

**NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)**

'22 AUG 23 P 2 :20

**SENATE
S.B No. 1219**

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INTRODUCED BY SENATOR RISA HONTIVEROS

**AN ACT
ESTABLISHING A NATIONAL EVALUATION POLICY**

EXPLANATORY NOTE

Medium-term planning is part of the government tradition in the Philippines. At the start of each administration, the government draws up a six-year development plan that outlines its goals and objectives for the plan period, along with the strategies, policies, programs and projects required to meet them.

Indeed, sound policies and programs are major determinants of development. Thus, it is imperative to know if the policies and programs of the country are appropriate, being implemented correctly, and are achieving their objectives. Likewise, it is important to know if there are better policies or programs that can meet national goals more effectively, efficiently, equitably, and sustainably.

A policy or program proven useful in the past may not be as effective and relevant under present circumstances. In the same manner, policies and programs that have worked well in some countries may not succeed in others. Context is important to the soundness of a policy or program. Thus, systematic and context-specific evaluation of policies and programs is important.

Evaluation of planned, ongoing, or completed policies and programs provides the evidence to ascertain their relevance, efficiency, effectiveness, impact, and sustainability¹. It can also yield important lessons for improving policy and program formulation and implementation. Moreover, evaluation can contribute to good governance by promoting transparency and accountability.

¹ Valdez, Joseph, and Michael Bamberger. 1994. Monitoring and Evaluating Social Programs in Developing Countries. Washington D.C.: Economic Development Institute, World Bank

Unfortunately, evaluation has not been widely and systematically integrated in the processes and systems of government. Evaluation has been conducted on only a few and selected programs and projects, largely on the initiative of international development agencies. In 2015, the National Economic and Development Authority and the Department of Budget and Management issued Joint Memorandum Circular No. 2015-01 establishing an evaluation policy framework to govern the practice of evaluation of programs and projects receiving budgetary support from the government. However, the Circular applies only to the agencies of the Executive Branch. And like other Executive Circulars, its implementation is subject to uncertainty especially when there is a change in government administration.

Recognizing the importance of evaluation, some countries have statutes institutionalizing variants of a National Evaluation Policy (NEP) that applies to all branches and levels of government, while many other countries are in the process of establishing their own NEP². A National Evaluation Policy defining the purpose, responsibilities, functions and organization of the public-sector evaluation function in a particular country can facilitate the development of an enabling environment and the institutional and individual capacities for evaluation to reach its full potential.

This Bill proposes the passage of a law mandating the establishment of a National Evaluation Policy to strengthen the legal and institutional framework for the regular conduct of monitoring and evaluation (M&E) of the results of public policies, programs, projects and other forms of government intervention intended to promote sustainable development and uplift the living standards of all Filipinos, especially the poor and the marginalized. As pointed out by a Hon. Mayantha Dissanayaka, a Member of Parliament of Sri Lanka, in the Global Parliamentarians for Evaluation Conference held in Colombo on 17-19 September 2018, "the National Evaluation Policy (NEP) can be ignored by future Governments and Parliaments if it is not passed as an Act by Parliament."

Hence, the immediate passage of this measure is earnestly sought


RISA HONTIVEROS
Senator

² Rosenstein, B. (2015). Status of National Evaluation Policies. Global Mapping Report. 2nd Edition, Implemented by Parliamentarians Forum on Development Evaluation in South Asia jointly with EvalPartners

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**AN ACT
ESTABLISHING A NATIONAL EVALUATION POLICY**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 SECTION 1. *Title.* – This Act shall be known as the "Results-Based National
2 Evaluation Policy (RBNEP) Act."

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to ensure the relevance,
4 efficiency, effectiveness, coherence, and impact of laws, policies, strategies, and
5 programs, activities, and projects (PAPs) of the government, through the regular conduct
6 and use of credible evaluations of its interventions to achieve its inclusive development
7 and poverty reduction goals.

8 Sec. 3. *Policy Objectives.* – The RBNEP intends to achieve the following objectives:

- 9 a) Facilitate the institutionalization of an integrated evaluation system of the
10 government;
- 11 b) Ensure the timely provision to government decisionmakers of credible and
12 useful evaluations in support of results-based formulation, planning,
13 budgeting, implementation, and oversight of government interventions;
- 14 c) Ensure the systematic utilization of evaluation findings and
15 recommendations for the continuous improvement of government
16 interventions; and
- 17 d) Promote greater transparency and accountability for results of government
18 departments, agencies, and other instrumentalities.

