1. **What is the Staff Working Document for Evaluation?**

The staff working document for evaluation or fitness check (SWD) is the key deliverable of the evaluation process, presenting the lead DG's evidence-based judgements and answers to the evaluation questions. The lead DG should present its conclusions to the evaluation in a way that is useful to policymakers and that can be used as a basis for future policy development.

The SWD summarises the evaluation and presents in a transparent manner the process and methodology used for the evaluation and any associated limitations to the robustness of the process and findings. All evidence should be clearly presented or referenced. DGs must use the standard format described below for the SWD which will ensure consistency across the Commission.

Where evaluations are based exclusively on the work of external contractors (e.g. by supporting studies), the SWD should not undermine the objectivity and independence of the evaluation process. Instead, the SWD draws on this work and allows the lead DG to take ownership of the findings and conclusions of the evaluation. However, if there are reasons why the lead DG thinks there are different answers or draws different conclusions to those of the external contractor, this can be brought out in the SWD, together with the necessary supporting justification – either by showing why they interpret the evidence differently, or by bringing in additional information.

Where evaluations have limited or no support from external contractors, the SWD should provide a transparent record of the work done by the Commission services together with any information drawn from supporting sources.

The evaluation SWD template and executive summary cover page can be downloaded from GoPro. This template must be used, with a standard cover page created in Legiswrite and be transmitted to at least one of the institutions (in order to receive an SWD serial number).

2. **Why is the SWD Important?**

The SWD is the key document that will inform stakeholders and policy makers on the outcome of the evaluation, presenting the judgements and lessons learned. It should be written by the lead DG irrespective of whether there has or has not been an external supporting study. It is the response to the issues raised in the roadmap and answers the evaluation questions (section 5). It is also the basis for the follow-up plans. It can (via the synopsis report provided in annex544) provide an indirect feedback mechanism acknowledging the contributions that stakeholders and experts have made throughout the process.

The SWD should be a self-standing document which follows the standard structure set out below, to ensure consistency across Commission services. It should be written using

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544 See Tool #55 on Informing policymaking - the synopsis report
non-technical language with non-expert readers in mind and should provide the reader with a complete picture of the key steps performed, the main issues and findings. More detailed information or explanations should be provided in the annexes. In most cases, a short executive summary of two DGT standard pages available in FR, DE and EN should also be drafted, although this may be omitted where there is also a requirement to provide a report to the European Parliament and Council.

The SWD presents in a self-standing and non-technical manner the process, evidence and analysis, and is likely to be around 50-60 pages (excluding annexes but including tables and figures). The process followed for the evaluation may influence the length of the evaluation SWD, but even where the full body of work described in the evaluation roadmap has been outsourced to contractors, who have written up their process and findings as a separate report, the evaluation SWD must provide sufficient detail, enabling the reader to follow the evidence and logic and understand the answers and conclusions without having to read any supporting materials.

Underlying data, statistics, information, expert contributions and stakeholder views should all be referenced, particularly where choices are made or conclusions are drawn based on them. Whenever possible, direct hypertext internet links should be provided.

Stakeholder views should be integrated throughout the text of the evaluation SWD. A description of the views of the different stakeholder groups should be included and any differences within or across such groups should be highlighted.

3. **The SWD and any associated report / communication to the European Parliament and the Council**

The evaluation of legislation may be based on a reporting/review clause in a legal act which obliges the Commission to review or evaluate the legislation after a certain time and to provide the European Parliament and Council with a report (or communication – hereafter, just "report").

In cases where the legislation requires such a Commission report (i.e. one adopted by the College), the SWD should be linked to and support the main Commission report. This should help keep the main text of the report concise. Where the Commission reports formally to the Legislator, it is not necessary to provide a separate executive summary of the SWD. This decision is at the discretion of the lead DG, but consideration should be given to the dissemination value and use made by many stakeholders of such documents.

