

NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session



Senate
Office of the Secretary

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SENATE

S. No. 1343

RECEIVED BY: _____

Introduced by Senator Loren B. Legarda

AN ACT
INSTITUTIONALIZING A RESULTS-BASED NATIONAL EVALUATION
POLICY

EXPLANATORY NOTE

Sound policies and programs are necessary to improve access and quality of services as these are determinants in meeting national goals effectively, efficiently, equitably, and sustainably.

To strengthen the role and enhance the relevance of institutions, there is a need to ensure that initiatives and resources are responsive under present circumstances and address key challenges. Thus, systematic, and context-specific evaluation of policies and programs is important.

In the Philippines, evaluation has not been integrated into the processes and systems of government. Selected programs and projects have conducted an evaluation on the initiative of international development agencies, such as the National Economic and Development Authority and the Department of Budget and Management Joint Memorandum Circular No. 2015-01 which established an evaluation policy framework to govern the practice of evaluation of programs and projects receiving budgetary support from the government. The Circular applies to the agencies of the Executive Branch, such that it does not warrant a systematic investigation of the merit, worth, or significance of policies and programs of other branches of government.

Recognizing the importance of evaluation to a country's good governance, transparency, and accountability, some jurisdictions have institutionalized 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 NEP¹. A National Evaluation Policy can facilitate the development of an enabling environment and the institutional and individual capacities for evaluation to reach its full potential.

This bill seeks to establish 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, and other forms of government intervention intended to improve institutional capacities, promote sustainable development, and uplift the living standards of all Filipinos.

In view of the foregoing, the passage of this bill is earnestly sought.



LOREN LEGARDA

¹ Diwakar, Y. De Mel, R. & Samarasinghe, H. (20 September 2021). A Study on the Status of National Evaluation Policies and Systems in Asia Pacific Region. Retrieved from <https://www.evalforward.org/sites/default/files/2021-09/A%20study%20on%20the%20status%20of%20national%20evaluation%20policies%20and%20systems%20in%20Asia%20Paci%20fic%20Region.pdf>

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

1 Section 1. *Title.* This Act shall be known as the "Results-Based National Evaluation
2 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
6 conduct and use of credible evaluations of its interventions to achieve its inclusive
7 development 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
10 the government;
- 11 b) Ensure the timely provision to government decisionmakers of credible
12 and useful evaluations in support of results-based formulation,
13 planning, budgeting, implementation, and oversight of government
14 interventions;
- 15 c) Ensure the systematic utilization of evaluation findings and
16 recommendations for the continuous improvement of government

1 interventions; and

- 2 d) Promote greater transparency and accountability for results of
3 government departments, agencies, and other instrumentalities.

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

5 a) *Government Interventions* refer to the laws, policies, strategies, and
6 programs, activities, and projects (PAPs) of the government
7 departments, agencies, and other instrumentalities.

8 b) *Results* refer to changes in a state or condition due to a government
9 intervention. There are three types of such changes--outputs, outcomes,
10 and impacts--which can be intended or unintended, positive and/or
11 negative.

12 c) *Evaluation* refers to the systematic and impartial assessment of the
13 results of government interventions. It provides credible information on
14 the efficiency, effectiveness, relevance, coherence, impact, and
15 sustainability of government interventions, enabling the incorporation
16 of lessons learned into the decision-making process.

17 d) *Monitoring* refers to a continuous and systematic collection of data on
18 key results indicators to track progress in achieving the objectives of
19 government interventions.

20 e) *Outputs* refer to the goods and services delivered to the external
21 stakeholders of government departments, agencies and other
22 instrumentalities implementing government interventions.

23 f) *Outcomes* refer to the short-term and medium-term benefits to clients,
24 beneficiaries, and stakeholders, as a result of the outputs of government
25 interventions.

26 g) *Impacts* are higher-level sectoral and societal benefits and other
27 consequences of government interventions. Impacts take place long
28 after target individuals, groups, systems or organizations have
29 experienced the outputs and outcomes of government interventions.

