

Training Guide on Regulatory Frameworks and Market Surveillance



UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE

Training Guide on Regulatory Frameworks and Market Surveillance



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The guide is informed by UNECE's United Nations Trade Facilitation Guide Training Manual (2015).

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Key contributions were made by:

- Ms. Lorenza Jachia, Secretary, Working Party on "Regulatory Cooperation and Standardization Policies";
- Mr. Valentin Nikonov, Co-Coordinator, Group of Experts on Risk Management in Regulatory Systems (GRM Group);
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INTRODUCTION

TO TRAINING METHODOLOGY & LEARNING AGENDA

Introduction

This guide is a practical tool to help trainers in the preparation, delivery and follow-up to a set of training workshops. Both this guide and the workshop materials have been prepared by the UNECE Secretariat, in collaboration with training and subject-matter experts. The subject of the trainings that this guidebook supports concerns how to build risk-based regulatory frameworks.

Key Learning Objective of the Trainings

This guide will instruct trainers in teaching how to design regulatory systems that result in an efficient, effective and transparent management of risks, in particular the risks related to the implementation of Agenda 2030.

Risk-Based Regulatory Systems

The foundation of these trainings is the large body of UNECE work aimed at promoting the use of risk management tools in regulatory systems.

This large toolbox – developed since 2009 under the umbrella of the UNECE Working Party on Regulatory Cooperation and Standardization Policies – has now been widely implemented by administrations within and beyond the UNECE region.

UNECE WORKING PARTY ON REGULATORY COOPERATION AND STANDARDIZATION POLICIES (WP.6)

WP. 6 is a forum for dialogue among regulators and policymakers. Its broad mandate includes technical regulations, standardization, conformity assessment, metrology, market surveillance and risk management.

The WP. 6 also works to increase regulatory cooperation in specific sectors that have a critical impact on sustainability and on resilience to natural and man-made hazards. It also works to promote the use of standards by policy-makers and the business sector as a tool for reducing technical barriers to trade.

Standards and regulations

Building regulatory frameworks based on a consistent risk management process allows countries to protect their citizens, their livelihood and the natural environment without creating unnecessary obstacles to international trade and unwanted impacts on the industry's competitiveness.

Technical authorities – including regulatory agencies – are tasked with the development and implementation of a large variety of regulatory instruments. These are developed with the overall goal of changing the behaviour of consumers, communities, economic operators and other key decision-makers. Taken collectively, these tools make key contributions in ensuring that products are safe, organizations' processes are stable and consumers are better protected from hazards.

From the UNECE perspective, the process of developing and implementing these technical regulations needs to be informed and rooted in risk management. In other words, technical regulatory authorities should aim – through their work – to identify and address "public risks", defined as risks that may have an undesirable impact on society.

The 2030 Development Agenda and the Global Goals

The 2030 Agenda for Sustainable Development (commonly referred to as the 2030 Agenda) sets forth an ambitious and transformative plan of action to propel the world towards sustainable development. The 2030 Agenda represents a universal commitment to renew action across all three dimensions of sustainable development: the economic, social and environmental.

Comprised of 17 goals ('the Sustainable Development Goals (SDGs)'), 169 targets and 232 indicators of achievement, the 2030 Agenda lays out a compelling direction for the work of agencies, regulatory bodies and decision-making authorities, across all levels.

With respect to the work of regulatory and administrative agencies, the global goals will help to define their respective agendas. This includes, efforts to identify, assess and manage the broad range of risks, which may hinder the realization of the goals and targets of the 2030 Agenda.

How to use the Guide

The training manual presents the primary content areas of the training module and offers fundamental guidance and advice to trainers, so they may conduct their workshops in an efficient and informed manner. In addition to practical information, the manual advises readers on best practice in the delivery of modules, outlines key training competencies and proposes certain solutions to challenges commonly encountered throughout workshop preparation and delivery.

The modules and training supports contained in this guide can also be used in a *training of trainers* programme on risk-based regulatory frameworks.

Depending on user requirement, the guide can be used:

- To instruct trainers on best practice in workshop facilitation.
- To enhance trainer competency and skill-base.
- To direct workshops on regulatory frameworks and provide instructive tools for effective learning.

The guide is structured according to the continued needs of trainers throughout the workshop. To ensure convenience and utility, the guide is divided into three distinct areas: before the workshop, during the workshop and after the workshop.

Each phase of training preparation and facilitation includes tips and suggestions for trainers to conduct the workshop effectively. The guide is intended to prepare trainers for their sessions, show them how to structure the training, and give pedagogical and didactical guidelines for achieving the participants' learning objectives.

Workbooks for participants and online courses complement the guide, and will be made available through a dedicated interface that will be accessible from the website of WP. 6: <http://www.unece.org/trade/wp6/welcome.html>

Course Toolbox

The manual equips trainers with a set of competencies and tools that will allow them to:

- Examine the learning needs of the target audience.
- Develop workshops, which can be conducted independently or as a series regarding building risk-based regulatory frameworks.
- Share knowledge & methodologies to facilitate and conduct the workshop.
- Evaluate the learning results achieved by the target audience and to track the impact of the workshop.
- Determine the priorities for participants within each workshop and adapt the course content accordingly.

Owing to the inherent diversity of participants, the programme for learning needs to be appropriately tailored to the training requirements of the group, and thought must be given to the suitability and relevance of training materials.

Learning Approach

This guide incorporates a specific learning approach which can be summarized as follows:

Participatory and Learner-Centric

The activities that the trainer facilitates will enable participants to make use of the guide in their own reform context and effort. The training approach progressively passes initiative and knowledge development from the trainer to the learner. This is achieved in an interactive and participatory way.

Context Based and Flexible Modular Design

Specific learning paths have been developed to discuss key issues and challenges regarding risk-based regulatory frameworks and to describe relevant tools and solutions. Through these learning paths, participants are given a contextualized approach to the guide's contents, which they can relate to concrete reform scenarios. These pathways are modular and allow the trainers to build around the learning needs and interests of the particular target audience being trained.

Practical Contextualized Learning

By embedding learning material and instructions in familiar contexts, participants are more likely to learn.

A successful trainer will understand the real-world application of the context. The use of contextual learning strategies will help participants take to engage with real-world challenges when encountered in their work.

PHASE 1: BEFORE THE WORKSHOP

Preparation of the training workshop is vital to ensure that:

- Trainers are versed in best practice and continue to adapt the workshop to reflect contemporary information
- The course is tailored to the learning objectives and experience level of participants
- Activities and examples are contextually appropriate, relatable and suited to the participant group
- Participants are aware of the intellectual demands and rigours of the workshop.

Best Practice in Adult Learning

As the learning process constitutes the very basis of all training, it is vital that workshop trainers possess an acute understanding of the process.