19 Sec. 4. *Definition of Terms.* – The terms used in this Act are defined as follows:

- 20 a) Government Interventions refer to the laws, policies, strategies, and
21 programs, activities, and projects (PAPs) of the government departments,
22 agencies, and other instrumentalities;

- 1 b) Results refer to changes in a state or condition due to a government
2 intervention. There are three types of such changes--outputs, outcomes, and
3 impacts—which can be intended or unintended, positive and/or negative.
- 4 c) Evaluation refers to the systematic and impartial assessment of the results
5 of government interventions. It provides credible information on the
6 efficiency, effectiveness, relevance, coherence, impact, and sustainability of
7 government interventions, enabling the incorporation of lessons learned into
8 the decision-making process.
- 9 d) Monitoring refers to a continuous and systematic collection of data on key
10 results indicators to track progress in achieving the objectives of government
11 interventions.
- 12 e) Outputs refer to the goods and services delivered to the external
13 stakeholders of government departments, agencies and other
14 instrumentalities implementing government interventions.
- 15 f) Outcomes refer to the short-term and medium-term benefits to clients,
16 beneficiaries, and stakeholders, as a result of the outputs of government
17 interventions.
- 18 g) Impacts are higher-level sectoral and societal benefits and other
19 consequences of government interventions. Impacts take place long after
20 target individuals, groups, systems or organizations have experienced the
21 outputs and outcomes of government interventions.

22 **Sec. 5. Coverage.** – The RBNEP shall apply to the following:

- 23 a) All departments, agencies, and other instrumentalities of the national
24 government, including state universities and colleges (SUCs), constitutional
25 commissions, and government-owned and/ or controlled corporations
26 (GOCCs); and legislative and judicial branches of the government;
- 27 b) All government interventions formulated and implemented by the above
28 entities including those funded by Official Development Assistance (ODA)
29 and those contracted to and executed by local government units (LGUs),
30 private sector and civil society organizations.

31 **Sec. 6. Guiding Principles for Evaluation.** – The credibility, quality, and usefulness
32 of evaluation shall be ensured through adherence to the following principles:

- 33 a) Utility. In commissioning or conducting an evaluation, there shall be a clear
34 intention to use the evaluation findings and recommendations for results-
35 based formulation, planning, budgeting, implementation, and oversight of

1 government interventions. The design and timing of evaluations shall
2 address the information needs of government decision-makers.

3 b) Applying evaluation criteria. Evaluations shall assess and report on the
4 relevance, efficiency, effectiveness, coherence, impact and sustainability of
5 government interventions in accordance with internationally accepted
6 evaluation criteria. The use of these criteria shall be responsive to the needs
7 of decision-makers, and to the purpose and context of evaluation.

8 c) Observing evaluation standards. Evaluation shall be consistent with
9 internationally accepted evaluation norms, standards and best practices,
10 including the use of evaluation designs and methodologies capable of
11 attributing observed outputs, outcomes and impacts to government
12 interventions being evaluated. Evaluation reference groups and other
13 mechanisms shall be established and strengthened to ensure the generation
14 of credible, quality and useful evaluations.

15 d) Independence and Impartiality. The independence of the evaluation units
16 of departments, agencies and other instrumentalities shall be ensured at all
17 times. Those who design, manage, and conduct evaluations shall be
18 shielded from any undue influence that will undermine the credibility of
19 evaluations. They shall be provided with adequate resources to produce
20 credible, high-quality and useful evaluation. Evaluation shall be conducted
21 with the highest degree of impartiality. In case third-party evaluators are
22 commissioned to ensure impartial evaluation, they shall be selected from a
23 wide and diversified pool according to objective criteria.

24 e) Evaluation Competencies. Evaluations shall be conducted by organizations
25 and individuals having the required knowledge, skills, and other evaluation
26 competencies. Capacity-building initiatives shall be implemented to
27 strengthen the evaluation competencies of organizations and individuals
28 who commission, design, manage, conduct, communicate and use
29 evaluations.

30 f) Ethics. Individuals and organizations who commission, manage, design, and
31 conduct evaluations shall observe accepted ethical standards including
32 integrity, fairness, gender sensitivity, respect for culture and beliefs, and
33 protection of the rights of evaluation participants.

34 g) Transparency. The implementation of RBNEP shall promote transparency
35 crucial to ensuring credible, high-quality and useful evaluations. To the
36 greatest extent possible, all information required for evaluation shall be

1 made available to evaluators, subject to existing laws and regulations
2 governing the confidentiality and nondisclosure of information.

