



Ethical Conduct Evaluation Guideline

Created October 2021

Updated: September 2022

Addressed to	M&E Units in Government Departments/ State Owned Enterprises/ Municipalities and programme managers who are undertaking evaluations
Purpose	<ul style="list-style-type: none"> To provide a framework for discussing and addressing ethical issues affecting and affected by evaluation. To help governing leaders and governing committees/bodies as well as those organizing and conducting evaluations for government entities, or in conjunction with the government, to use an ethical approach to inform evaluation practices
Policy reference	National Evaluation Policy Framework 2019
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1. Introduction

Evaluators are often faced with situations where they need to decide on what is right or wrong including grey areas. Ethical conduct in evaluation is important for recognition of power dynamics between evaluators, clients and ‘the evaluated’ (programme participants). Ethics are a set of values and beliefs that guide the choice. There is a greater need for evaluators to be aware of any laws that require them to report crime or suspected crime. For example, sexual harassment, substance abuse, child neglect or abuse, etc.

In supporting evaluators and commissioners of evaluation in government, the Department of Planning, Monitoring and Evaluation continues to capacitate government officials to effectively and efficiently implement evaluations ethically as per the National Evaluation System (NES). A number of evaluation guidelines and templates are continuously developed to standardise evaluation practise in government.

Ethical conduct in evaluation is one of the key areas that requires attention of evaluators and commissioners of evaluation. All evaluations need to be designed to respect the rights of participants and ensure that any potential

harm is minimised. In particular, the evaluator needs to consider whether participants will be exposed to any risk of physical or psychological harm, burden, inconvenience or breach of their privacy.

This guideline seeks to provide a framework for decision making on ethical issues affecting and affected by evaluation practice in the public sector. It acknowledges that evaluation is a multi-disciplinary practice applied in different sectors. Hence, this guideline does not replace ethical guidelines and codes of conduct guiding research and evaluation for respective sectors and industries. In fact, it is intended to provide direction and control over the process of evaluation, and not necessarily to manage acceptable and professional practice of the underlying subject of Evaluation.



2. Background

What is ethical conduct?

For the purpose of this guideline, and in reference to acceptable conduct in evaluation practice, ethical behaviour refers to conduct that is honest, fair and equitable in interpersonal, professional and academic relationships in evaluation and related activities. Ethical behaviour respects the dignity, diversity and rights of individuals and groups of people. In the South African context and on account of its history, ethical behaviour also refers to consideration of social justice, respect of developmental policies. As such, this definition is not a denial of the existence of other ethical duties with respect to the Bill of Rights, transformation imperatives and delivery of decent services.

Why is Ethical conduct important to Evaluation Practice?

The definition, design and intention of evaluation positions is within the 'strains' of politics, governance and service delivery. That is, both the process and findings of evaluation pertaining to the effectiveness, efficiency, sustainability and appropriateness of programmes and policies influence decision-making, funding, policies and management. Given these considerations, ethical conduct in evaluation is important for recognition of power dynamics between evaluators, clients and 'the evaluated' (programme participants). The ethical conduct guideline provides a strategy and framework to address the imbalances of power and influence over the underlying

'evaluation'. When appropriately adhered to, they can help ensure sound decision-making that goes beyond the technical discussions on methodology, logistics and professional standards, to demonstrate the value of evaluation to social development, justice and protection of Human Rights.

3. Purpose of the guideline

The guideline is intended to:

- provide a framework for discussing and addressing ethical issues affecting and affected by evaluation.
- help governing leaders and governing committees/bodies as well as those organizing and conducting evaluations for government entities, or in conjunction with the government, to use an ethical approach to inform evaluation practices.

4. Use of the guideline

The use of this guideline requires collaborative interpretation of its implication to the user's respective evaluation process and context. This implies that the practical application of the different ethical requirements will differ from context to context. However, the underlying essence, principle and sentiment of the ethical statements should be uniform. The condition for maintaining this level of interpretive consistency is collaboration and interactive analysis, understanding and application of the ethical requirement which involves all key stakeholders of the evaluation in question.