The ability to adapt this process will grant trainers a means of effectively adapting a workshop to a particular environment.

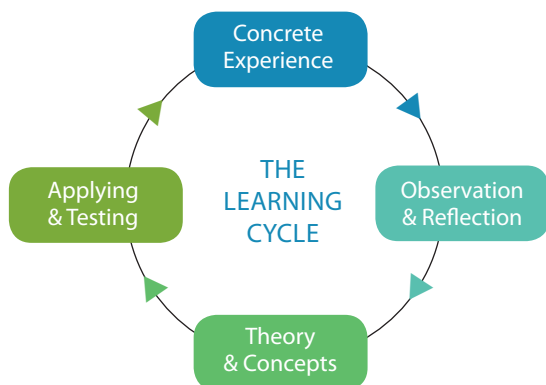
Current best practice indicates that adult participants appear most receptive to new learning opportunities when:

- Individuals have been empowered to define or adapt their learning objectives.
- A contextual learning approach is employed and the featured content draws on real problems/situations/experiences of the group.
- Training in highly interactive and engaging.

As demonstrated in the below illustration, the learning cycle involves (i) concrete experience, (ii) observation & contemplation, (iii) theoretical concepts and (iv) application and analysis.

The learning cycle is championed by practitioners for including both inductive and deductive forms of learning.

The role of the trainer is a key distinction between the two forms of learning.



Deductive learning

In deductive learning situations, the trainer educates by introducing the content and discussing the concepts to participants; the expectation being that participants come to better understand the corresponded concepts through the completion of tasks.

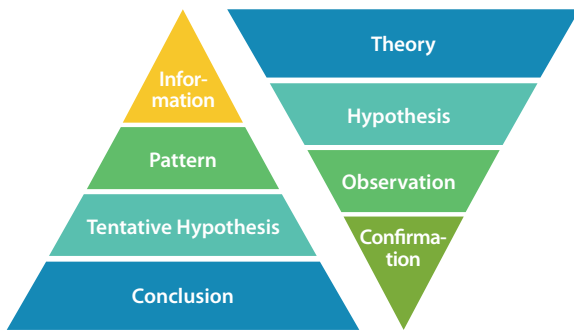
Inductive learning

Inductive learning is a participant-focused approach, in which students are presented with a variety of pertinent examples and activities. Through a process of 'noticing' (participants become aware of something in particular or come to understand a rule by deducing commonalities between examples and activities) or logical inference, inductive learning introduces participants to sub-processes that go into a bigger subject. For example, participants gain a more lucid understanding of discrete relationships, generate tentative hypothesis and examine data more closely to draw a subsequent conclusion.

Both forms of learning are invaluable and appeal to different forms of learners. Either learning style is important in training delivery (e.g. teaching concepts, processes and competencies) and the workshop trainer must measure its application.

The effective application of these different methods is dependent on a number of factors and the trainer should consider the following, when deciding which method to employ for a particular topic:

- Participants often favour inductive approaches. This is demonstrated through greater participant involvement in the workshop experience and increasingly active discussion rounds.
- Predictability: Deductive approaches tend to 'telegraph' the learning pathway. This leads to greater predictability in modules.
- Resources available to the trainer: Inductive learning approaches can necessitate greater amounts of time and remain predicated (to a higher degree) on participant engagement. Deductive learning approaches are faster, and their delivery can be timed before a workshop begins. Additionally, they are more applicable to large groups of participants.



In adult education settings such as this workshop, inductive lessons are formulated around technical, domain-specific words and terminology. Beyond simply introducing participants to a host of new regulatory terms, inductive learning compels workshop participants to strive for key understandings and relationships amongst the content areas and activities.

Accordingly, it rests with the trainer to organise the course content, discussion areas and interactive elements into a package which gradually informs the broader picture for participants on building a risk-based regulatory structure.

Undoubtedly, the degrees of diversity amongst a participant group must be acknowledged when deciding best practice approaches. Subtle influencers such as participant nationality, language, preference and experience may shape how groups understand content and develop their inference accordingly.

Selecting Participants

It is important that training involves all regulatory stakeholders!

For this reason, the workshop must involve participants representing different constituencies. The course's success is determined by the extent to which participants apply the knowledge and skills gained throughout the workshop. In light of this understanding, it is of crucial importance that participants are those stakeholders most capable of applying the workshop content upon its conclusion.



Several defining elements exist to guide participant selection. These given attributes are considered optimal insofar as they present the greatest opportunity for the subsequent application of the learning. In no way are these intended as barriers to inclusion, however participants would be wise to consider their suitability against the guiding elements and reflect on how the workshop may stand to benefit them. Optimal participant selection characteristics include the following:

- Participant's job description and future work endeavors are associated with building a risk-based regulatory framework.
- Participant's existing knowledge, attitudes and competencies must stand to be improved by participation in the workshop.
- Participants should be encouraged to communicate all newly acquired knowledge and competencies with their peers.
- Participants should possess the necessary language skills to comprehend all modules and activities.
- Participants attending the workshop should have the necessary resources (e.g. time, office support, financial capabilities) to facilitate any subsequent application of the workshop content.

DATA ABOUT THE PARTICIPANT

- Name, gender, age & contact information
- Job title & educational level
- Prior training on this subject
- Current function within the organization
- Current work responsibilities
- Preferred language for training

DATA ABOUT THE ORGANIZATION

- Type of organization
- Expected benefits for the organization

PARTICIPANT'S NEEDS AND EXPECTATIONS

- Interest in the workshop
- Expected benefits
- Particular needs related to risk-based regulatory frameworks
- Intended actions in using newly-acquired competencies

Adapting the Course to the Learning Objectives of Participants

When adapting the workshop content to reflect participants' learning objectives, the trainer will need to consider such factors as (i) workshop resources and (ii) training venue capabilities & limitations.

The first step of any successful training is an in-depth analysis of enrolled participants. This allows the trainer to collect information regarding their prior experience (as it relates to the training topic) and knowledge of subject matter.

It is also useful to explore the variety of learning objectives provided by participants and examine what prospective challenges they believe they may face when applying the learning.

The guide provides trainers with simple survey options to capture this information. Whilst it is advisable to make this survey available to participants in advance of the workshop, participants' time may be limited by their day-to-day work.

Trainers must be mindful of the pre-workshop demands placed on those enrolled and prepare communication processes, which appreciate these limitations.

It is important to note that completion and return of the pre-session survey is highly dependent on: (i) the degree to which the document retains focus on the workshop topic, (ii) the relative ease of execution and (iii) the clear incentive for completion.



Once trainers have effectively formulated pre-session communication and satisfied these factors, the process should result in the following outcomes:

- Agreement on the workshop objectives
- Formulation of the workshop schedule
- Trainer decides the favoured learning style
- Finalisation of the module/session learning objectives and precise content areas.