Where there is no legal obligation for the Commission to report formally to the Legislator this can still be done if appropriate. It is sufficient to organise one single interservice consultation covering both the report and the SWD.

The SWD describes the Commission Services' approach, analysis and conclusions to the evaluation. A SWD is an analytical document, drawing conclusions underpinned by factual information and analysis.

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545 See also GoPro: [https://webgate.ec.europa.eu/efsms/wikis/display/REGISTRY/Commission+staff+working+documents](https://webgate.ec.europa.eu/efsms/wikis/display/REGISTRY/Commission+staff+working+documents)

546 See Tool #42 on *Legal provisions on monitoring and evaluation*. 

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In contrast to the SWD, a formal report to the Legislator can also set out any political message about the evaluation and indications of next steps. This report can be a shorter self-standing document, referring to more detailed indications in the SWD. It should provide clear indications on all key aspects of the evaluation including, if appropriate, (indicative) responses to the conclusions of the evaluation. The report is not submitted to the RSB (the RSB provides an objective assessment of the quality of the work of the Commission services in relation to the evaluation, and hence is based on the Commission services evaluation or fitness check SWD).

**Box 1. The SWD for evaluation**

- The evaluation SWD should contain:
  - Judgement/answers, based on a range of data, to the evaluation questions which the evaluation intended to address;
  - A clear summary of the methodology followed and a final assessment of the limitations of the approach taken, any insufficiencies in the data used to support the conclusions and the robustness of the findings;
  - A clear chain of logic between the analysis and findings, the answers to the evaluation questions and the conclusions drawn.
  - Clear conclusions based on the evidence drawing on the lessons learned and providing necessary information for future policy decisions.
  - A summary of the changes requested/introduced by the Regulatory Scrutiny Board (RSB) if they have been consulted. Where the procedural annex contains a summary of the main changes made due to the Quality Assessment (QA) of any external work and confirmation of the involvement of the ISG in that QA, this fulfils the requirement to publish the QA of associated external work. It may also be appropriate (but is not mandatory) to summarise changes introduced during interservice consultation.

- An executive summary of no more than two DGT standard pages available in EN, FR and DE should be issued as a stand-alone document except for cases when a report to the Council and European Parliament is provided and the lead DG has decided not to provide such a summary.

- All contractors’ final reports (plus other relevant interim deliverables from external work) and SWDs for evaluation should follow the appropriate corporate publication requirements.

- It is considered good practice to publish non-confidential data used in the evaluation or supporting studies.

- The main text of the SWD (section 4) and the annex presenting procedural information should explain how the opinion of the ISG was sought (process) and be reflected in the SWD (content).

4. **THE SWD IN BACK-TO-BACK EVALUATIONS AND IMPACT ASSESSMENTS**

For all fitness checks and evaluations selected for scrutiny by the RSB, the results of the evaluation must be presented in a stand-alone SWD, irrespective of the degree of overlap in the back-to-back process.
For other back-to-back evaluations/impact assessments the results of evaluation can be presented as an annex to the IA report. This new annex will follow the structure of an evaluation SWD, reporting as far as possible under each section. It should also explain why a back-to-back approach was taken and identify any limits or issues caused by overlaps in conducting the evaluation and impact assessment.

5. **Detailed Structure and Content of the Evaluation SWD and the Executive Summary**

The SWD should follow the structure below. Each section provides further guidance on the text/issues to be covered. This guidance summarises elements of various evaluation tools which provide the complete picture of issues to address under each section.

### Executive Summary

An executive summary should be provided. The executive summary should be a reader-friendly (for the unfamiliar reader) stand-alone document. Thus, a non-technical style should be applied, providing the full picture of the evaluation and any technical terminology and jargon should either be adapted or explained. The executive summary should be provided in English, French and German.

The executive summary should not be longer than two (DGT) pages.

An executive summary is not necessary when the Commission provides a report to the Council and the European Parliament.

