Relevance</td>
<td>do the objectives correspond to the needs?</td>
</tr>
<tr>
<td>Coherence</td>
<td>does the intervention contradict others with similar objectives? Does it work well together with other EU interventions?</td>
</tr>
<tr>
<td>EU added value</td>
<td>what is the additional value resulting from EU activities, compared to what could be achieved by MS at national and/or regional levels?</td>
</tr>
</tbody>
</table>
## Evaluation questions

<table>
<thead>
<tr>
<th>Type</th>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Descriptive</strong></td>
<td>What happened?</td>
</tr>
<tr>
<td><strong>Causal</strong></td>
<td>What relationship with the intervention?</td>
</tr>
<tr>
<td><strong>Normative</strong></td>
<td>Is the effect satisfactory?</td>
</tr>
<tr>
<td><strong>Predictive</strong></td>
<td>What will happen as a result of the planned intervention?</td>
</tr>
<tr>
<td><strong>Critical</strong></td>
<td>What can be done to address specific problems/bottlenecks? Or to tap on opportunities?</td>
</tr>
</tbody>
</table>
METHODOLOGY

- Logic models
- Social network analysis
- SWOT
- Metaplan
- Desk research
- Survey questionnaires
- Individual interviews
- Focus groups
- Case studies
- Descriptive statistics
- Inferential statistics

- Regression analysis (modelling)
- Comparison groups
- Contribution analysis
- Benchmarking
- Delphi survey
- Cost-benefit analysis
- Cost-effectiveness analysis
- Multi-criteria decision analysis
- Expert panels
Commission Report / Communication to other EU institutions

- May have requirement to report to other EU institutions (check legal base)
- SWD summary as basis of the EC report
- College adoption
Dissemination

- Dissemination plan recommended
- Minimum - **publish all evaluation documents** – roadmap to SWD
- EU Bookshop and Studies database
- Think about dissemination early
- Match dissemination to (different) audience needs
- Set-up a website for the evaluation
Follow-up

- **USE** evaluation findings, feed into IA, new guidance etc.
- Often report to **other EU** institutions
- Recommend draft **follow-up action plan** within 6 months of completing evaluation
- **Engage** senior management in follow-up (and throughout evaluation)

SECTION 6
Conclusions

SWD

**Learning**

**Legal requirements**
The Commission's Better Regulation agenda:

EU law-making process:

Ways you can contribute to the law-making process:
https://ec.europa.eu/info/law/contribute-law-making_en

Find out more

#EUHaveYourSay