

# Ethical decision-making in evaluation

## ethics & evaluation

While ethical concerns are a central issue in evaluation, few evaluators have formal training in this area and consensus has not been reached about what evaluators seek in regard to ethics. In this article, different approaches to ethical review are described, drawing from: existing research on how evaluators currently deal with these concerns; the formal process put forward by Australia's National Health and Medical Research Council, and theoretical models of decision-making. Findings from a regional forum on ethics and evaluation, which was held in Melbourne in 2006, are also reported. The Australasian Evaluation Society should continue to promote discussion on ethics to further the knowledge and skills of evaluators and the AES may also have a role in educating human research ethics committees, to increase their capacity to respond appropriately to evaluation proposals.

### **Ethics and evaluation**

Ethics is a central issue in evaluation. Balzer (2004, p. 2) explored the elements of 'successful evaluation' via an Internet survey involving 442 respondents, from 46 countries. The majority of respondents were located in the USA (52 per cent), while notable groups were in Australia (5 per cent), Canada (4.8 per cent), England (3.8 per cent), and Sweden (3.6 per cent). Respondents were described as 'evaluation experts', involving people who are: major stakeholders within an evaluation project, those with important experience in the academic and/or practical field of evaluation, and/or people who conduct evaluation work. Almost all respondents had current or past experience of conducting evaluations, usually involving programs or treatment interventions. They identified that the 'consideration of ethics' was an absolute necessity in the process of implementing an evaluation (Balzer 2004, p. 12).

The Australasian Evaluation Society (AES 1997, 2002) has an established ethics committee that has developed guidelines on ethical conduct in evaluation for members. In 2003 the AES Ethics Committee explored member perspectives on ethical issues and needs using an Internet survey. One hundred and thirty

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two people took part, some 20 per cent of the total membership. Most respondents reported having dealt with ethical challenges or dilemmas in their work, for example one person noted that ethical dilemmas are 'pretty much part of the territory in evaluation' (Turner 2003, p. 1). Participants explained that they usually dealt with ethical concerns through informal discussion with colleagues and/or clients. A small number reported ignoring these issues, while others reported using third-party review, developing internal protocols, structuring the research process to involve participants, and/or using university guidelines (Turner 2003).

Despite the importance evaluators attach to ethics, few professionals have had formal training in this area (Newman & Brown 1996). Ethical standards are a marker of a mature organisation and they constitute a valuable resource to sensitise members to issues involved in professional practice. However, these codes have substantial limitations. They tend to be conservative in nature and they represent a consensus of opinions that may involve sacrificing a level of comprehensiveness (Ford 2006; Newman & Brown 1996). Other approaches are required to ensure active engagement with the ethical review process.

### **Institutional ethics committees**

One approach to ethical decision-making in Australia involves the submission of evaluation proposals for formal review by a human research ethics committee (HREC). These committees generally exist within organisations that are involved in a substantial amount of research, such as universities and hospitals. They operate under guidelines established by the National Health and Medical Research Council (NHMRC), which include details on membership and procedures for review (NHMRC 1999). While the HRECs are typically based on a medical model of research, they may review proposals from a wide range of disciplines.

Some HRECs have developed guidelines to help researchers decide whether their work requires formal review. This advice usually refers to the nature of the project (e.g. research or quality assurance) and the level of risk to participants; however, the legal responsibilities and funding arrangements involved may also influence decisions about whether to make a submission (DHS 2007).

There have been attempts to provide a modified review process for some proposals. In one example, the HREC of a large hospital complex developed guidelines to expedite the ethical review of low-risk quality assurance and research projects (Austin Health 2006). The expedited procedure is similar to that for a full review (i.e. requiring the use of a standard form) although the submission is sent to two members of the HREC rather than the whole committee. Notification of the outcome occurs within two weeks of review and the proposal is tabled at the next full meeting of the HREC for ratification. At the hospital, quality assurance

projects may not require any formal ethics review, or use the expedited process. Where these projects have elements that increase the level of risk involved, or whether the publication of findings is intended, then a full ethics review is suggested (Austin Health 2006). These examples highlight a number of issues pertinent to discussion on ethics and evaluation: perspectives on whether evaluation is research and therefore subject to ethics review, and whether the level of risk to study participants should be a distinguishing factor in decisions about whether to seek HREC review.

A range of concerns has been documented about the limitations of HRECs. McNeill (2002) identified a shift in the focus of HRECs, towards an increasing level of bureaucratisation in committee operations, which may change the orientation and purpose of reviews. Fulfilling institutional requirements, rather than identifying and providing advice on ethical concerns, may become the priority. Further, it is important to maintain healthy exchanges on ethics, particularly around the nature and significance of concerns that arise (McNeill 2002).

### **Decision-making and ethics in evaluation**

A number of other approaches exist to guide ethical decision-making. Organisations may institute 'ethics programs', which create the necessary conditions to 'stimulate morally responsible behaviour' among staff (McDonald & Nijhof 1999, p. 133). These conditions comprise: an awareness of formal organisational goals and the corresponding informal norms, the establishment of suitable procedures for decision-making, the correct distribution of resources, the presence of necessary skills, and personal intentions for ethical behaviour (McDonald & Nijhof 1999). The approach is basically about enhancing staff readiness through skills development while instituting processes that facilitate appropriate conduct.