5. Definitions

The following are a list of key terms, concepts, and definitions important to this document:

Ethics Ethics are a discipline of rights, morals, and principles that guide behaviour. i.e., a branch of philosophy that deals with values relating to human conduct, with respect to the rightness and wrongness of certain actions and to the goodness and badness of the motives and ends of such actions.

Standards

Evaluation standards identify how the quality of an evaluation will be judged. They can be used when planning an evaluation as well as for meta-evaluation (evaluating the evaluation). Some organizations may have guidelines which address issues of quality and ethics together in a single standard.

Ethics Vs Conduct

Ethics are broad, giving practitioners a general idea of the acceptable behaviour and decisions encouraged in evaluation practice. A code of conduct defines how practitioners should act in specific situations.

Evaluand

The subject of an evaluation, typically a program or system. This excludes the persons or beneficiaries.

Evaluation

Program evaluation is the systematic collection of information about the activities, characteristics, and outcomes of programs/policy to make judgments about the program, improve program effectiveness, and/or inform decisions about future programming.

Monitoring

The Periodic tracking (for example, daily, weekly, monthly, quarterly, annually) of any activity's progress by systematically gathering and analyzing data and information. It involves the collection of routine data that measures progress toward achieving program objectives. It is used to track changes in program outputs and performance over time.

Research

Research is defined as the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies and

understandings. This could include synthesis and analysis of previous research to the extent that it leads to new and creative outcomes.

Consequentialist view to ethics

Consequentialism is a principle that suggests an action is good or bad depending on its outcome. i.e., An action that brings about more benefit than harm is good, while an action that causes more harm than benefit is not. This view judges the correctness or incorrectness of an action based on the consequences.

A non-consequentialist (Action-based) view to ethics

Consequentialism is a principle that suggests an action is good or bad depending on its outcome i.e., an action that brings about more benefit than harm is good, while an action that causes more harm than benefit is not. This view judges the correctness or wrongness of an action based on the consequences that action has.

6. Ethical principles

Transparency:

This ethical principle requires that evaluation methods, analysis and data are reported and disseminated openly (free of charge), clearly and comprehensively. It further requires that Evaluation findings are "reproducible" when independently repeating a study using the same methods and data to arrive at the same results.



Independence:

The transparency principle requires that evaluation methods, analysis and data are reported and disseminated openly (free of charge), clearly and comprehensively. Evaluation findings are “reproducible” when independently repeating a study using the same methods and data generates the same results. This ethical principle also calls for openness and accessibility of relevant information to stakeholders throughout the evaluation. It describes the state of openness of the of the evaluation and the underlying evaluand on information about the programs, the funding, the staff, the results etc. to all people concerned.

Integrity:

Integrity principle required the evaluator to conduct evaluation in a way which allows others to have trust and confidence in the methods used and the findings that result from this. Conducting evaluations with integrity also means meeting the professional standards expected as set by the DPME generally, or explicit in the terms of reference.

Accountability:

Also characterized by related concepts of responsibility and authenticity, accountability principle requires readiness or preparedness to give an explanation or justification to stakeholders for judgments, intentions, and actions. It calls for clear and feasible justification of the chosen focus of evaluation and evaluation design. It also requires justification and explanation for conclusions of the evaluation.

Respect:

Respect for all evaluation stakeholders and in particular, the subjects of evaluation a fundamental principle in evaluation. It is the recognition of a person as an autonomous, unique, and free individual. It is a way to ensure that human dignity is valued. Throughout the evaluation process, Individuals should be empowered to make free decisions and be given all the information needed to make good decisions.