The Pre-Training Survey: Learning Needs Analysis questionnaire is annexed to this guide (Annex 1).

Adaptation and Contextualisation of the Workshop Agenda & Curriculum

Developed through extensive collaboration with subject-matter experts, the course employs a number of extended case studies to guide participants through the main topic areas, which are introduced in a gradual and methodical manner.

While adapting workshop materials and delivery to the stated learning objectives of participants remains vitally important, adaptation should not be to the detriment of achieving the baseline learning objectives.

The trainer-led objectives, in particular those that ensure participants learn how to develop and implement risk-based regulatory frameworks, should remain the key focus of the workshops.

Effectively formulated assessment surveys should help to inform the extent of adaptation required, and trainers would be wise to consider how participant learning objectives may be facilitated without compromising the intended shape or baseline objectives of the course.

The structure of the workshop is adaptable. The 9-day running time, as outlined in the training manual, is an ideal learning engagement for trainers – though they can shorten according to requirement.

The focus of the workshop may be adapted to a variety of contextual applications. Whatever the respective application, the content, language and examples should be adapted to reflect the contextual parameters.

The following list outlines the different workshop modules and the order in which they should preferably be delivered:

> MODULE 1	WELCOME & INTRODUCTION
> MODULE 2	RISK MANAGEMENT IN BUSINESS & REGULATION: TOWARDS A BETTER MANAGEMENT OF RISK
> MODULE 3	RISK-BASED CONFORMITY ASSESSMENT
> MODULE 4	RISK-BASED MARKET SURVEILLANCE/ENFORCEMENT
> MODULE 5	WRAP UP & EVALUATION



To ensure an active and engaging learning experience, the workshop employs a variety of interactive tools, group exercises and learning techniques.

Each of the sessions contains discussion questions and interactive elements to guide participants through the logical pathways and models presented by the trainer. The workshop places particular emphasis on the practical application of the concepts.

On completion of each session, participants should have developed or engaged in a thought-provoking discussion, a group activity or a personal assessment of a given case study, related to the respective session topic.

Practical elements (e.g. the drafting of normative documents) are presented, to ensure that participants understand the subject's real-world application and are comfortable utilizing a broad set of tools, for the purpose of building a risk-based regulatory framework.

Depending on the nature of the activities undertaken and degree of participant experience, the workshop allocates time to: (i) the practical processes, (ii) application of instruments and (iii) a structured process of collaboration amongst regulatory stakeholders going forward, with respective roles.

The workshop concludes with an evaluation session which questions participants on areas of improvement, workshop limitations and areas of greatest benefit. Participant information represents a primary measure of workshop success and evaluation reports shape future instances of the training; both highlighting the workshop's present successes and identifying areas for improvement.

Structure of a Working Group

Participants thrive off of interactivity and the extent to which a trainer successfully integrates working group exercises will determine the level of attendee interest.

The successful running of working groups is a nuanced task which requires understanding of a number of criteria:

- Group size: Each cohort should be small enough to facilitate the active engagement of all individuals and large enough to ensure varied opinions.

- Representation: Trainers should be mindful of gender, age, nationality, experience etc. when composing groups.
- Seniority: Groups should integrate junior and senior staff, being sure to separate staff with direct working connections (e.g. supervisor/supervisee).
- Personality: Over time trainers will come to understand participant dynamics. It is important to draw introverted or reticent participants into the discussion, and ensure authoritative individuals do not exert unnecessary pressure on group members.

Consideration should be lent to whether groups should be retained throughout the duration of the workshop. The task ultimately depends on the objectives, duration of training and size of the workshop.

On the occasion that the workshop is composed of a large number of participants, the task to compose representative, well-organized groups may take a considerable amount of time and effort. In this instance, multiple trainers may be necessitated.



Workshop objectives may allow for the constant rotation of groups. However, if the ultimate aim is to incrementally produce a final product, then exposure to a fixed working group may assist participants.

Important Checklists for the Trainer

Workshops require considerable preparation. It is wise for trainers to consult preparation checklists, in advance of the workshop to ensure nothing has been overlooked.

Implementation Checklist

An implementation checklist is a crucial pre-workshop document, which presents trainers of all competencies and experience-levels with a simple means of ensuring best practice before, during and throughout the session.

Additional checklists exist with respect to the practical requirements of workshop facilitation. It is prudent for

subject matter experts, unaccustomed in workshop delivery, to consult such a catalogued list of resources (e.g. number of pens, flip charts, pencils) in preparation for session facilitation.

Prior to implementation

- Review materials
- Share briefing notes with participants
- Confirm roles and responsibilities

During first session

- Introduce with icebreakers
- Clarify expectations and learning objectives
- Review the agenda & the methodologies
- Establish the ground rules
- Set up feedback mechanisms

Throughout the entire workshop

- Remember facilitation roles, tips and challenges
- Record all the results and document as much as possible
- Reflect and wrap-up

Arranging the Workshop

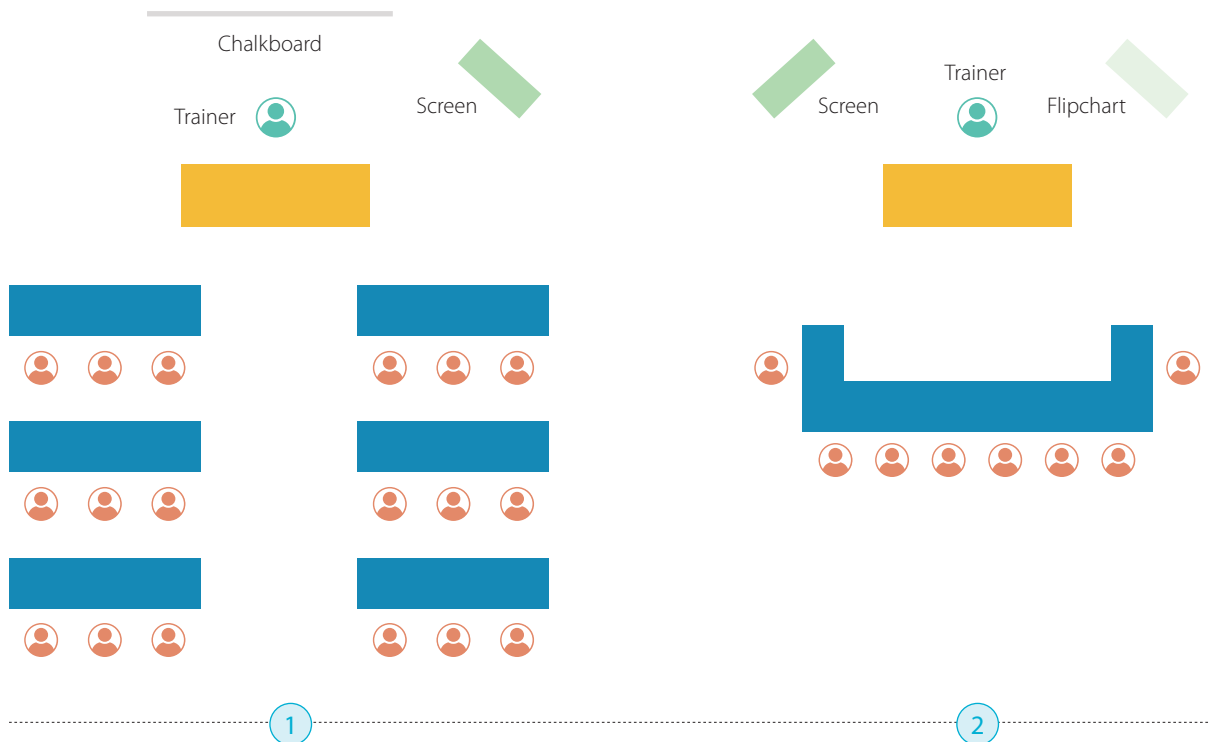
In an effort to ensure a feeling of equality among participants, the trainer should consider how the workshop setting can be effectively arranged to set an informal tone and encourage individual participation.