Decision-making models track the processes involved and the influences at play. An eight-step model for decision-making involving mental health professionals has been put forward, which applies to 'every sort of occupational situation encountered' (Ford 2006, p. 82). The first step is an initial appraisal of the ethical and legal considerations involved, while later steps include gathering further information, reappraisal, and reflecting on the significance of the ethical issue within the context of the specific case. Concerns may be resolved at any step in the process, leading to a decision about what action is required.

Newman and Brown (1996) have gathered available understandings and resources on ethical decision-making to develop a framework for evaluators. Four major elements generally guide decision-making: intuition, rules, principles and theory, and personal values; and the framework incorporates and defines these sources of guidance within the context of evaluation, as shown in Figure 1.

## FIGURE 1: DECISION-MAKING FRAMEWORK

### Level 1: Intuition

#### Questions

- Do I respond to my intuitive concerns?
- Do I have time for further analysis?

*Decision 1: Stop, or pursue concern analysis?*

### Level 2: Rules

#### Question

- What rule, standard, or code applies?

*Decision 2: Does a rule, standard, or code apply? If no, stop, or go to level 3?*

*Decision 3: If yes, stop, go to level 3, or take action (level 5)?*

### Level 3: Principles and theory

#### Questions

- What is the relevance of each principle (autonomy, nonmaleficence, beneficence, justice, and fidelity)?
- How do the criteria (consequences, duty, rights, social justice, and ethics of care) apply?

*Decision 4: To stop, consider values (level 4), or take action (level 5)?*

### Level 4: Personal values

#### Questions

- How do my personal values, visions, and beliefs affect my thinking?
- What kind of a person do I want to be?

*Decision 5: To stop, or take action (level 5)?*

### Level 5: Action

#### Questions

- How much stress is involved?
- What are the risks to me?
- What are the risks to others?
- What do my colleagues think?
- What is my plan of action?
- How will the organisation react to this plan?
- What cultural perspectives are important to consider?
- Has my action resolved the issue?

*Decision 6: To stop, or implement an action plan?*

*Decision 7: Has the plan worked, or must I start again?*

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Source: Newman & Brown 1996, p. 102

The framework involves five levels that are based on the four elements guiding decision-making, along with the fifth level that involves taking action. At each point in the framework the evaluator may:

- resolve the ethical concern
- decide to cease their involvement in the project, or
- choose to adopt strategies from the next level.

For example, when an evaluator first identifies an ethical concern they decide if there is time for further analysis. If the answer is no, then the best decision is to stop the project. If time allows, 'concern analysis' involves moving to level 2 and exploring the rules, standards, or codes that apply to the situation in an attempt to identify a course of action. From here, the options are to cease involvement in the project, explore the implications of the rules that apply (level 3), or take action to resolve the problem (level 5). At level 4, the evaluator is encouraged to consider how their personal values impact on the decision-making process. Again, the options are to stop the project or take action. The final level in the framework (5) involves addressing a number of questions that clarify the nature of the actions that may be taken. The option to cease involvement in the project still exists. Finally, consideration is given to whether the actions taken have addressed the ethical concern or whether the decision-making process should recommence.

### **Possible roles for the AES**

In general terms, the framework provides a systematic approach to addressing ethical concerns. It acknowledges the merit of intuitive concerns about possible ethical dilemmas and promotes the use of relevant rules, codes and standards. There is scope to confer with colleagues and, importantly, the evaluator is constantly reminded of: 1) the option to discontinue the project and 2) the need to reach a satisfactory conclusion if the project is to continue. The first step in Ford's (2006) work would seem a valuable addition to the model; encouraging the examination of *all* evaluation proposals to determine whether any ethical issues are involved rather than operating on the basis of intuitive concerns that there may be a problem.

While the framework is a useful resource, additional supports may be required. Turner's (2003) survey of AES members and a recent forum on ethics and evaluation (see Figure 2) highlight the diversity of needs that evaluators have regarding an ethics review. For some, a formal ethics review process would represent a welcome risk management strategy. Others feel that a one-off process will simply not provide for ethical concerns that emerge over time. There is also a sense that evaluation needs to establish its own identity, separate from other forms of research. Exactly how this should occur is unclear;

with some advocating a formal review process for evaluation and others suggesting that existing AES resources should be strengthened.

There are some indications of increased capacity in the research community to address ethical concerns of evaluation and other types of work, with individual HRECs identifying variations to their conventional approval process on the basis of project risk. The NHMRC has also shown an awareness of, and willingness to respond to, an increased range of research methodologies. One example is the recent development of guidelines on qualitative research (NHMRC 2002). Conversely, the increased bureaucracy of HRECs (McNeill 2002) poses an ongoing challenge for all researchers. An alternative to establishing a separate process for the ethical review of evaluation proposals would see greater involvement by evaluators in improving HREC processes, including the establishment of expedited processes for review, developing ways to define proposals that do not require formal review and providing educational activities regarding the types of research and ethical concerns in evaluation. These developments may make better allowances for the range of ethical issues faced by evaluators, improve existing HREC tools (e.g. application pro-formas), and support the creation of additional tools such as checklists for evaluation proposals.