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

- 31 a) All departments, agencies, and other instrumentalities of the national
32 government, including state universities and colleges (SUCs),

1 constitutional commissions, and government-owned and/ or controlled
2 corporations (GOCCs); and legislative and judicial branches of the
3 government;

- 4 b) All government interventions formulated and implemented by the
5 above entities including those funded by Official Development
6 Assistance (ODA) and those contracted to and executed by local
7 government units (LGUs), private sector and civil society organizations.

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

- 10 a) *Utility.* In commissioning or conducting an evaluation, there shall be a
11 clear intention to use the evaluation findings and recommendations for
12 results-based formulation, planning, budgeting, implementation, and
13 oversight of government interventions. The design and timing of
14 evaluations shall address the information needs of government
15 decision-makers.
- 16 b) *Applying evaluation criteria.* Evaluations shall assess and report on the
17 relevance, efficiency, effectiveness, coherence, impact and sustainability
18 of government interventions in accordance with internationally
19 accepted evaluation criteria. The use of these criteria shall be responsive
20 to the needs of decision-makers, and to the purpose and context of
21 evaluation.
- 22 c) *Observing evaluation standards.* Evaluation shall be consistent with
23 internationally accepted evaluation norms, standards and best practices,
24 including the use of evaluation designs and methodologies capable of
25 attributing observed outputs, outcomes and impacts to government
26 interventions being evaluated. Evaluation reference groups and other
27 mechanisms shall be established and strengthened to ensure the
28 generation of credible, quality and useful evaluations.
- 29 d) *Independence and Impartiality.* The independence of the evaluation units
30 of departments, agencies and other instrumentalities shall be ensured at
31 all times. Those who design, manage, and conduct evaluations shall be
32 shielded from any undue influence that will undermine the credibility

1 of evaluations. They shall be provided with adequate resources to
2 produce credible, high-quality and useful evaluation. Evaluation shall
3 be conducted with the highest degree of impartiality. In case third-party
4 evaluators are commissioned to ensure impartial evaluation, they shall
5 be selected from a wide and diversified pool according to objective
6 criteria.

7 e) *Evaluation Competencies.* Evaluations shall be conducted by
8 organizations and individuals having the required knowledge, skills,
9 and other evaluation competencies. Capacity-building initiatives shall
10 be implemented to strengthen the evaluation competencies of
11 organizations and individuals who commission, design, manage,
12 conduct, communicate and use evaluations.

13 f) *Ethics.* Individuals and organizations who commission, manage, design,
14 and conduct evaluations shall observe accepted ethical standards
15 including integrity, fairness, gender sensitivity, respect for culture and
16 beliefs, and protection of the rights of evaluation participants.

17 g) *Transparency.* The implementation of RBNEP shall promote
18 transparency crucial to ensuring credible, high-quality and useful
19 evaluations. To the greatest extent possible, all information required for
20 evaluation shall be made available to evaluators, subject to existing laws
21 and regulations governing the confidentiality and nondisclosure of
22 information.

23 Those who commission or manage evaluation shall ensure the
24 selection of evaluators with no conflict of interest with the evaluation to
25 be undertaken. Potential evaluators of government interventions shall
26 disclose possible conflict of interest that may undermine the credibility
27 of evaluation. They shall disclose the identities of the members of the
28 evaluation team.

29 Evaluators shall disclose to government decision-makers and
30 other stakeholders the purpose, design, implementation, results and
31 utilization, including possible constraints or limitations of an evaluation.
32 Complete evaluation reports shall be made easily accessible to

1 government decision-makers, relevant stakeholders, and the public.

2 h) *Accountability.* Entities responsible for the commissioning, managing,
3 and conducting evaluations shall ensure that evaluations are credible,
4 quality, useful and timely. Key findings and recommendations of
5 completed evaluations shall be communicated clearly by the same
6 entities to government decisionmakers and other stakeholders. The
7 covered entities of the RBNEP shall incorporate the use of evaluations
8 in results-based formulation, planning, budgeting, implementation, and
9 oversight of government interventions.

