

## TERMS OF REFERENCE FOR IMPEL PROJECT

\* Please read the supporting notes before filling in each section of this form.

### 1. Project details

<b>Name of project</b>
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Evaluating the IMPEL network and its work
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### 2. Scope

#### 2.1. Background

As a mature network of regulatory authorities, the IMPEL network's stated aim and objective is, amongst other things, to facilitate the dissemination of good practice to help achieve better implementation and enforcement of EU environmental law. IMPEL's members feel that to gain a better understanding of the effectiveness of our work and to see what we can learn and how we can improve, we need to carry out an external evaluation of our network and our work. We also would like to consider how we can better embed evaluation into our work as a matter of course and so this project will look at options for doing that.

The benefits of evaluating IMPEL's work could be:

- Ensuring that projects, their aims and goals and structure are designed well and are fit for purpose. Maybe the project documents need to be improved, maybe communications need to be improved, maybe more funding is required, maybe project management and/or project governance [at Board / network level] needs to be improved?
- Identifying possible gaps – is communication a problem e.g. do all of the headline results of projects filter down to IMPEL members and their respective organisations? Are messages effectively communicated to senior level managers? Is there a structural/governance problem in the network - does the network e.g. at a Board level, need to do more to assist National Coordinators in understanding how IMPEL can be used as their vehicle to better implementation.
- Understand why we are carrying out projects and what they contribute to our 'brand' and reputation as the European network of environment authorities and regulatory agencies. To help IMPEL establish a clear rationale for prioritising projects. Maybe IMPEL needs to carry out less but better funded and resourced projects.
- To safeguard against further budget cuts (from LIFE+ and by national administrations via their membership fee contributions) by demonstrating in a clear, and where possible in a quantitative way, how IMPEL contributes to achieving better implementation and enforcement of EU law.
- Assist National Coordinators in their role and function when explaining and promoting the benefits of involvement in international work like IMPEL. It may also assist in justifying the membership fee and give a basis for reasoned change in the level

	<p>of fee (either increase or decrease).</p> <ul style="list-style-type: none"> <li>• To demonstrate that IMPEL is not just about a transfer of knowledge from more developed countries to less developed ones but that it is a forum and platform for sharing contacts, knowledge, intelligence and carrying out joint activities.</li> <li>• To give justification for changing direction if necessary e.g. away from comparison projects to more capacity building and/or training type work.</li> <li>• After completing such an evaluation, this report may highlight the need for IMPEL to change / amend its direction or structure/governance or both in order to become more effective in dealing with current and future challenges.</li> </ul>
<b>2.2. Directive / Regulation / Decision</b>	n/a
<b>2.3. Article and description</b>	n/a
<b>2.4 Link to the 6<sup>th</sup> EAP</b>	n/a
<b>2.5. Link to MAWP</b>	n/a
<b>2.6. Objective (s)</b>	<p>The objectives will be met by tackling two key areas: first, by looking at existing projects and finalised work of IMPEL and understanding how our work contributes to better implementation and enforcement of the acquis. Then second, looking at how IMPEL could embed more evaluation into IMPEL’s work as a matter of course to ensure we are continually reviewing our work and looking to improve our operations.</p> <p><u>Section 1</u> To answer the following questions:</p> <ul style="list-style-type: none"> <li>• How do the projects that we carry out contribute to the stated <a href="#">aim of the network</a>? How can we be sure that the results of our projects are contributing to this aim?</li> <li>• Do we need to move into ‘new’ areas and focus less on ‘brown’ projects that IMPEL has traditionally worked on. Is there still a need for carrying out such work? Is there evidence that the impact of IMPEL’s work in this area declining considering the amount of current resource and effort IMPEL invests in this area? Does this mean that IMPEL needs to change direction into other areas, ‘green’ and/or ‘blue’? What would the implications for such a change be?</li> <li>• What evidence is there for understanding if our projects are contributing to better implementation and enforcement and is it measurable? If it is not measurable, why not? Does it need to be measurable?</li> <li>• Are some types of projects better than others at demonstrating how IMPEL contributes to better implementation and enforcement e.g. peer reviews, comparison projects, joint enforcement activities, studies, capacity building and training? Should we be doing more of one thing and less of another?</li> <li>• Do we have a clear rationale for how we prioritise projects?</li> </ul>