Different room layouts – as depicted in illustration Typical Classroom Layouts below – appeal to varying forms of engagement; for example, individualised instruction layout would favour an individual-focused training session.

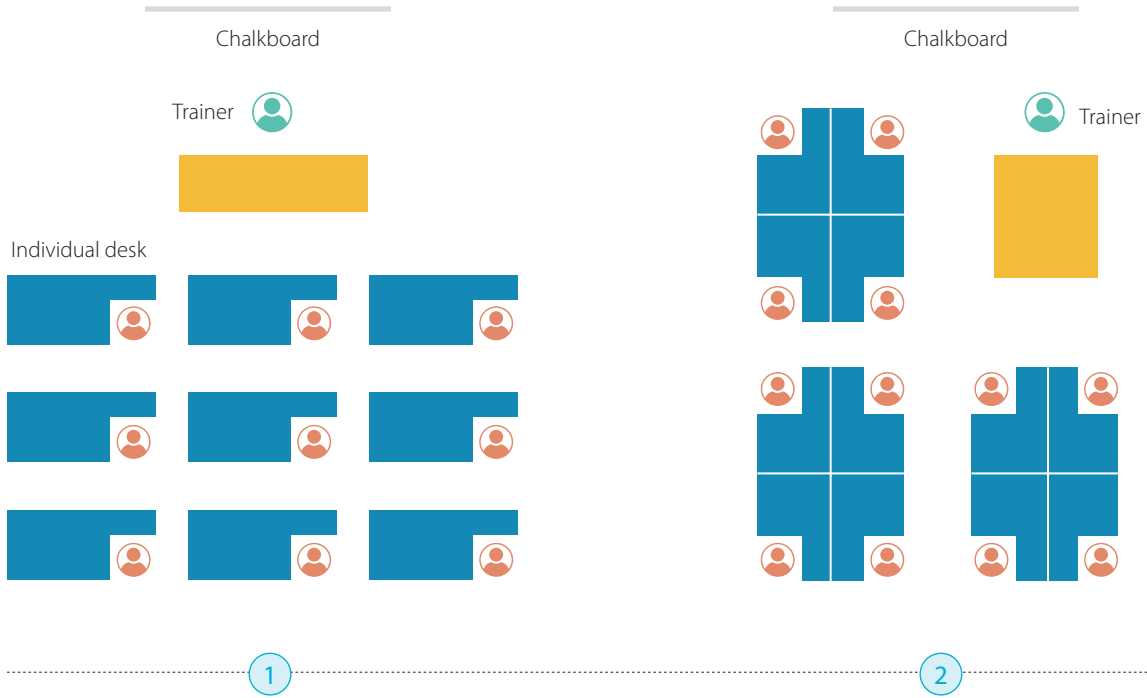
Classroom-type arrangements are not entirely supportive of group interaction or experiential learning. It is recommended that trainers adapt their room arrangement according to the learning activity being followed.

To accommodate effective evaluation sessions, like those previously discussed, trainers should lead in a manner that stimulates discussion and guarantees equality amongst attendees. Facilitators commonly employ a circle or semi-circle as a means of inviting participation. Depending on group size, it may be wise to employ a circle (large group) or individual islands (smaller groups). The ability to monitor individual interactions and participation rates will ensure no one person feels excluded.

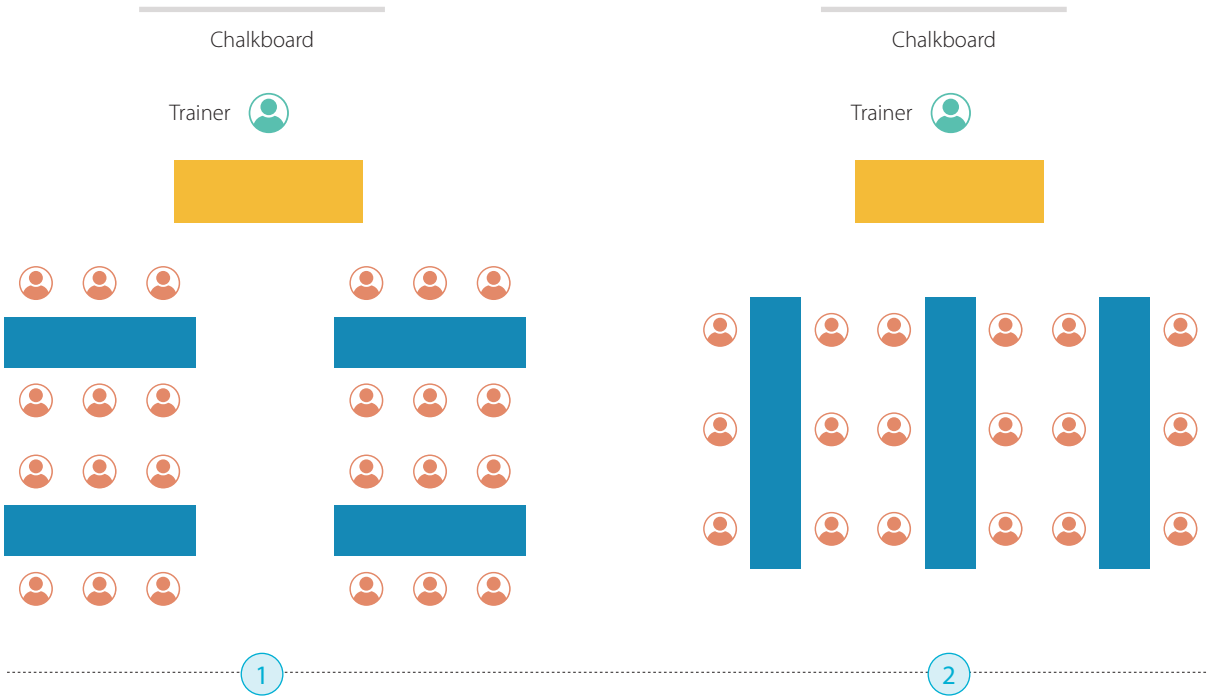
TYPICAL CLASSROOM LAYOUTS



INDIVIDUALISED INSTRUCTION LAYOUTS



LABORATORY LAYOUTS



PHASE 2: DURING THE WORKSHOP

> MODULE 1 (Day 1)