Beneficence:

Beneficence as an ethical principle for this ethical guideline covers the prescripts of Risk, Evaluation Use, Stakeholder Benefit and Capacity Development. At the core of its meaning, beneficence refers to action that is done for the benefit of others. This principle implies that the expected benefit to participants or the wider community must be balanced with any risks of harm or discomfort to

participants. As such, this principle requires the evaluation (both at the conceptual and implementation phase) to demonstrate benefit to its users. In other words, the principle requires the evaluation to be designed primarily for utilization in decision-making, as well as benefit the underlying evaluand and affected subjects. In balance to the use and benefit, it is a minimum requirement that the evaluation causes no harm to those participating directly and indirectly in the evaluation.

7. Examples of common ethical issues decision points experienced by evaluators in South Africa

The following are example of real-life examples of ethical dilemmas gathered from survey responses administered among evaluation practitioners in South Africa. Each example demonstrates a combination of ethical principles listed and explained in section 6 above.

- 1. Integrity Principle:** A dilemma faced by an evaluator after finding out from a programme staff responding to an evaluation enquiry that their superior (who is also a key evaluation stakeholder) is involved in illegal activities.
- 2. Respect Principle:** During the evaluation process, a group of data collectors are dishonourably dismissed and ‘chased’ out of a meeting at night, in a place without transport by a key programme respondent and evaluation stakeholder.
- 3. Beneficence and Accountability Principles:** An evaluator finds themselves in an evaluation that is ill-designed with minimal probability of delivering valid and usable results.
- 4. Respect Principle:** A situation in which a hired consultant onto an evaluation team takes evaluation results and publishes them publicly without permission of the commissioner or any of the key stakeholders. While it is part of ethical practice to be transparent and share findings with stakeholders, evaluators need to be aware that intellectual property is held by the South African government and that stakeholders should be included in plans for dissemination (including maintaining confidentiality where appropriate).

5. Independence and Accountability: A dilemma in which evaluation commissioners launch an evaluation purely to meet internal compliance (tick box exercise). In addition, they are attempting to influence the findings to suit their agenda (political use).

When do I need to seek ethics approval for my evaluation?

At the moment, there is no single body that determines the ethics merits of an evaluation in the national evaluation system.

Commissioners of evaluations have the responsibility to minimise risk to participants by assessing the value of the evaluation, the evaluation methods, and who is best suited to conduct the evaluation.

Evaluation practitioners are responsible for including a process for monitoring ethical risks and potential harm throughout the evaluation.

Evaluations that are done with non-vulnerable populations on non-sensitive topics and use minimal participant time and the only foreseeable risk might be inconvenience or mild discomfort to participants may be considered 'low risk'. Using internal assessment of risks and benefits might be acceptable for well-established evaluation methods and where the aim or purpose of the research is to improve the implementation of an established intervention or program (quality assurance) (ACFID 202).

If the evaluation will include vulnerable populations (children, people with disabilities, etc), then it is advisable to seek review and feedback on the design. Different sectors have their own Ethical Review Boards or research ethics committees.