- Are the projects supported in the appropriate manner e.g. is there more that can be done at a Board / network level to ensure that projects and project managers are successful? Further work may need to be done to ensure that the purpose/usefulness/practical purpose of the project is more clearly set out; there is a higher quality in terms of project work and results (its documentation and organisation); and in its communication of outcomes and outputs
- Are all IMPEL members and their organisations aware of the project results and how this can help them in their daily work? Are all projects relevant for all members all of the time? Do they need to be? Some members in IMPEL are less active than others. Is this a problem and should it be addressed further? How?
- How do we seek feedback from our member organisations and other stakeholders on how useful the project was to them and how do we learn from this feedback?
- Can we identify a set of case studies where we have a good understanding of the benefits of projects to our members and others? What are the features of these projects and what can we learn from them? Can we use this experience to help frame criteria for future project prioritisation?
- Are the results clearly demonstrable but the problem is that it is sometimes difficult to communicate the results to relevant parties? Are key stakeholders of IMPEL aware of what we do? Is the use of English within IMPEL a barrier to improving implementation and enforcement? Would the salient points from projects achieve wider dissemination if there was translation into own languages?

## Section 2

One related but slightly separate question that this project will examine is whether IMPEL should put in place a more formal procedure for evaluating itself and its outputs and outcomes. This would then form a basis for helping IMPEL to review its work, understand how it can keep improving and how to tackle the apparent deficit between what our key stakeholders know and what they ought to know. The consultant tasked with carrying out this project will be asked to prepare a study to look at the options for such a procedure highlighting pros and cons for different options bearing in mind the networks current financial limitations. Such questions could be:

- Should the projects and project managers have a built in mechanism to evaluate their performance? Would this mean that projects would need key indicators to judge their performance against?
- Should the network as a whole review the outcomes/outputs of its projects collectively?
- What is the appropriate frequency for carrying out evaluation of IMPEL's work? Is there further scrutiny role for the General Assembly or Board to review outcomes and outputs of projects?
- What are the cost implications in terms of time and money for IMPEL to implement such changes?

### 3. Structure of the project

<p><b>3.1. Activities</b></p>	<p>The objectives will be achieved by hiring an external consultant to carry out the assessment of IMPEL’s work.</p> <p>The IMPEL Board will send out a tender to several external consultancy’s with sufficient background knowledge of IMPEL and its processes to be able to carry out this work. The Board will convene an initial preparatory meeting with the consultant to identify and establish the parameters of the study based on the questions and issues highlighted above in sections 2.1 and 2.6. A midterm meeting will be convened between the Board and the consultant to ensure that the review is proceeding as expected and to answer any questions along the way. The Board will ask for updates throughout by the consultant and these will be fed into the periodic Board meetings. The Board will share the findings at each stage of the process with National Coordinators.</p> <p>It is expected that the consultant will carry out interviews with IMPEL members and relevant stakeholders that work with IMPEL in order to carry out this evaluation. The Board will share with the consultant its database of contacts so that interviews can be carried out by the consultant with IMPEL members.</p> <p>A final report will be expected by the beginning of November 2013.</p>
<p><b>3.2. Product(s)</b></p>	<p>A report from an independent consultant that examines and tackles the questions outlined in section 2.6.</p>
<p><b>3.3. Planning (Milestones)</b></p>	<ul style="list-style-type: none"> <li>• <b>March 2013</b> – Send out draft ToR for comments to IMPEL members and to the European Commission.</li> <li>• <b>April 22<sup>nd</sup> 2013</b> – deadline for receiving comments. Designated Board member to prepare updated / final ToR.</li> <li>• <b>May 17<sup>th</sup> 2013</b> – Prepare tender for external consultants to bid upon.</li> <li>• <b>May 24<sup>th</sup> 2013</b> – Send out tender. <i>2 week process.</i></li> <li>• <b>June 7<sup>th</sup> 2013</b> – Deadline from consultants.</li> <li>• <b>June 12<sup>th</sup> 2013</b> – Award of contract. Notifications to all consultancy’s that bid for work.</li> <li>• <b>June 17<sup>th</sup> 2013</b> – Consultant to meet with IMPEL Board members in Brussels – questions for clarification, confirmation of scope etc.</li> <li>• <b>June 18<sup>th</sup> 2013</b> – Consultant to begin work.</li> <li>• <b>July 15<sup>th</sup> 2013</b> – Consultant to provide written update on progress to IMPEL Board and if necessary hold a teleconference interview with the Board. Board to send information to National Coordinators.</li> <li>• <b>August 19<sup>th</sup> 2013</b> – Consultant to provide an intermediate report on progress to IMPEL Board and if necessary hold a teleconference interview with the Board. Board to send</li> </ul>