WELCOME & INTRODUCTION

SESSION 1

Workshop Opening and Participant Introductions

LEARNING OBJECTIVES

- To welcome the participants and officially open the workshop
- To introduce the objectives and the methodology of the workshop
- To facilitate group introductions and review the training agenda

TRAINING MATERIAL

- Presentation: About the workshop
- Agenda hand-out
- Flipchart
- If possible, note taking materials for each participant

TOPIC AREAS

- Opening & introduction
- Breaking the ice

METHODOLOGY: WELCOME AND OPENING

The welcome session sets the tone for the workshop and it is recommended that trainers adapt their welcome message to suit their favoured tone and facilitation style. Workshop trainers will be aware in advance of the opening session, whether an official opening has been arranged. The presence of senior representation can add greater credibility to proceedings and highlight the importance of the Building Risk-Based Regulatory Frameworks learning objectives to the stakeholders in attendance.

The intent of the welcome session is to introduce the structure of the Building Risk-Based Regulatory Frameworks Training workshops. The objectives, as stated in the introduction of the training manual, are shared with participants, together with a hand-out of the official workshop agenda.

BREAKING THE ICE

After the official welcome and opening of the course, the trainer commences an icebreaking session to engage the group dynamics and introduce the participatory methodology that is characteristic of the entire workshop. The icebreaker exercise focuses on introducing the participants and encouraging comfortable interaction. Different exercises (e.g. activity, game or event) can be applied and should be selected according to group size and cultural context (i.e. customs, norms).

A variety of simple icebreakers exist to make workshop introductions an engaging and participatory activity. Choosing an approach that reflects the spirit of the workshop encourages participants to respond in kind i.e. engaged, energetic and immersive.

Trainers are recommended to ensure the activity's viability (i.e. is it possible given the number of participants? does the training room allow for such movement?) and bear in mind any potential barriers to inclusion, amongst the group. Simple high-energy activities such as Tag or 10 Things in Common are a source of good humour and represent an engaging introduction to the plenary.

'Speed Networking' presents an informal and highly participatory means of introducing the group to one another. Within this activity, participants are requested to develop a short 'elevator pitch' which should take no more than a minute and contain a memorable/entertaining snippet of information about themselves. Employing a highly structured setting and pre-assigned questions allows the trainer to ensure introductions remain consistent and mitigate any apprehension or awkwardness. The questions developed by the trainer

can pertain, for example, to a humorous incident or interest in the subject matter.

Participants move in two concentric circles until they have completed a full rotation and once again face their first discussion partner. Circles are then re-established and individuals are introduced to the remaining participants.

It is advisable for trainers, irrespective of whatever welcome session they choose to develop, to navigate away from: (i) introductions which encourage a tedious seated, go-round of the room and (ii) icebreakers which may establish seniority or sow divisions within a participant group (i.e. years of experience, position within an institution).

Some sources of division will be contextually dependant and trainers would be advised to consult a local expert, prior to the start of session, to identify any potential causes of conflict within the participant group.



> MODULE 2

(Day 1-3)

RISK MANAGEMENT IN BUSINESS & REGULATION:
TOWARDS A BETTER MANAGEMENT OF RISK

SESSION 1

Good Risk Management

LEARNING OBJECTIVES

- To possess a clear understanding of risk and risk management
- To be familiar with risk assessment tools

TOPIC AREAS

- Part 1: Overview of risk management
- Part 2: What is a risk
- Part 3: What is good risk management
- Part 4: Risk assessment tools

LECTURES

- The history, main concepts and objectives of risk management
- What are risk-relevant concepts such as risk factor, vulnerability, and probability, etc.
- The principle of management, and risk management process
- Risk assessment tools - hazard and operability studies (HAZOP), "what-if" analysis and bow-tie analysis

DISCUSSION EXERCISE

- Participants are divided into small groups which represent a particular business, and given time to debate the multitude of risks faced by the business.
- Participants are encouraged to discuss the concepts learned about risk to analyse a daily event, such as "being late for work". This can be done in small groups or in a broader whole-of-group setting.
- Participants are requested to develop a scenario, perform HAZOP and bow-tie analysis, and brainstorm a crisis management plan with their fellow attendees.

METHODOLOGY

The workshop combines expert-led presentations, facilitated discussion and highly interactive exercises. Owing to the depth of analysis and breath of topics discussed, it is important that the trainer give participants sufficient time to consider the information. For that reason, it is not advisable to deliver the presentations in a single run.

At the end of each session, workshop trainers should engage participants through an in-depth topic discussion. As each of the sessions is accompanied by related discussions and exercises, participants come to better understand how to apply the knowledge they have received from the training.

When implementing exercises, the trainer should encourage co-operation amongst participants and incentivise the sharing of ideas. For each session below, the guide lists the lectures to be covered by the trainer and possible exercises that can be initiated throughout.

THE FOLLOWING ARE EXAMPLES OF
WAYS IN WHICH THE WORKSHOP
CONTENT MAY BE ADAPTED TO BETTER
REFLECT THE NEEDS OF PARTICIPANTS:

Case studies: Trainers may decide to develop case studies which are informed by the specific location or environment, rather than a generic setting.

Exercises: Examples in the activities may be replaced by participant's own projects, institutional objectives or national outputs/indicators.

Presentations: Individual sessions can be deployed, according to the learning objectives and interests of participants.

SESSION 2 *Risk Management in Regulatory Systems***LEARNING OBJECTIVES**

- To possess an understanding of risks, from the perspective of a regulatory system
- To understand the UNECE reference model
- To explore how to identify risks, evaluate risks and make a risk management plan

TOPIC AREAS

- Part 1: Regulatory frameworks: setting the scene
- Part 2: The reference model
- Part 3: Risk management in regulatory systems: from identification to disaster risk reduction
- Part 4: Crisis management and disaster risk reduction

LECTURES

- Managing risks in regulatory systems
- The UNECE reference model
- How to identify and evaluate risks, and choose risk management strategies
- Risk management process and disaster risk reduction

DISCUSSION EXERCISE

- Trainers guide the participants in the creation of a risk consequences matrix and encourage discussion on the risk evaluation of a particular topic, such as 'car accidents'.
- The facilitator displays this image to participants and asks that they develop risk management strategies, individually or in groups. After discussion and review, a crisis management plan for the risks identified is developed.