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

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

- 14 a) Secretary of the National Economic and Development Authority
15 (NEDA), or his/her authorized representative, as Chairperson. The
16 representative of the NEDA Secretary shall be an Undersecretary in
17 charge of monitoring and evaluation in NEDA;
- 18 b) Secretary of the Department of Budget and Management (DBM), or
19 his/her authorized representative, as co-chairperson. The
20 representative of the DBM Secretary shall at least be an Assistant
21 Secretary in charge of monitoring and evaluation in the DBM;
- 22 c) Secretary of the Philippine Senate or his/her authorized representative
23 who shall at least be a career Director in charge of policy, planning,
24 research and/or evaluation in the Senate;
- 25 d) Secretary General of the House of Representatives or his/her duly
26 authorized representative who shall at least be a Career Director in
27 charge of policy, planning, research and/or evaluation in the House of
28 Representatives;
- 29 e) Court Administrator of the Supreme Court or his/her authorized
30 representative who shall at least be a career Director in charge of policy,
31 planning and /or performance monitoring and evaluation;
- 32 f) Chairperson of the Commission on Audit (COA) or his/her authorized

1 representative who shall at least be a career Director in charge of policy,
2 planning and /or performance monitoring and evaluation; and

3 g) Head of the Presidential Management Staff or his/her authorized
4 representative who shall at least be a career Director in charge of policy,
5 planning and /or performance monitoring and evaluation.

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

9 a) The head of the Philippine Institute of Development Studies (PIDS) or
10 his/her duly authorized representative who shall at least be a career
11 Director in charge of policy, planning, and/or performance monitoring
12 and evaluation;

13 b) The head of the Philippine Statistics Authority (PSA) or his/her duly
14 authorized representative who shall at least be a career Director in
15 charge of policy, planning, and/or performance monitoring and
16 evaluation; and

17 c) Representative from the voluntary organizations for professional
18 evaluation (VOPEs).

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

21 a) Provide overall policy direction on the implementation of the RBNEP;

22 b) Approve the basic guidelines for the conduct of evaluation;

23 c) Review and approve the National Evaluation Strategy (NES) and ensure
24 its implementation;

25 d) Review, approve, and ensure the implementation of, the costed
26 evaluation agenda of covered entities;

27 e) Provide oversight on the conduct of evaluation by covered entities and
28 their management response to evaluation recommendations;

29 f) Issue the basic guidelines on the formation and operation of IEUs of
30 covered entities; and

31 g) Approve and implement a program to strengthen the evaluation
32 capacity of IEUs and government decision-makers.

1 Sec. 10. *NEC Secretariat and its Functions.* The NEC Secretariat shall be
2 established within the NEDA. The existing staffing complement of the NEDA shall be
3 augmented to undertake the functions of the NEC Secretariat. The NEC Secretariat
4 shall:

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

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

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

32 Sec. 13. *Functions of IEUs.* The IEUs shall:

- 1 a) Coordinate the formulation and approval of the costed evaluation
2 agenda of the covered entity;
- 3 b) Manage or conduct evaluations identified in the costed evaluation
4 agenda;
- 5 c) Submit evaluation plans and final evaluation reports to the entity's head
6 and to the NEC Secretariat in accordance with prescribed guidelines;
- 7 d) Disseminate the key findings and recommendations of completed
8 evaluations to the head of the entity, decision-makers and other
9 stakeholders;
- 10 e) Facilitate the formulation of the management response to key findings
11 and recommendations from the completed evaluations;
- 12 f) Monitor the entity's progress in implementing the management
13 response;
- 14 g) Establish quality assurance and participatory mechanisms for
15 evaluation; and
- 16 h) Provide inputs to results-based formulation, planning, budgeting, and
17 implementation within the entity.

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

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

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

30 Sec. 17. *Implementing Rules and Regulations (IRR).* The NEDA, in consultation
31 with the prospective members of NEC, shall promulgate the IRR to operationalize the
32 guiding principles of the RBNEP and to implement its specific provisions within 60

1 days upon the approval of this Act.

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

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

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

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

Approved,