	<p>information to National Coordinators.</p> <ul style="list-style-type: none"> <li>• <b>September 12<sup>th</sup> 2013</b> – Consultant to provide written update on progress to IMPEL Board. Consultant to meet with the Board. Board to send information to National Coordinators.</li> <li>• <b>October 01<sup>st</sup> 2013</b> – First draft of report to be sent to IMPEL Board. Board to send information to National Coordinators and ask for comments.</li> <li>• <b>November 01<sup>st</sup> 2013</b> – Final product to be sent to IMPEL Board by consultant. IMPEL Board to disseminate to wider network.</li> <li>• <b>December 10 or 11<sup>th</sup> 2013</b> - Presentation from consultant at IMPEL General Assembly in Lithuania.</li> </ul>
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#### 4. Organisation

<b>4.1. Lead</b>	IMPEL Board.
<b>4.2. Project team</b>	An individual Board member will be given the task of liaising between the consultant hired to carry out this work and the IMPEL Board. This Board member is yet to be decided.
<b>4.3. Participants</b>	IMPEL Board. External Consultant – to be confirmed following procurement process.

#### 5. Quality review

<p>The IMPEL Board will send this Terms of Reference to the National Coordinators and request comments and suggestions for amendments to the draft. It will also be sent to the European Commission for their input.</p> <p>The draft final report will be reviewed by the Board and National Coordinators. The Board will collate the comments from the National Coordinators and submit these to the consultant.</p>
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#### 6. Communications

<b>6.1. Dissemination of results</b>	<p><b>IMPEL General Assembly:</b> the consultant will prepare and deliver a presentation of the results at the IMPEL GA in Lithuania.</p> <p>The report will be distributed via <b>Basecamp</b> and will be published on the <b>IMPEL website</b>. It will also feature in IMPEL's <b>newsletter</b>.</p> <p>The report will be sent to the <b>European Commission</b> by the IMPEL Board.</p>
<b>6.2. Main target groups</b>	<p><b>The European Commission:</b> DG Environment in particular. Unit: ENV A Legal Affairs and Cohesion.</p> <p><b>IMPEL member countries:</b> National Coordinators, High Level IMPEL National Representatives and member representatives.</p>
<b>6.3. Planned follow up</b>	There are two aspects to this project: first, about reviewing past and existing work and answering key questions that IMPEL has set itself to examine the utility and effectiveness of its work. Second, it is to look at how in future the network from a governance point of view

can better organise its structure to build in evaluation as a matter of course.

The first part of the report will answer key questions about what we are and what we have been doing to help us to understand how our work is effective and contributing to improving implementation and enforcement of the environmental acquis.

The other aspect of the report will look at possibilities for further evaluation going forward either as a standing item each year or each couple of years. This will form a decision item for the Board and the network to decide on how it best reviews itself periodically. The report will, most likely, highlight many strengths and weaknesses that IMPEL can use to amend its future working patterns and change its governance structure. This will need to be considered carefully by the network.

In answering the two sections above, it is likely that many more questions/ points to consider will arise for IMPEL's General Assembly. They could be:

- Does IMPEL need to change its structure / governance in order to accommodate the recommendations and outcomes of the evaluation carried out by the consultant?
- If so, how and over what time period?
- Does IMPEL need to move into other areas of work to ensure it remains relevant and useful for its members? Does IMPEL need to expand its membership e.g. to authorities looking at nature protection?

Once the report is finalised by the consultant, it is suggested that the General Assembly in Lithuania itself can be used to break out into working groups to decide upon the most feasible and cost effective solutions to the recommendations. It may also look at exploring future strategic challenges and direction for the network based on the findings of the report.