SESSION 3 *Regulation as a Risk Mitigation Tool*

LEARNING OBJECTIVES

- To discover the connection between risks and regulatory framework
- To have an overview of conformity assessment and market surveillance

TOPIC AREAS

- Part 1: What is a regulation
- Part 2: Pre-market control: risk management and conformity assessment
- Part 3: Post-market control: risk management in market surveillance and compliance
- Part 4: Wrapping up

LECTURES

- Types of regulation, regulatory principles, regulatory development and impact assessment
- Conformity assessment
- Market surveillance
- Review of this section

DISCUSSION EXERCISE

- It is important to review the whole module at the end. The trainer can pose some general questions that have been covered in the previous sessions to help the participants to go through the module.



> MODULE 3

(Day 4-6)

RISK-BASED CONFORMITY ASSESSMENT**SESSION 1***Risk & Conformity Assessment***LEARNING OBJECTIVES**

- To develop an in-depth understanding of conformity assessment
- To understand the different types of conformity assessment

TOPIC AREAS

- Part 1: Conformity assessment in risk-based regulatory frameworks
- Part 2: Inherent and non-compliance risks of products and services
- Part 3: Conformity assessment: overview and the main terms
- Part 4: The functional approach to conformity assessment
- Part 5: Important dimensions of conformity assessment: voluntary/regulatory – first-second-third party

LECTURES

- The objectives of risk management in regulatory frameworks, different types of risks in regulatory system, and examples of manage risks in regulatory frameworks
- Overview of conformity assessment and related ideas such as objects of conformity, means of demonstrating conformity and calibration
- The functional approach to conformity assessment: selection, determination, review and attestation, surveillance

DISCUSSION EXERCISE

- Retaining the picture of the child's room, participants discuss the risks related to non-compliance.
- Using a variety of case studies, participants identify and debate the objects of conformity and means of demonstration.

SESSION 2*Designing Conformity Assessment Systems***LEARNING OBJECTIVES**

- To learn how to design conformity assessment activities
- To understand the process of conformity assessment

TOPIC AREAS

- Part 1: Introduction
- Part 2: Conformity assessment policy options
- Part 3: How to draft normative documents

- Part 4: Certification
- Part 5: Inspection
- Part 6: Persons certification
- Part 7: Testing and calibration
- Part 8: Management systems certification

LECTURES

- Conformity assessment schemes and systems, factors to consider and the advantages and disadvantages to consider in risk assessment
- The principles to consider when building conformity assessment schemes, e.g. impartiality, confidentiality, disclosure of information, etc. and risk factors to those principles

DISCUSSION EXERCISE

- Participants engage in group discussion on the prospective costs and benefits of conformity assessment schemes, which can be established within the regulatory framework (like certifying safety equipment, licensing skippers, etc.).
- The trainer guides participants in the preparation of rules that would implement the principles of conformity assessment and encourages discussion and exchange amongst the participant group (plenary or small sub-groups).
- Based on scenarios, participants are requested to develop regulatory requirements on conformity assessment.

SESSION 3

Watching the Watchmen

LEARNING OBJECTIVES

- To explore how to make sure that the established conformity assessment regimes work properly.
- To discuss the impact of conformity assessment on international trade

TOPIC AREAS

- Part 1: Accreditation: making sure conformity assessment bodies know what they are doing
- Part 2: Peer assessment: making sure conformity assessment bodies know what they are doing
- Part 3: Conformity assessment in international trade

LECTURES

- Accreditation, accreditation bodies and the accreditation process
- Peer assessment, the process and international peer assessment schemes
- Conformity assessment in international trade, equal and national treatment, international agreements, and choosing conformity assessment procedures

DISCUSSION EXERCISE

- Participants are divided into discussion groups and requested to converse on the variety of conformity assessment systems introduced in the workshop.
- The trainer will encourage discussion on areas such as what has been learnt and compare the respective systems.

> MODULE 4

(Day 7-9)

RISK-BASED MARKET SURVEILLANCE/ENFORCEMENT

SESSION 1

Market Surveillance in Regulatory Frameworks: Minimizing the Risk of Non-Compliance.

LEARNING OBJECTIVES

- To understand the relationship between market surveillance and risk
- To learn about the factors to consider when setting up rules
- To identify the forces and objectives of market surveillance

TOPIC AREAS

- Part 1: Risk and regulation
- Part 2: Reasons rules may fail
- Part 3: Risk of non-compliance
- Part 4: Determining the focus of market surveillance
- Part 5: Objectives of market surveillance

LECTURES

- Review the topic of risk and regulation
- Reasons rules may fail
- Non-compliance as a risk factor
- Determining the focus of market surveillance: regulatory pyramid and objectives, the main focus of market surveillance/enforcement
- Objectives of market surveillance and the main challenges

DISCUSSION EXERCISE

- Participants are invited to examine the advantages and disadvantages of a number of given regulatory requirements and share their views with other participants.

SESSION 2

The Basis for Market Surveillance

LEARNING OBJECTIVES

- To provide the participants with basic knowledge of and practical tools to design a market surveillance/enforcement authority
- To provide a guide as to how to cooperate and coordinate various market surveillance/enforcement authorities

TOPIC AREAS

- Part 1: The principles

- Part 2: Legislation
- Part 3: Coordination and cooperation
- Part 4: A methodology for running a market surveillance authority/enforcement body

LECTURES

- The principles
- Building a legislative basis for a market surveillance/enforcement framework
- Cooperation and consolidation, e.g. overlap analysis, unified information and data sharing
- A methodology for running a market surveillance authority/enforcement body: the core processes and general processes

DISCUSSION EXERCISE

- After selecting an industry, the trainer requests that the participants: (i) analyse what the requirements are for building a legislative basis for market surveillance/enforcement, and (ii) discuss how these requirements can be implemented, in legislation.
- Participants are instructed to identify all relevant authorities that might be involved in market surveillance activities with respect to a particular industry and debate any potential conflict of interests.

SESSION 3

Running a Market Surveillance Authority (MSA)

LEARNING OBJECTIVES

- To learn how to build market surveillance/enforcement schemes
- To understand the process of how to perform market surveillance/enforcement activities

TOPIC AREAS

- Part 1: Strategic choices and strategic planning
- Part 2: Overview of the core processes and related principles
- Part 3: Building processes for reactive market surveillance
- Part 4: Predicting compliance
- Part 5: Developing a market surveillance program
- Part 6: Performing market surveillance/enforcement activities
- Part 7: Supporting the core processes

LECTURES

- Strategic choices and strategic planning - finding the right balance between deterrence/compliance approaches, tit-for-tat approach, and compliance-seeking strategies
- Related OECD principles - evidence-based enforcement, risk-focus and proportionality – and core process
- Proactive vs. reactive market surveillance, and the process of reactive market surveillance

DISCUSSION EXERCISE

- Participants are asked to identify sectors in which alternatives to government regulation can be considered and explain why.