8. Ethical standards throughout the evaluation cycle

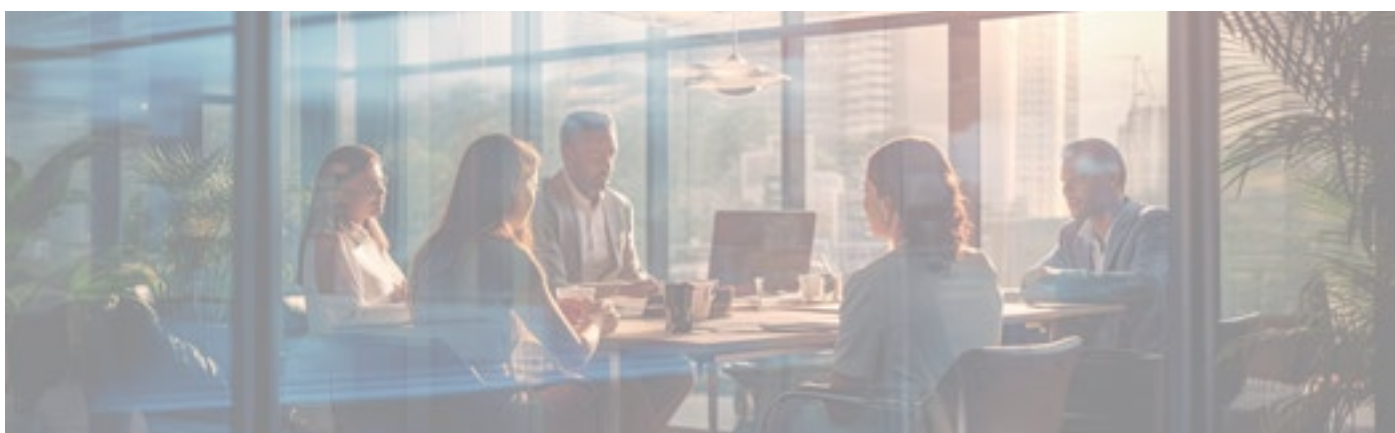
8.1 Planning, designing and commissioning evaluations

Key questions at this stage might include:

1. *Is the evaluation likely to yield information that is useful and valuable for citizens and the public sector?*
2. *Will the evaluation design be able to safeguard all participants, and be sensitive to differing contextual circumstances?*
3. *Is the evaluation feasible given the context, resources and funding available?*
4. *When is ethical approval necessary?*

Ethical conduct of evaluations in the public sector requires evaluations to be designed so that the following standards are upheld:

- Populations should be included in all stages of the evaluation, from design to dissemination (as much as appropriate) and considered partners to work with during the entire evaluation, not just as 'subjects' of the evaluation.
- Where the evaluation must work with children, consent from a parent or legal guardian is required.
- Evaluation design should apply systematic methods of enquiry to produce credible evidence for use.
- Commissioners of evaluation must be transparent in evaluation purpose and the necessary steps needed to conduct a rigorous evaluation, including methodological limitations and expected risks and benefits.
- Evaluation commissioners and designs must consider fair representation of different voices and perspectives, and design so that the least powerful are included in a safe and equal manner.



- In the commissioning of evaluations, it is imperative to consider both evaluator competence and efforts to improve evaluation capacity. Evaluators need to have the capabilities, commitment, and reflectiveness to conduct an ethical evaluation, however, it is incumbent upon commissioners to include practices and protocols that continue to foster skills and capabilities of young and emerging evaluators to achieve transformation goals.
- Evaluation approaches and methodologies should consider ways that promote inclusivity, particularly as regards gender equality and women's empowerment, youth and persons with a disability
- Commissioning of evaluations in the public sector require adherence to Public Finance Management Act (PFMA) procurement processes, and transparency in dealing openly and fairly with proposals/expressions of interest
- Evaluation professionals must act with independence and impartiality, and while continuing to respect the need for juggling technical expertise and political considerations
- Accountability for ethical conduct lies in multiple role players, however in the initial stages,
 - The commissioners of evaluations are ultimately accountable for any breach in conduct on behalf of themselves and/or service providers
 - Commissioners must provide open and transparent communication on the evaluation at all stages including declaring any conflict of interest with respect to both the outcomes of the evaluation and/or the selection and procurement process.
 - It is required that if data has to be collected in government, there is a need to get permission from the Head of the Department (introducing the evaluator, the study and requesting access to data).

'Do No Harm' in evaluation

While evaluations are often aimed at social change, they can also cause disruption or harm to participants - socially, politically, or structurally. It is important to ensure that in the design, conduct and reporting phases of an evaluation, possible risks to participants is minimised, particularly those in conflict or violent situations, or who are socially marginalised. Ensuring the safety of participants also aligns with the principles of dignity and respect.

To mitigate harm to participants, commissioners and evaluators should consider the risk of harm to participants and to minimise the likelihood and effect of any potential safety threats, distress or trauma, cultural differences and the availability of support mechanisms.

