



EUROPEAN COMMISSION
Regulatory Scrutiny Board

Brussels,
Ares(2018)

Opinion

Title: Evaluation /Eurofound, CEDEFOP, ETF, EU-OSHA

(version of 7 May 2018)*

Overall opinion: NEGATIVE

(A) Context

Four EU agencies are active on labour market and training issues:

- **European Agency for Safety and Health at Work (EU-OSHA),**
- **European Foundation for the Improvement of Living and Working Conditions (Eurofound),**
- **European Centre for the Development of Vocational Training (CEDEFOP),**
- **European Training Foundation (ETF).**

The EU is currently aligning the agencies' respective founding regulations with a reference framework on EU decentralised agencies. Discussion on the next Multiannual Financial Framework and a proposal for a European Labour Authority (ELA) might also affect the agencies.

This report assesses each of the four agencies over the period 2011-2016. It considers issues of coherence and overlaps, and whether there is scope to streamline or merge certain functions.

(B) Main considerations

The Board notes that the evaluation is based on a comprehensive set of supporting studies.

However, the Board considers that the report contains important shortcomings that need to be addressed, particularly with respect to the following issues:

- (1) The report contains prospective analysis and commits to future actions. This goes beyond the purpose of an evaluation.**
- (2) The report does not sufficiently explain the scope, purpose and context of the evaluation. It does not explain why the analysis had a limited scope on issues like relevance and coherence.**

* Note that this opinion concerns a draft evaluation report which may differ from the one finalised.

Against this background, the Board gives a negative opinion and considers that in its present form this report does not sufficiently respond to the mandate of the evaluation and does not provide appropriate input for a forthcoming related policy initiative.

(C) Further considerations and adjustment requirements

(1) The content of the report goes beyond the purpose of an evaluation. An evaluation is an empirical exercise. It should report findings, draw conclusions and identify any lessons learned based on evidence. This report inappropriately analyses options for change and makes commitments for future action. The prospective analysis should be removed, though parts may be relevant in a future impact assessment exercise or a policy Communication.

(2) The report should clarify the context of the evaluation. It should explain the envisaged changes in the Commission's 2016 proposal to amend the founding Regulations of the agencies. It should further describe how these affect the current organisation, structure, mandate, etc. of each of the three agencies. The report should better explain the rationale for certain changes in governance (such as for management and executive boards structures) and for maintaining other specific aspects (such as the tripartite governance of three of the agencies). It should also provide a more detailed presentation of the views and positions of stakeholders.

(3) In this context, the report should define more clearly the scope and purpose of the evaluation. Should the evaluation feed a debate on the mandates and possible mergers of agencies? Or is the primary purpose to identify incremental improvements beyond what the Commission proposed in 2016? It should make clear what is in the scope of the evaluation and what has already been endorsed politically or will be examined later. The report should say why it does not question the relevance of maintaining all current tasks in the agencies. It should also explain why it does not examine the coherence of delegating these activities to the four agencies in this policy domain compared with other policy domains. Efficiency could for instance have taken a broad approach with a comparison with other regulatory agencies. It should reconsider the extent to which the evaluation addresses the recent proposal on the European Labour Authority.

(4) The answers to the evaluation questions should be better supported by evidence. It is not clear how some conclusions have been arrived at. The evaluation relies too heavily on views from insiders. The report should present more details about the various positions of Member States, of other EU institutions and of external stakeholders on the different aspects of the agencies.

(D) RSB scrutiny process

The lead DG is advised not to proceed with launching the interservice consultation before substantially amending and complementing the report, so as to mitigate the above-mentioned shortcomings.

The lead DG may decide to resubmit this report to the Board, in which case the report should be adjusted in accordance with the above-mentioned requirements prior to its resubmission.

Full title	Evaluation of the EU Agencies under the remit of DG Employment: Eurofound, CEDEFOP, ETF and EU-OSHA
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Reference number	2016/EMPL/020
Date of RSB meeting	30/05/2018