The template is available on GoPro.

### Section 1 Introduction

**Purpose and scope of the evaluation**

- Set out the purpose of this evaluation/FC, what it will deliver and how its results may be used (e.g. to fulfil a legal obligation, provide the basis for a possible future IA, to improve application etc.)
- What are the main issues the evaluation addresses?
- What evaluation criteria are applied (noting that all evaluations should cover effectiveness, efficiency, relevance, coherence and EU added value)?
- Which time period the evaluation covers (from the start of the intervention until now, or different time period, when covering a different time period explain why)?
- Which Member States and other countries the evaluation covers? (if not all Member States and if other countries explain why)
- Which related implementing / delegated acts are covered as part of the evaluation? If they are not covered, explain why.

Indicative length: 2 pages
Section 2 Background to the intervention

**Description of the intervention and its objectives**

Provide a brief description of the intervention and how it fits in the wider policy framework. Also describe its different components, its objectives and the problems it was intended to solve.

If possible, summarise this information in an intervention logic diagram or text, bringing showing the intended logic from the EU intervention to the expected changes (thus delivering on the objectives). It is generally helpful to present some sort of picture illustrating how the different components were expected to fit together.\(^\text{547}\)

Discuss/show the timing of the different components, their expected outputs and how these actions were ultimately expected to deliver the objectives.

**Baseline and / or points of comparison**

Either in this section, or in Section 3, describe the points of comparison against which you will assess your intervention. This can be for example the situation before the intervention started (T\(_0\)), the no change scenario in the impact assessment (baseline) or the situation you expected to have achieved at this point in time (preferred option). You may need to use different points of comparison for assessing the different evaluation criteria and should clearly explain the choice made\(^\text{548}\).

This section should draw on the prior impact assessment if available (but updated to reflect changes during the adoption process). It should cover in particular the situation linked to the problems / needs the intervention was intended to solve (a quantitative description should be provided as far as possible). This should facilitate a comparison with the current situation and should therefore cover as far as possible the same parameters/indicators that are used to describe the state of play in Section 4.

Use tables/graphs/pictures as necessary.

Indicative length: 3-5 pages.

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Section 3 Implementation / state of play

**Descriptive section, summarising the current situation.**

Explain:

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\(^\text{547}\) See Tool #46 on *Designing the evaluation*.

\(^\text{548}\) See Tool #46 on *Designing the evaluation*. 

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• How the intervention has been implemented, summarising which Member States have done what and what problems/infringements have been identified;

• What the current situation is in quantitative and qualitative terms (paying particular attention to any information relating to existing costs and benefits). In particular, explain the monitoring arrangements put in place and report back on the different indicators. Concentrate on those aspects of the situation which result from the intervention and which are relevant for this evaluation;

• Whether any unexpected or unintended changes have been identified, including whether there have been "knock-ons" in other areas due to this intervention.

It is not necessary to repeat in this section all the evidence collected, but clear references should be provided, signposting where further detail/information can be found.

Use tables/graphs/pictures as necessary to illustrate the current situation.

Be aware that there is a need to balance the data presented here in a descriptive format, with later analysis under one or more criteria. Cross-referencing may assist in avoiding unnecessary repetition.

Indicative length: 3 – 5 pages

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**Section 4 Method**

*Summarise how the evaluation has been carried out and over what time period.* This should be described with reference to the evaluation criteria and questions, available data, analysis etc.

Provide a transparent account of what has been done, by whom (external contractor, Commission), any changes from the original plan (set out in the roadmap) and any mitigating measures taken.

List any known limitations e.g. data, timing, etc. and explain the mitigating measures taken. Provide an overall analysis of the reliability of the available data.

Provide a critical assessment of the work carried out by the external contractor, which allows an understanding why you agreed or disagreed with their conclusions.