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8.2 Conducting the evaluation (Implementation)

Key questions to ask at this stage include:

1. *Does the methodology provide for rigorous investigation while still protecting the rights and dignity of stakeholders?*
2. *Is participation based on informed consent?*
3. *Given the sectoral focus of the evaluand, should the evaluation seek ethical clearance with and appropriate sectoral body?*
4. *How can we best ensure that identity and confidentiality is protected, and data are secure?*

- Before people participate in evaluation activities, they must be informed of the benefits and risks associated with their participation (including the purpose of the evaluation and its intended uses) and give informed consent. In the case of children and those with impaired cognitive abilities, informed consent requires written legal consent from a guardian or other assenting adult.
- Before any field work takes place, both the commissioner and evaluator should determine the sensitivity of the evaluation to the evaluation subjects. Depending on the sectoral focus of the evaluand, ascertain whether an ethical clearance should be obtained from an appropriate sectoral body. E.g., Health council of the evaluand is medically focused.

- All people have the right to refuse participation in an evaluation, and to withdraw their participation at any stage. This should be outlined to participants.
- Ethical conduct of evaluations requires data collection, analysis and reporting methods to respect the privacy and dignity of participants. Data should be kept confidential, and only released as agreed with participants. This applies to the safe storage and archiving of participant data.
- No financial inducements (or, other, non-financial inducements) should be made to participants; however, participants may be fairly reimbursed for the costs associated with participating in the evaluation.
- Data collection methods and approaches should respect cultural and power differences and the needs of more vulnerable populations (particularly those who are stigmatised, socio-economically disadvantaged etc).
- Where evaluators uncover serious wrongdoing, it is their responsibility to report such in a way that protects participants anonymity and dignity. The appropriate body to report serious misconduct to is outlined in 5.1, and is dependent on the type of misconduct uncovered.
- There are significant consequences for evaluations where practitioner and participants differ in socio-cultural ideologies, backgrounds, and identities. While these are often unavoidable, evaluation practitioners need to be skilled in cross-cultural behaviour, and communication. Where possible, evaluations would be designed with a 'Made in Africa approach and members of the team from the relevant participant group should be included in the evaluation cycle (from design to dissemination) and/or lead the evaluation. Further guidance can be found in the Indigenous African Ethics Protocol for Evaluations (see Link to Other Resources - Annexure 1).

What does informed consent look like?

When inviting participation in evaluation, participants must give informed consent. In order to be 'informed' they should have the purpose of the evaluation explained; what data will be collected about participants and how it will be used, disseminated and shared; the data archiving processes; the risks and benefits to them; the requirements of participants; arrangements for guarding confidentiality and identity; safeguarding arrangements and procedures in place; how they can feedback during the evaluation (DFID, 2019)

8.3 Findings, Recommendations, Approval and Use

Key questions at this stage might include:

