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Centers for Learning on Evaluation and Results
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POLICY BRIEF

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EVALUATION EVIDENCE FOR PUBLIC PROCUREMENT POLICYMAKING IN UGANDA

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SUMMARY & KEY MESSAGES

This policy brief discusses findings from a case study conducted to illustrate how evidence from an evaluation informed decision- and policymaking of a major reform, the amendment of the Public Procurement and Disposal of Assets Act in Uganda. The evaluation was managed by the Office of the Prime Minister (OPM) and the Public Procurement and Disposal of Assets Authority (PPDA) to improve the effectiveness and efficiency of implementation of public procurement. This evaluation sought to address important knowledge gaps in the implementation of the procurement act before it was gazetted.

The evaluation findings specifically informed the following provisions in the procurement act:

- Revisions of procurement thresholds for different bidding methods and implementing a system to address these;
- Flexibility for sectors that need specialised procurement roads, electricity and health
- Approval of the solicitor general (SG) was required for all procurement above USh 50 million and this was revised to above USh 200 million; and
- The evaluation has continued to inform how evaluations are conducted in different government MDAs including PPDA.

Evidence use does not occur in a vacuum, and in fact, evidence informed decision-making is complex because it is influenced by complex relationships between actors, institutions and processes within institutions. Therefore, this policy brief describes the mechanisms that facilitated the consideration of the evaluation findings to inform the amendment of the public procurement act 2012 including:

- The structures and processes for commissioning and managing the evaluation ensured that the consultants identified were independent, highly knowledgeable and experienced in monitoring and evaluation and public procurement
- The consultants had regular meetings with stakeholders informing of progress and findings which facilitated an environment of awareness, trust and agreement and confidence in the findings.

The brief finally provides recommendations that institutions in the public sector might adopt to facilitate the use of evaluations and improve the quality of policies and decisions:

- **Ensuring independence:** there has to be relative perceived or real consideration of independence from political interference to assure confidence of policymakers to use evaluation findings. The independence is important for to maintaining a sense of credibility and trust
- **Ownership:** The country and relevant institutions needs to consider the evaluation process and initiation as their own and free from external influence on how they are to use it.
- **Credibility and trust:** Evidence that is not trusted and perceived as credible is unlikely to be used. Efforts to ensure credibility of the evaluation included using an independent agency to provide oversight (OPM), procuring a competent consultant for the task and ensuring rigorous and robust methods.
- **Capability:** It is important that the individuals and organisations have the capability to understand and use the evidence. This capability is determined by culture, structures and processes, skills, and technical experience.

Background

The Government of Uganda has a long history of instituting mechanisms aimed at ensuring the use of evidence in policy and planning processes. The benefits of using evidence are well known in the country and include, for example; ensuring optimal allocation of resources, efficient and effective delivery of key public services, reducing wastage of public resources and improving the confidence of policymakers. Through the Office of the Prime Minister (OPM), the government has undertaken deliberate strategies to embed monitoring and evaluation (M&E) systems within public services. This includes the establishment of frameworks and strategies for conducting M&E, such as the National Integrated Monitoring & Evaluation strategy in 2005, M&E policy 2013 and the Government Evaluation Facility in 2012, and over 30 evaluations of public policies have been conducted to date (Goldman, Byamugisha et al. 2018). Through these frameworks, the OPM conducts, commissions and disseminates evaluations of public policies in conjunction with relevant government ministries, departments and agencies (MDAs) (Goldman, Byamugisha et al. 2018).

As a result, there has also been a relative improvement in the use of evaluation findings. Goldman et al interviewed directors and commissioners in Uganda and these noted that evaluations are used over 60% of the time to directly make changes in policies and in 72% of the time to improve understanding of the intervention (Goldman and Pabari 2020). However, there has been little documentation of how these evaluations informed public policies for which they were commissioned and conducted.