*Keep detail for the Annex (see 5.2 below):* a more elaborate description of the process as well as details relating to the methodologies applied (e.g. studies carried out/used; sources of data; models; stakeholder consultation etc.) should be included in the Annexes to the report.

Indicative length: 2 pages.

*By the time readers reach the end of this section, they should all have a common understanding of what the intervention was expected to achieve; how that was expected to happen; and what the situation is now. They should also understand the approach taken for the evaluation and any limits that have been identified,*
providing them with a context for the subsequent analysis and managing their expectations about the level of detail and sophistication that will be provided.

Section 5 Analysis and answers to the evaluation questions

Present the evaluation question and provide the answer

Answer ALL evaluation questions that were fixed after the 1st meeting of the ISG in a clear and concise manner that is understandable to the non-expert reader. If there is insufficient data or evidence to answer one or more questions, this should be clearly stated and linked to the limitations under Section 3 above.

Compare the current situation (section 3) with the points of comparison (section 2 or 3). Use the information collected to analyse how far the outputs and outcomes observed match the expectations stated when the intervention was adopted, referencing the intervention logic as appropriate and showing whether it the logic has been followed as expected or not. Consider the impact of delays in implementation. Bring together different sources of data (clearly referenced so that the reader can investigate further if they wish) and provide unbiased and critical judgements of what has/has not been achieved. Ensure triangulation of data.

This section should be analytical, using tables/graphs/pictures to illustrate the analysis.

All the evaluation criteria – Effectiveness, Efficiency, Relevance, Coherence and EU Added Value – should be addressed in the final report, unless an exemption has previously been granted. It is recommended that this is done as a specific sub-section for each criterion. The coverage (written text) allocated to each criterion will vary depending on its importance and the evidence / analysis available.

In particular, under the efficiency criterion, efforts should be made to address in qualitative and quantitative terms cost, benefits and burdens arising from the intervention or explain why this has not been possible.

Indicative length: 10-25 pages.

Section 6 Conclusions

Summarise the main conclusions of the evaluation, usually by evaluation criteria.

The conclusions should be written in such a way that policy makers can use them as a basis for future policy development but respecting the limits of an SWD, they should not make any commitment for future action or direction of action. It is important to present the lessons learned and include a 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.

It should be clear:

- what elements of the EU intervention are working or not and why;
• the lessons learned (good or bad);
• if actual performance matches the expectations (with appropriate reference to a prior impact assessment);
• if issues need to be addressed by action or will resolve over time.

Where appropriate, clear reference should be made to lessons relating to (REFIT) issues such as regulatory or unnecessary burden, simplicity/complexity, identification of efficiencies/inefficiencies, achievement of objectives at low / high (appropriate / reasonable) costs.

There should be a clear and logical progression between the description of implementation/state of play presented in Section 3, the answers to the evaluation questions provided in Section 5 and the conclusions being drawn. There is no need to repeat here the answers to the individual evaluation questions - these should be provided in section 5.

The conclusions should summarise and qualify the performance of the intervention against the criteria used for the evaluation. As the conclusions text is often read independently of the preceding text, there should be a short recap of the scope and limitations of the evaluation.

No new detail or issue should present in the conclusions section– such information should always be presented in the analysis section first. Related to this, avoid confusion by taking care to use consistent terminology throughout (new wording could give the impression that something is new is being concluded, when it has been mentioned earlier, just with different phrasing).

Indicative length: 2 - 4 pages

5.1. Annexes to the final report

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<th>Annexes to be included in the final report</th>
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Annexes can be used to present additional technical material particularly to support the information presented in the main body of the report (e.g. a more detailed description of the concerned market or monitoring indicators). Annexes should not be excessively long, be restricted to information which is relevant and pertinent and contain references and hypertext links to external information sources wherever possible (rather than reproducing the material in the report itself).