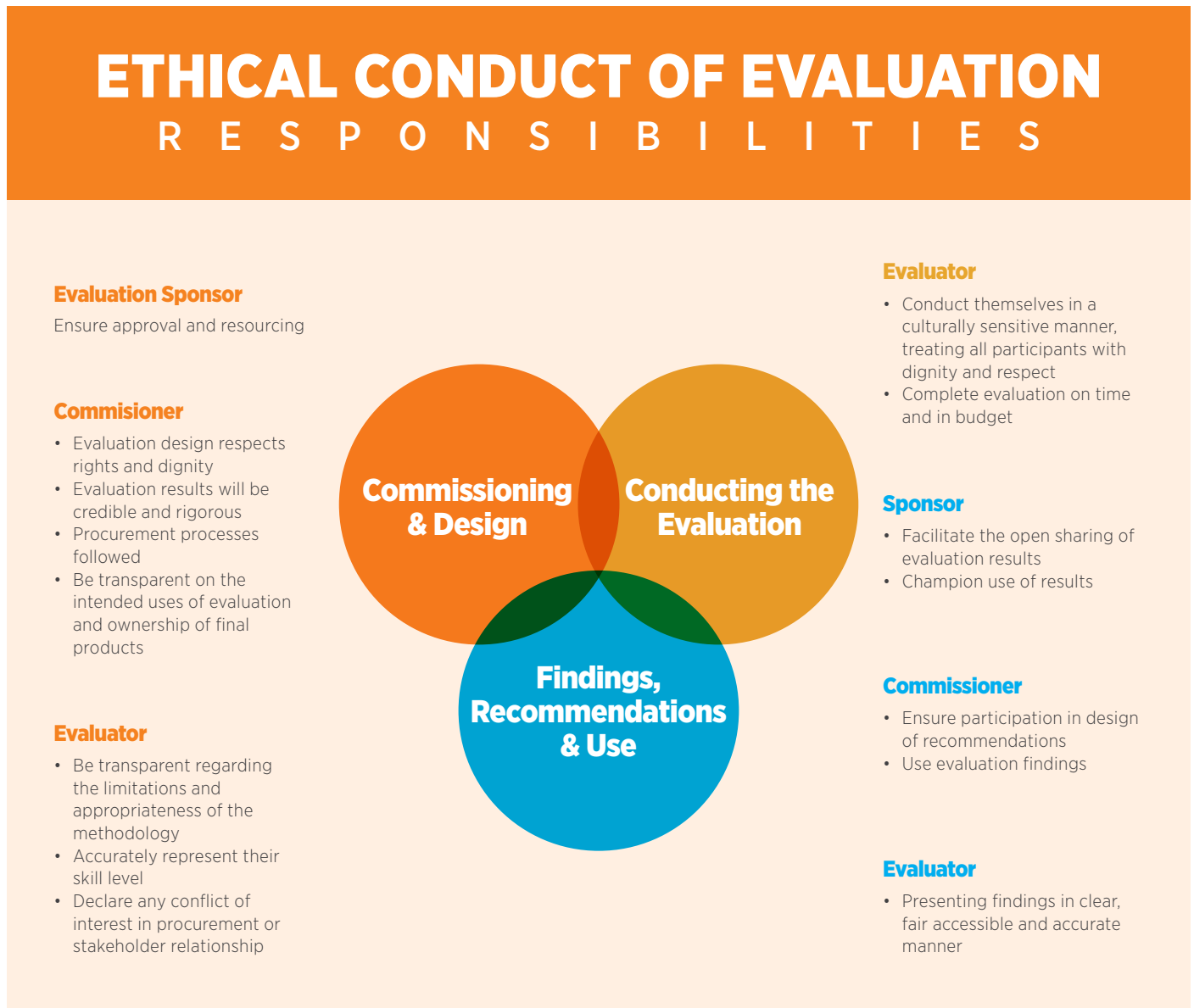
1. *Do reports (oral and written) fairly address beneficence and inclusivity in presentation of findings?*
2. *How has the integrity of findings been preserved in presentation and dissemination of findings?*
3. *Are final products credible, accessible, and designed to be relevant to various audiences?*

Ethical standards in the reporting of findings, recommendations and use stage include:

- Findings should be reported on fairly and accurately, and in consistence with the needs of different audiences. This includes language and other cultural requirements.
- Reports should present evidence and conclusions in a balanced and contextualised manner, and include sufficient details on the methodology and findings to demonstrate the reasons behind recommendations.
- The integrity of privacy and anonymity should be maintained in reporting - except where consent is provided to the evaluator to include identifying details such as position title or name. The same consent is needed for publication of images of participants.
- Evaluation findings and conclusions should be made accessible to evaluation participants and the wider public (where possible within the bounds of security).
- The production of evaluation reports should be aimed at promoting use (in planning, budgeting, monitoring and organisational reviews to improve performance, as per the National Evaluation Policy Framework (NEPF 2019).
- Presentation of findings should be consistent with the principle of inclusivity and mainstreaming gender equality.
- Intellectual property should be protected and delivered to the DPME as per the standard prescripts of the Guideline on drafting an evaluation Terms of Reference (Guideline 2.2.1).
- Different levels of findings and recommendation should be presented and/or published for access by all stakeholders as is it relevant.
- As per the DPME Evaluation Guidelines 2.2.5 Management Response, and 2.2.6 Improvement Plan), each evaluation should ensure a process for a management response and inclusive improvement plan.