This policy brief outlines lessons on how evaluation of public procurement policy was used to inform the amendment of the Public Procurement and Disposal Act (PPDA) 2003. The evaluation sought to address important gaps in the implementation of the 2003 Act and addressed the following objectives:

- To assess the effectiveness, efficiency and sustainability of procurement reforms/ interventions undertaken in Uganda since 2003;
- To identify lessons learnt and provide recommendations for informing future public financial management interventions in public procurement; and
- To draw lessons learnt from both intended and unintended results and propose solutions/measures to provide sustainability of successes/results realised so far.

PUBLIC PROCUREMENT SECTOR IN UGANDA

The public procurement sector in Uganda is decentralised through the Public Procurement and Disposal of Assets Act 2003. The central and local government agencies are expected to manage their procurement cycle (Government of Uganda 2003, Procurement and disposal of assets authority 2004, Procurement and disposal of assets authority 2005). Each agency is a procuring and disposing entity and this includes a user department that initiates the procurement process and a Procuring and Disposal Unit (PDU) that manages the whole procurement cycle.

Public procurement had had several several challenges that limited its effectiveness and efficiencies, which led to the process of amending the Act in 2010 albeit without an evaluation. Surveys conducted to highlight challenges in public procurement had reported that there were high levels of corruption and fraud within public procurement processes in Uganda (Procurement and disposal of assets authority 2011). Other challenges included lack of capacity, delays and abuse of office by accounting officers (Procurement and disposal of assets authority 2008, Procurement and disposal of assets authority 2010, Procurement and disposal of assets authority 2011, Muhumuza 2012).

Journey of the evidence

In 2010, the government and development partners in the Joint Budget Support Framework added the evaluation of the public procurement policy to the priority evaluations of public policies. The partners, specifically the World Bank, noted that there was a need for an evaluation of the procurement sector to understand the challenges during the implementation of the PPDA Act 2003 to inform the processes of the amendment. Therefore, the evaluation was expected to address the challenges that had not been catered for in the on-going amendments.

Consequently, OPM, with technical assistance from the Technical Administration Support Unit (TASU) of the World Bank in the Evaluation sub-committee commissioned the evaluation. The World Bank and DFID provided funding for the evaluation and in October 2012, a consulting firm, Global Procurement Consultants Limited (GPCL) was contracted by TASU through open tender to carry out the evaluation.

In the beginning, the evaluation team and OPM sought to get the buy-in of the PPDA, the lead government

agency responsible for its implementation. The consultants worked closely with PPDA, who provided a liaison officer and office space for their work at the authority. Also, to ensure the integrity of the process, there was also a three-level management system that included the management committee, reference group and the evaluation sub-committee.

Mechanisms for the use of evidence

The national evaluation system described earlier provided a guiding framework for all evaluations and decision-making processes. This played an important role in ensuring the **credibility of the evaluation**, by putting in place the standards it was required to adhere to.

The independence of the implementing agency, OPM and beneficiary agency, PPDA were important to ensure agreement with the evaluation results and increase the likelihood of findings being used. Also, agencies like PPDA that have **perceived or real independence from political influence** are more likely to use evaluation results without the need of referring to OPM or political actors.

There were also clearly defined processes and structures such as management committees, evaluation sub-committee that assured **ownership and trust** in the process as these structures provided key agencies with the opportunity to be actively involved and regularly updated.

In addition, regular meetings with the client, beneficiaries and wider stakeholders strengthened **awareness, confidence and the ability** of stakeholders to engage with the evaluation process and findings. This also enabled a **sense of ownership** and acceptance of the evaluation findings. There was also continued stakeholder engagement during the evaluation process, for example, monthly meetings between the consultants, PPDA and the ESC where field findings and reports were shared and appraised. The final report was drafted and approved in 2013, commented on, discussed and revised with guidance from the steering committee and PPDA Authority[1].