SESSION 4 *International Best Practice***LEARNING OBJECTIVES**

- To introduce the participant to international best practices and provide insights on how to design and implement market surveillance/enforcement frameworks

TOPIC AREAS

- Part 1: The regulatory framework of the EU
- Part 2: Market surveillance system of the US
- Part 3: Market surveillance in Australia/New Zealand

LECTURES

- The market surveillance framework of the US - Consumer Product Safety Commission
- The market surveillance framework of the EU: overall framework and structure
- The market surveillance framework of New Zealand - energy safety regulatory regimes

DISCUSSION EXERCISE

- Trainers encourage the participants to share their knowledge of well-designed and effective market surveillance/enforcement frameworks with fellow participants. This may be done in small sub-groups or in pairings of two.



> MODULE 5

WRAP UP & EVALUATION

SESSION 1

Wrap Up & Review

LEARNING OBJECTIVES

- To evaluate the satisfaction of the workshop participants
- To review what has been learned so far
- To reinforce knowledge and awareness

TOPIC AREAS

- Step 1: What did we learn?
- Step 2: Evaluation of the workshop
- Step 3: Final closure

METHODOLOGY

STEP 1**What did we learn in the workshop?**

The trainer introduces participants to the evaluation session (i.e. outlining the intent of the session and the future application of the information) and divides the plenary into small discussion groups. Each cluster reviews the sessions and generates a list of five challenging questions for the other groups (questions can be about anything covered during the plenary sessions). Questions must be clearly formulated and written-down (e.g. on flip- charts).

The other clusters are invited to answer the questions from one group; the suggesting team validates the responses and/or provides additional information. If it is intended to be competitive, the winner is the team that generates the highest number of unanswered questions.

STEP 2**Evaluation**

Participants receive the evaluation questionnaire and take an estimated 20-25 minutes to complete the requested task.

STEP 3**Closure**

The trainer concludes the course with the most significant points/messages and asks each participant for a sentence, which best describes their primary takeaway from the workshop.

PHASE 3

AFTER THE WORKSHOP

Workshop Evaluation Tools

This training workshop is underpinned by a coherent evaluation strategy, which is employed to measure the impact and efficacy of the workshop.

Evaluation and review represent a vital part of workshop delivery and the timely utilisation of participant feedback (both in advance and on the conclusion of the training) is key to the continuous betterment of the course and its ability to demonstrate accountability to stakeholders.

A number of pre-session and post-session evaluation instruments are available to trainers. These are distinct from the evaluation session and post workshop review, which will be discussed after analysis of the workshop's evaluation instruments.

Measuring Workshop Impact: Evaluation Instruments Included in the Training Package.

Pre- and Post- Self-Evaluation

The pre- and post- self-evaluation form provides workshop facilitators with additional information on the extent to which learning objectives were achieved (see Annex 2).

By enquiring about learning objectives in advance of the session and their perceived fulfilment at the culmination of the workshop, stakeholders can assess whether the participants have learned what they were supposed to.

End of Workshop Evaluation Questionnaire

The End of Workshop questionnaire supports trainers to assess participant satisfaction. This instrument is invaluable as it helps to improve the quality of learning about building risk-based regulatory frameworks (see Annex 3).

The Need for Participant Review

The aforementioned instruments measure the impact of the workshop; for greater clarification and application, the respective surveys are included in Annexes 2 and 3.

In addition to consulting these instruments, trainers convene a post-workshop, participant review session.

As a complement to the controlled information derived from the different questionnaires, the results of the post-session review can be used to improve workshop performance, adapt learning material and optimise the sessions in advance of the next manifestation of the training course.

The Post-Workshop Review

The post-workshop review by the participants involved in the training is a structured, facilitated process that can be used to constructively evaluate the workshop.

Prior to engaging in the review, participants should be informed that any feedback will be retained under anonymity and held purely for the purposes of improving future delivery of the workshop. Likewise, it should be highlighted that any feedback – positive or negative – will not be given to host institutions or impact their future enrolment opportunities, in any associated workshop.



To smaller, homogenous groups (e.g. representatives of a single workplace), a free form discussion may be most appropriate. In broader groups, trainers may wish to employ simple question tools or activities.

Guiding questions, such as those posed in the previous box, can be employed to hasten discussion and ensure a response from each participant.

As it is the trainer's function to facilitate participant interaction, many defer to simple instruments such as this to mitigate the possible discomfort participants may feel when expressing a critical or constructive

viewpoint. Naturally, it is imperative that facilitators receive both positive and negative viewpoints.

The trainers should be briefed in advance on their role and the potential cultural dynamics, that may impact group discussion or evaluation processes.

If it is feasible, workshop stakeholders (trainers, subject experts and institutional staff) should meet intermittently to discuss the extrapolated information.

The sharing of learning experiences within the organizing team, provides the basis for further improvement of the workshop.



ANNEX

ANNEX 1 PRE-TRAINING SURVEY: LEARNING NEEDS ANALYSIS

Introduction

Dear participant,

We invite you to fill in this pre-training survey in relation to the upcoming Building Risk-Based Regulatory Frameworks workshop. This information will allow us to more effectively adapt the workshop to your learning needs and expectations.

Respondent's Details

Sex:

- Female
- Male

Age:

- Less than 30 years
- 30-39 years
- 40-49 years
- 50-59 years
- More than 60 years

Country in which you work:

.....

Type of institution you work for:

- Workers' organization
- Employers' organization
- Government/public administration
- Non-governmental organization
- Private enterprise
- International organization
- Other (please specify)

Your current position:

Job title:

Main responsibilities:

Main field of work:

Your working experience relevant to the workshop:

- More than 5 years
- 2-5 years
- 1-2 years
- Less than 1 year
- No experience

If you have experience, please briefly describe it:

.....

As a participant, how can you contribute to this course to make it an enriching experience for all? Please be specific:

.....

Have you participated in other training initiatives on risk-based regulatory framework in the last five years?

.....

If so, please briefly describe them (title, year, training, organization, etc.)

.....
.....
.....
.....

Please indicate three learning objectives that you would like to achieve through this course:

1.
2.
3.

Does your job require you to train other people?

- Yes, very often
- Yes, sometimes
- Yes, but very rarely
- No

Please indicate three skills that you expect to acquire through this course:

1.
2.
3.

Preferences Concerning Modality & Timing

What is the maximum time you are ready to devote to a face-to-face course?