### **Conclusions**

The AES has an ongoing role in maintaining awareness among evaluators of their ethical responsibilities and the challenges that may be faced. There may also be an educative function for the AES: to improve the capacity of the NHMRC and individual HRECs to respond appropriately to evaluation proposals. Resources such as the AES guidelines and the model of decision-making in evaluation put forward by Newman and Brown (1996) can assist evaluators in the identification and resolution of ethical concerns. Continued discussion on ethics at AES gatherings is another useful way of maintaining awareness in this area.

### **Acknowledgements**

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**FIGURE 2: AES DISCUSSION FORUM ON EVALUATION AND ETHICS**

### The forum

Each month, the Victorian branch of the AES meets to support the professional development of Society members and interested individuals from other areas of work or study. Some meetings involve a discussion forum, which is based on a topical issue in evaluation. Forum participants share stories of dilemmas and solutions on the nominated issue. In April 2006, a discussion forum was held entitled 'Evaluation and Ethics: Stories from the Field'.

The forum was widely advertised and it was open to the public. The structure comprised a brief presentation on ethics and evaluation, while the main focus was on group discussion. Twenty-five people attended the forum; however, information on four participants was not recorded.

Ten of the participants were evaluators in private business, or at non-government organisations. Six were from universities, working in evaluation and/or associated fields. Four were in government positions, in evaluation or associated roles. In all, 17 organisations were represented. The majority of participants (13) were listed in the AES Directory as current members.

Notes were taken during the forum and data analysis involved identifying major themes and categorising text units within these themes. Forum participants were told that the findings would be reported in the AES journal.

### Findings

Four major themes were identified, as explained below.

#### **Theme 1: Ethics is certainly an important area for evaluation**

Participants felt that ethics requires reaching a balance between the public good and the interests of particularly vulnerable individuals in our society. In reaching this balance, it is important to refer back to protocols and principles to look for 'creative solutions' to ethical concerns. As evaluators, we need to be on a defensive footing, pre-empting ethical concerns that may arise and establishing processes and strategies to ensure these issues are well managed.

Some principles of ethical practice apply equally to evaluation as other forms of research. For example, the need to obtain informed consent is a critical principle that needs to be enshrined in any evaluation ethics model.

#### **Theme 2: Some ethical dilemmas of evaluation projects are also experienced in other types of research**

Participants described a range of ethical dilemmas they had experienced, including:

- Program staff describing the unethical behaviour of a colleague during project interviews. The evaluator had to decide whether, and to whom, this behaviour should be reported. Disclosure involved a number of risks including the possibility that opportunities for further work may be undermined, risks to the existing project, and issues around breaching confidentiality.
- The fact that ethical issues may not be identifiable at project commencement, but emerge over time. This is particularly true of action-research-oriented evaluations.
- Participatory models of evaluation do not match conventional understandings about the roles of those conducting and being targeted by research. Program staff may be involved in data collection and analysis, playing a very active role throughout the project, which is at odds with conventional understandings about the power relationships that exist in research.

One participant noted that HRECs are slowly changing in response to changes in the field of research. The participant identified the NHMRC guidelines on qualitative research (NHMRC 2005) as an example of this shift.

## Findings (continued)

### **Theme 3: There is a sense that submitting evaluation proposals to Human Research Ethics Committee (HREC) approval processes involves a poor level of fit.**

The limited timeframe and resources allocated to evaluation work are not easily accommodated within HREC requirements. There was discussion about the set format for submissions and the amount of work involved. Project resources are depleted by the preparation of submissions and the time lag before commencement. In one example, a project required approval from different committees due to the number of sites involved. This meant preparing multiple submissions and allowing a substantial period for the review process. Where revisions to the proposal were required by the HREC the timeline was extended. By the time ethics approval had been obtained across all sites, the project contract had almost expired.

Evaluation research involves a particular set of ethical issues around reporting requirements. These issues may be overlooked by HRECs. In addition, the requirement regarding participant anonymity may not be feasible given the evaluation focus and the limited number of people who are able to provide comment on the program(s) under study. Anonymity may not be required, as participants may prefer to be named in project outputs.

### **Theme 4: Is there a need to develop our own model for the ethics approval of evaluation proposals?**

Some participants felt there were distinct advantages in establishing a formal process for the review of evaluation proposals that involves 'staking out our own territory' in ethics. The absence of this process means continuing to operate in an environment where ethics is defined by HRECs.

Others expressed concerns about the codification of the ethics review process and the complacency that may result. The review process may simply be regarded as a risk management strategy, providing legal credibility and a level of status for the project. Does this meet the needs of evaluators? Codification may result in reduced awareness among evaluators of ethical issues that arise as projects proceed.

Some participants felt that ethical concerns should be addressed by strengthening and/or revising the current AES Code. It was felt this approach allowed AES members to maintain flexibility and control in the resolution of ethical issues.

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