Barriers and facilitators to evidence use

The ability of the evaluation team to understand and navigate the realities of the wider political and social environment, such as the interests of diverse groups was important. Familiarity with the context was central to ensuring the relevance of findings and recommendations. In this case, this was realised through a scoping study conducted by the consultants to understand the landscape of the public procurement sector in Uganda and also work closely with the stakeholders.

The timing of evaluation concerning the time and processes of the policies for which it seeks to inform also had a bearing on the way in which it was used. The evaluation was started at the time when the amendment bill had been passed by parliament and took two years to complete. However, it was still used to inform circulars, notifications and guidance documents before the Act was gazetted in 2014.

The well-established M & E systems in the public sector at the OPM provided frameworks for discussion of performance reports in government, which increased the likelihood for the evaluation report to be discussed at cabinet level.

The development partners, specifically World Bank that provided significant funding to the budget support, influenced what evaluations were conducted. The policymakers interviewed emphasized the importance of ownership of the evaluation in influencing the use of evidence because they view negatively any external influences. For this evaluation, considerable effort was put into ensuring OPM and PPDA lead the evaluation together with the evaluation team.

PPDA had a culture where evidence is discussed, synthesized and used for decision-making at different levels of management. The Authority has a research unit, periodically commissions surveys such as the integrity surveys and these improved the culture of evidence use within the authority. This culture, therefore very likely contributed to increasing the use of the evaluation findings.

Other important barriers and facilitators include leadership, such as the leadership role played by the former permanent secretary to the OPM and the Prime Minister who pushed for a stronger M&E function in all government services; stakeholder consultations which widened levels of interest in the findings; interests of political actors to appease specific constituents or donors, and the quality and source of data which influences the trust in the evidence as well as how evidence communicated (ensuring clarity of messages and appropriate media for different target groups)

Recommendations for the future

Several public policies similar to public procurement may benefit from lessons from this case study about how evidence eventually informed public policies. These lessons might be important institutions and other actors to consider in promoting evidence-informed policymaking and improving the effectiveness and efficiencies of delivery of public services.

The recommendations from this case study include:

- **Ensuring independence:** The agencies involved must be seen to be independent of political interference to ensure the confidence of policymakers to use evaluation findings. Independence is important to maintaining a sense of credibility and trust

- **Ownership:** The country and relevant institutions need to consider the evaluation process and initiation as their own and free from external influence on how they are to use it. This is especially important if different actors such as development partners or other institutions were instead involved in initiating the evaluation and key in its implementation.

- **Credibility and trust:** Evidence that is not trusted and perceived as credible is unlikely to be used. Efforts to ensure the credibility of the evaluation included using an independent agency to provide oversight (OPM), procuring a competent consultant for the task and ensuring rigorous and robust methods. Also, the consultant used rigorous and robust methods that were validated by the stakeholders at different stages of the evaluation.

- **Capability:** The individuals and organisations must have the capability to understand and use the evidence. This capability is determined by culture, structures and processes, skills, and technical experience. The PPDA put in place structures and processes such as public procurement management system (PPMS) to continuously gather data and statistics on the state of public procurement and processes and to discuss these results at different managerial levels.

Research methodology

This brief draws on case study research carried out for the project, 'Evidence in practice: documenting and sharing lessons of evidence-informed policymaking and implementation in Africa", supported by the Hewlett Foundation.

The case study research was guided by an analytical framework that combines two different frameworks: i) the Science of Using Science's framework that looks at evidence interventions and outcomes from a behaviour change perspective (Langer et al., 2016) and the Context Matters framework that serves as a tool to better understand contextual factors affecting the use of evidence (Weyrauch et al., 2016). The framework approaches evidence use from a policymakers' perspective (i.e. from demand rather than supply perspective). The framework takes into account contextual influencers and breaks down an evidence journey into how evidence is generated, the interventions are taken to ensure evidence use, the change mechanisms that arise as a result and the relationships between the evidence journey and the immediate and wider outcomes that emerge.

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