9. Roles and Responsibilities

The picture below depicts the roles and responsibilities of different stakeholders throughout the evaluation cycle. It is imperative that all the stakeholders adhere to their roles and responsibilities to ensure that evaluations are undertaken in a manner that is acceptable, fair, accessible and accurate to inform decision making.



10. When and where to seek ethical approval for an evaluation

Ideally, all evaluation project needs to be cleared by an Ethical Review Board/Ethics Committee.

Commissioners of evaluations have the responsibility to minimize risk to participants by assessing the value of the evaluation, the evaluation methods, and who is best suited to conduct the evaluation. Evaluations that are done with non-vulnerable populations on non-sensitive

topics and the only foreseeable risk might Evaluation practitioners are responsible for including a process for monitoring ethical risks and potential harm throughout the evaluation. be inconvenience or mild discomfort to participants may be considered 'low risk'.

If the evaluation will include vulnerable populations (children, people with disabilities, etc.), then it is advisable to seek review and feedback on the design.

At the moment, there is no single body that determines the ethics merits of an evaluation in the national evaluation system. Different sectors have their own Ethical Review Boards or Ethics Committees (particularly Universities and Science Councils).

11. References

Australasian Evaluation Society (2013) Guidelines for the Ethical Conduct of Evaluations. Accessed online [12th September 2021]: <https://www.aes.asn.au/ethical-guidelines>

Australian Council for International Development (2017) Principles and Guidelines for ethical research and evaluation in development. Accessed online [21st September]

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CSIR (2004) CSIR Code of Ethics. Accessed online [12th September 2021]: https://www.csir.co.za/sites/default/files/Documents/Conduct_Ethics.pdf

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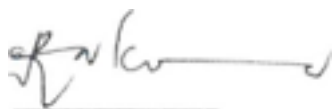
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Thorley, L. & Henrion, E. (2019) DFID Ethical Guidance for Research, Evaluation and Monitoring Activities. DFID, United Kingdom

United Nations Evaluation Group (2020) Ethical Guidelines for Evaluation. UNEG

Signed:



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Director-General

Date: 25/10/2022

Annexure 1: Link to other resources

Other public sector resources and processes

Evaluation

1. National Evaluation Policy Framework (NEPF): <https://www.dpme.gov.za/keyfocusareas/evaluationsSite/Evaluations/National%20Policy%20framework%20Nov%202019.pdf>
2. Guideline on How to Develop a Terms of Reference: [https://evaluations.dpme.gov.za/images/gallery/DPME%20Evaluation%20Guideline%202.2.1%20How%20to%20develop%20TORs%20for%20Evaluation%20Projects\(Full\).pdf](https://evaluations.dpme.gov.za/images/gallery/DPME%20Evaluation%20Guideline%202.2.1%20How%20to%20develop%20TORs%20for%20Evaluation%20Projects(Full).pdf)
3. Ethical Guideline for Evaluation: https://www.aes.asn.au/images/AES_Guidelines_web_v2.pdf?type=file
4. Protocol - Indigenous African Ethical Protocol for Evaluations (EVALIndigenous Network for Evaluation): https://evalpartners.org/sites/default/files/EvalIndigenous_Indigenous%20African%20Ethical%20Protocol%20for%20Evaluations_2020.pdf
5. South African Medical Research Council (SAMRC) Ethics Guidelines
6. Human Science Research Council (HSRC) Ethical Code of Conduct
7. Ethics in health research, Department of Health (2015)