3 Those who commission or manage evaluation shall ensure the selection of
4 evaluators with no conflict of interest with the evaluation to be undertaken.

5 Potential evaluators of government interventions shall disclose possible
6 conflict of interest that may undermine the credibility of evaluation. They
7 shall disclose the identities of the members of the evaluation team.

8 Evaluators shall disclose to government decision-makers and other
9 stakeholders the purpose, design, implementation, results and utilization,
10 including possible constraints or limitations of an evaluation. . Complete
11 evaluation reports shall be made easily accessible to government decision-
12 makers, relevant stakeholders, and the public.

- 13 h) Accountability. Entities responsible for the commissioning, managing and
14 conducting evaluations shall ensure that evaluations are credible, quality,
15 useful and timely. Key findings and recommendations of completed
16 evaluations shall be communicated clearly by the same entities to
17 government decisionmakers and other stakeholders. The covered entities
18 of the RBNEP shall incorporate the use of evaluations in results-based
19 formulation, planning, budgeting, implementation, and oversight of
20 government interventions.

21 *Sec. 7. Establishment of a National Evaluation Council.* – A National Evaluation
22 Council (NEC) is hereby established to oversee the implementation of the RBNEP.

23 *Sec. 8. Composition of the National Evaluation Council.* – The NEC shall have the
24 following seven (7) voting members:

- 25 a) Secretary of the National Economic and Development Authority (NEDA), or
26 his/her authorized representative, as Chairperson. The representative of the
27 NEDA Secretary shall be an Undersecretary in charge of monitoring and
28 evaluation in NEDA;
- 29 b) Secretary of the Department of Budget and Management (DBM), or his/her
30 authorized representative, as co-chairperson. The representative of the
31 DBM Secretary shall at least be an Assistant Secretary in charge of
32 monitoring and evaluation in the DBM;
- 33 c) Secretary of the Philippine Senate or his/her authorized representative who
34 shall at least be a career Director in charge of policy, planning, research
35 and/or evaluation in the Senate;

- 1 d) Secretary General of the House of Representatives or his/her duly
2 authorized representative who shall at least be a Career Director in charge
3 of policy, planning, research and/or evaluation in the House of
4 Representatives;
- 5 e) Court Administrator of the Supreme Court or his/her authorized
6 representative who shall at least be a career Director in charge of policy,
7 planning and /or performance monitoring and evaluation;
- 8 f) Chairperson of the Commission on Audit (COA) or his/her authorized
9 representative who shall at least be a career Director in charge of policy,
10 planning and /or performance monitoring and evaluation; and
- 11 g) Head of the Presidential Management Staff or his/her authorized
12 representative who shall at least be a career Director in charge of policy,
13 planning and /or performance monitoring and evaluation.

14 The NEC shall meet at least once every quarter or as often as necessary. To ensure that
15 the NEC is guided by inputs of evaluation experts, the following shall attend the NEC
16 meetings as non-voting members:

- 17 a) The head of the Philippine Institute of Development Studies (PIDS) or
18 his/her duly authorized representative who shall at least be a career Director
19 in charge of policy, planning, and/or performance monitoring and
20 evaluation;
- 21 b) The head of the Philippine Statistics Authority (PSA) or his/her duly
22 authorized representative who shall at least be a career Director in charge
23 of policy, planning, and/or performance monitoring and evaluation; and
- 24 c) Representative from the voluntary organizations for professional evaluation
25 (VOPES).

26 *Sec. 9. Functions of the National Evaluation Council.* – The NEC shall perform the
27 following functions to operationalize the RBNEP:

- 28 a) Provide overall policy direction on the implementation of the RBNEP;
- 29 b) Approve the basic guidelines for the conduct of evaluation;
- 30 c) Review and approve the National Evaluation Strategy (NES) and ensure its
31 implementation;
- 32 d) Review, approve, and ensure the implementation of, the costed evaluation
33 agenda of covered entities;
- 34 e) Provide oversight on the conduct of evaluation by covered entities and their
35 management response to evaluation recommendations;

- 1 f) Issue the basic guidelines on the formation and operation of IEUs of covered
2 entities; and
3 g) Approve and implement a program to strengthen the evaluation capacity of
4 IEUs and government decision-makers.