- 1 to 3 days
- Up to 1 week
- Up to 2 weeks
- More than 2 weeks

How do you intend to use the knowledge and skills acquired from this course in your current job?

.....
.....
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.....

Please indicate your preference for the timing of the courses:

- January - March
- April - June
- July - September
- October - December

Are you participating in this course on your own initiative or by the decision of your organization?

- On my own initiative
- By decision of my organization

Learning Expectations

What are your main expectations from this course?

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.....
.....
.....

What are the main expectations of your organization from your participation in this course?

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.....
.....

ANNEX 2

PRE- AND POST- SELF-EVALUATION

Introduction to Building Risk-Based Regulatory Frameworks

Venue:

Date:

Entry Self-Evaluation

UNECE will evaluate the effectiveness of the training activity that you are attending. To help us, we kindly ask you to complete this self-evaluation form. As well as this form, we will ask you to complete another at the end of the training.

The items on the next sheet cover the main contents of the upcoming training sessions. For each item, you will find a short question and a scale on which you can indicate your level of knowledge about specific topics. Please take your time to answer each question and then, on the scales that follow, use an X to indicate what, in your opinion, is your level of knowledge about the specific topic.

1 RISK-BASED REGULATORY FRAMEWORKS

What is your general knowledge about risk-based regulatory frameworks?

I consider my general knowledge about risk-based regulatory frameworks to be:

- Poor
- Weak
- Good
- High
- Strong

I consider my general knowledge about (insert topics) to be:

- Poor
- Weak
- Good
- High
- Strong

2 CONFORMITY ASSESSMENT

What is the functional approach to conformity assessment?

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.....

.....

3 CONFORMITY ASSESSMENT

What does an accreditation process include?

.....

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4 MARKET SURVEILLANCE

How to determine the focus of market surveillance? What are the main challenges?

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5 MARKET SURVEILLANCE

What are the core and/or general processes of running a market surveillance enforcement body?

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Introduction to Building Risk-Based Regulatory Frameworks

Venue:

Date:

Final Self-Evaluation

The items on the next sheet cover the main contents of this workshop. For each item, participants will find a short question and a scale on which to indicate the level of knowledge about specific topics. Please take the time necessary to answer each question and then, on the scales that follow, use an X to indicate the assumed level of knowledge on the specific topic.

If you don't know the answer to a question, please leave it blank. The purpose of this questionnaire is not to test you, but to evaluate our effectiveness in providing you with quality training.

1 RISK-BASED REGULATORY FRAMEWORKS

What is your general knowledge about risk-based regulatory frameworks?

I consider my general knowledge about risk-based regulatory frameworks to be:

- Poor
- Weak
- Good
- High
- Strong

I consider my (insert topics)

- Poor
- Weak
- Good
- High
- Strong

2 CONFORMITY ASSESSMENT

What is the functional approach to conformity assessment?

.....

.....

.....

.....

3 CONFORMITY ASSESSMENT

What does an accreditation process include?

.....

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.....

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4 MARKET SURVEILLANCE

How to determine the focus of market surveillance? What are the main challenges?

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5 MARKET SURVEILLANCE

What are the core and/or general processes of running a market surveillance enforcement body?

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ANNEX 3 END OF WORKSHOP EVALUATION QUESTIONNAIRE

Building Risk-Based Regulatory Frameworks Workshop Evaluation Questionnaire

Venue:

Date:

Evaluation Questionnaire

> Instructions

- Please complete the questionnaire below. This will help us to improve the workshop. Please be totally frank, as we are interested in your opinion, whether it is positive or negative, and we shall take it into account in planning future workshops.
- This questionnaire is anonymous. To help us analyse the evaluation results, we have added a space for you to indicate your gender and the type of organization you work for. If you prefer not to provide such details, simply leave the space blank.
- Please give each aspect of the course set out below a mark from 1-5, with 1 being the minimum and 5 the maximum. On this scale, the average mark is 3.
- If you think that a question does not apply to you, or that you do not have the information needed to answer it, check the 'no opinion' option.

Please Indicate:

Sex: Male Female

Type of Organization:

Please indicate only one response. If you are involved in more than one type of organization, please select the group you are representing during this activity:

- | | |
|---|--|
| <input type="checkbox"/> Government ministries/agencies | <input type="checkbox"/> Business organization |
| <input type="checkbox"/> Customs | <input type="checkbox"/> UN Organization |
| <input type="checkbox"/> Trade Support Services | <input type="checkbox"/> International Organization |
| <input type="checkbox"/> Consulting Firm | <input type="checkbox"/> Non-governmental Organization |
| <input type="checkbox"/> Private Enterprise | <input type="checkbox"/> Academic Organization |
| <input type="checkbox"/> Trade Association | <input type="checkbox"/> Trade Union Organization |
| <input type="checkbox"/> Financial Institution | <input type="checkbox"/> Unemployed |
| <input type="checkbox"/> Other | |

<i>Information Received Before the Activity:</i>							
	1	2	3	4	5	6	No opinion
1. Before participating in this activity, were you clear about its objectives, contents and methods?							
<i>The way the Activity was Delivered</i>							
OBJECTIVES							
2. Having participated, are you now clear about the objectives of the activity?							
3. To what extent were the activity's objectives achieved?							
CONTENTS							
4. Given the course's objectives, how appropriate were the activity's contents?							
5. Given your level of prior learning and knowledge, how appropriate were the activity's contents?							
6. Have gender issues been adequately integrated in the training?							
METHODS							
7. Were the learning methods used generally appropriate?							
RESOURCE PERSONS / TUTORS							
8. How would you judge the resource persons' overall contribution?							
GROUP OF PARTICIPANTS							
9. Did the group of participants with whom you attended the activity contribute to your learning?							
MATERIALS/MEDIA							
10. Were the materials/media used during the activity appropriate?							
ORGANIZATION							
11. Would you say that the activity was well organized?							
12. Would you call the Secretariat efficient?							

Usefulness of the Activity:

	1	2	3	4	5	6	No opinion
13. Are you satisfied with the quality of the activity?							
14. How likely is it that you will apply some of what you have learned?							
15. How likely is it that your institution/employer will benefit from your participation in the activity?							

16. How likely is it that your institution/employer will benefit from your participation in the activity?

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Please use the grid below if you wish to comment on a particular question

Number of the question	Comments:

Specific Building Risk-Based Regulatory Frameworks Training Guide-related questions:

1. How likely is it that your institution/employer will benefit from your participation in the activity?	
2. Specific expectations for additional support in the follow up phase:	

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Training Guide on Regulatory Frameworks and Market Surveillance

Information Service
United Nations Economic Commission for Europe

Palais des Nations
CH - 1211 Geneva 10, Switzerland
Telephone: +41(0)22 917 44 44
E-mail: info.ece@unece.org
Website: <http://www.unece.org>