The following annexes are required:

**Annex Procedural information** concerning the process to prepare the evaluation or fitness check.

• Identify the lead DG; any Decide /Work Programme references;
• Describe any exceptions from the usual procedural requirements of the better regulation Guidelines together with an appropriate justification;
• Organisation and timing: provide the general chronology of the evaluation or Fitness Check and specify which DGs participated in the Steering Group and how many meetings of the group were held;

• **Consultation of the Regulatory Scrutiny Board (if relevant).** Briefly explain how the Board's recommendations have led to changes compared to the earlier draft. This should be presented in tabular format – the first column identifying the Board's recommendation and the second column how the Report has been modified in response;

• Explain which **evidence** has been used in the evaluation or fitness check together with sources and any issues regarding its robustness (i.e. has the information been quality assured?);

• **External expertise.** Describe how expert advice has been used in the process, including scientific expertise and/or use of Commission expert groups. Describe any studies/work carried out by external contractors, with references and internet links where available. The requirement to publish the QA of a supporting study (ies) can be fulfilled by the inclusion in the procedural annex of the evaluation SWD of summary text relating to the changes introduced following the QA, together with statements confirming the involvement of the ISG in the QA process.

**Annex:** Synopsis report of the **Stakeholder consultation**

**Annex. Methods and Analytical models used in preparing the evaluation/fitness check**

A dedicated annex presenting the following information should be included:

• A description of the methods and approaches which have been deployed during the evaluation or fitness check. This should include as a minimum the evaluation matrix applied. Any differences between the actual evaluation matrix used and the one created at the start of the evaluation should be used to inform the section on limitations.

• Where appropriate, include a brief description of any models used which addresses:

  • Model structure and modelling approach with any key assumptions, limitations and simplifications;
  
  • Intended field of application and appropriateness for the specific impact assessment study presented;
  
  • Model validation and peer review with relevant references;
  
  • Citation of input data following good practices for data citation for maximum transparency;

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549 For detail and content: see Tool #55 on *Informing policymaking – the synopsis report*
• The extent to which the content of the model and input data have been discussed with external experts;

• Explanation of the likely uncertainty in the model results and the likely robustness of model results to changes in underlying assumptions or data inputs;

• Explanation as to how uncertainty has been addressed or minimised in the modelling exercise with respect to the policy conclusions;

• The steps taken to assure the quality of the modelling results presented in the report;

• A concise description of the baseline(s) used in any modelling exercise in terms of the key assumptions, key sources of macroeconomic and socio-economic data, the policies and measures the baseline contains and any assumptions about these policies and measures (such as the extent to which they are deemed implemented by the Member States, or their estimated impact following implementation). Where the baseline deviates from the one identified in a prior impact assessment, the reasons for this should be clearly explained, including any related to changes introduced during the adoption process.

6. **GOOD PRACTICE TIPS**

• Given the importance of providing a good evidence base, all data and analysis should be clearly sourced and where necessary further detail provided in an annex.

• To be credible, evaluations need to state the findings clearly and not avoid being critical where relevant. The evaluation is a backward looking exercise. Therefore findings and conclusions have to be phrased so that it is clear what has been achieved and what is lacking. Avoid replacing this backward looking angle by forward looking recommendation for future inclusion e.g. writing that there is room for improvement when a lack of something has been observed. Care needs to be taken so that the phrasing of conclusions does not go beyond the limits of a SWD.

• The executive summary and the conclusions section of the SWD should both contain clear statements on the robustness and reliability of the data and analysis which form the basis of the evaluation, in order to reflect the common practice of reading either of them first.

• Compare what is being delivered in the final evaluation to what was agreed in the roadmap. It is easy to promise everything at the start of an evaluation and then find that it is not possible to deliver. Such limitations or variances from the plan should be clearly written up in the SWD.

• In cases where several evaluations of a repetitive nature with very similar content and structure are carried out (e.g. in case of certain funding instruments) it may be possible to cover them in a single SWD. This approach would need to be agreed in advance with the SG on a case-by-case basis.