5 *Sec. 10. NEC Secretariat and its Functions.* – The NEC Secretariat shall be
6 established within the NEDA. The existing staffing complement of the NEDA shall be
7 augmented to undertake the functions of the NEC Secretariat. The NEC Secretariat shall:

- 8 a) Formulate and recommend basic guidelines for the conduct of evaluation;
9 b) Prepare the National Evaluation Strategy;
10 c) Review and make recommendations on the costed evaluation agenda of
11 covered entities;
12 d) Monitor the implementation of the entities' evaluation agenda and their
13 management response to evaluation recommendation in support of the
14 oversight function of the NEC;
15 e) Formulate the basic guidelines on the formation and operation of IEUs of
16 entities covered;
17 f) Provide quality assurance of evaluations conducted by covered entities;
18 g) Facilitate the dissemination to decision-makers of key findings, lessons
19 learned, and recommendations from completed evaluations;
20 h) Maintain a public website containing the evaluation plans and reports of
21 covered entities;
22 i) Develop a program to strengthen the evaluation capacity of covered entities
23 and government decisionmakers;
24 j) Prepare and submit to the DBM the annual funding requirement of the
25 program to strengthen the evaluation capacity of the government; and
26 k) Carry out other directives of the NEC, as necessary.

27 *Sec. 11. National Evaluation Strategy.* – The National Evaluation Strategy (NES)
28 shall identify the priority areas for evaluation in line with the Philippine Development Plan.
29 It shall guide the formulation of evaluation agenda of the covered entities.

30 *Sec. 12. Organization of Independent Evaluation Units (IEUs) of Covered Entities.*
31 – Each covered entity shall organize an IEU that shall report directly to the head of the
32 entity. The head of the entity shall ensure that the IEU can perform its evaluation
33 functions independently and objectively.

34 *Sec. 13. Functions of IEUs.* – The IEUs shall:

- 35 a) Coordinate the formulation and approval of the costed evaluation agenda
36 of the covered entity;

- b) Manage or conduct evaluations identified in the costed evaluation agenda;
- c) Submit evaluation plans and final evaluation reports to the entity's head and to the NEC Secretariat in accordance with prescribed guidelines;
- d) Disseminate the key findings and recommendations of completed evaluations to the head of the entity, decision-makers and other stakeholders;
- e) Facilitate the formulation of the management response to key findings and recommendations from the completed evaluations;
- f) Monitor the entity's progress in implementing the management response;
- g) Establish quality assurance and participatory mechanisms for evaluation; and
- h) Provide inputs to results-based formulation, planning, budgeting, and implementation within the entity.

14 *Sec. 14. Formulation of the Costed Evaluation Agenda.* – Each covered entity shall
15 formulate a six-year costed evaluation agenda aligned with the NES. The head of entity
16 shall submit the costed evaluation agenda to the NEC.

17 *Sec. 15. Utilization of Evaluation Findings and Recommendations.* – The head of a
18 covered entity shall incorporate the use of evaluations in results-based formulation,
19 planning, budgeting, implementation, and oversight of government interventions. He or
20 she shall submit to the NEC the management response to evaluation recommendations
21 and ensure its implementation.

22 *Sec. 16. Funding for the Implementation of the RBNEP.* – The funding requirement
23 for the implementation of the RBNEP, including the budget for the conduct of evaluation
24 indicated in the costed evaluation agenda, NEC Secretariat, and IEUs shall be included in
25 the General Appropriations Act (GAA).

26 *Sec. 17. Implementing Rules and Regulations (IRR).* – The NEDA, in consultation
27 with the prospective members of NEC, shall promulgate the IRR to operationalize the
28 guiding principles of the RBNEP and to implement its specific provisions within 60 days
29 upon the approval of this Act.

30 *Sec. 18. Amendment.* – This Act shall be evaluated three years after its initial
31 implementation. The results of such evaluation shall guide the proposed amendments of
32 this Act and its IRR.

33 *Sec. 19. Repealing Clause.* – All laws, decrees, orders, rules and regulations or
34 other issuances or parts thereof inconsistent with the provisions of this Act are hereby
35 repealed or modified accordingly.

1 Sec. 20. *Separability Clause.* – If any portion or provision of this Act is declared
2 unconstitutional, the remainder of this Act or any provision not affected thereby shall
3 remain in force and effect.

4 Sec. 21. *Effectivity.* – This Act shall take effect after fifteen (15) days following the
5 completion of its publication in the Official Gazette or in a newspaper of general circulation
6 in the Philippines.

7 Approved,

 Approved,