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COMMISSION STAFF WORKING DOCUMENT

**The partnership principle in the implementation of the Common Strategic Framework
Funds - elements for a European Code of Conduct on Partnership**

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1. INTRODUCTION

Action for growth and jobs requires both ownership at top political level and mobilisation from all actors across Europe. Partnership has therefore been identified as key to delivering Europe 2020 Strategy¹.

Partnership has also been for a long time one of the key principles for implementation of European Union Common Strategic Framework funds (CSF funds). The partnership principle implies close cooperation between public authorities at national, regional and local levels in the Member States and with the private and third sectors. Partners should be actively involved throughout the whole programme cycle — preparation, implementation, monitoring and evaluation. Partnership must be seen in close connection with the multi-level governance approach and the subsidiarity and proportionality principles. Multi-level governance means coordinated action by the European Union, the Member States and local and regional authorities, based on partnership and aimed at drawing up and implementing EU policies.²

Various evaluations have drawn attention to the benefits and added value that partnership can bring when it comes to implementing the funds³, enhancing collective commitment and ownership of EU policies, increasing the available knowledge, expertise and view-points in the strategies' design and implementation, as well as ensuring greater transparency in decision-making processes. Multi-level governance helps to reduce coordination and capacity gaps in policy making in terms of information, resources, funding, administrative and policy fragmentation⁴.

Experience shows however that there are wide differences across the Member States on application of the partnership principle, depending on national institutional set-ups and political cultures. The effectiveness of the partnership principle also depends on the technical ability of the partners to contribute substantively to the process, raising the question of capacity-building.

The European Parliament, the Committee of the Regions and the European Economic and Social Committee have published a number of resolutions, opinions and white papers calling for strengthening of the partnership principle in the funds' implementation⁵. The Commission proposal for the CSF funds⁶ is driven by a need for more consistent application of the

¹ Europe 2020 Strategy, COM(2010) 2020 of 03.03.2010

² See in particular, Committee of the Regions, White Paper on multi-level governance, CONST – IV – 020, 2009.

³ See, in particular, ESF Expert Evaluation Network, Final Synthesis Report, 2011/
<http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=0&subCategory=0&country=0&year=0&advSearchKey=evaluationsesf&mode=advancedSubmit&langId=en>.

⁴ See in particular OECD Policy Brief "Bridging the gaps between the levels of government"

⁵ See in particular the exploratory Opinion of the EESC on How to foster efficient partnership in the management of cohesion policy programmes, based on good practices from 2007-2013 CESE 967/2010

⁶ Proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1083/2006 [COM(2011) 615 final of 6.10.2011].

partnership principle.

Article 5 of the draft Common Provisions Regulation (CPR)

- (1) For the Partnership Contract and each programme respectively, a Member State shall organise a partnership with the following partners:
 - (a) competent regional, local, urban and other public authorities;
 - (b) economic and social partners; and
 - (c) bodies representing civil society, including environmental partners, non-governmental organisations, and bodies responsible for promoting equality and non-discrimination.
- (2) In accordance with the multi-level governance approach, the partners shall be involved by Member States in the preparation of Partnership Contracts and progress reports and in the preparation, implementation, monitoring and evaluation of programmes. The partners shall participate in the monitoring committees for programmes.
- (3) The Commission shall be empowered to adopt delegated acts in accordance with Article 142 to provide for a European code of conduct that lays down objectives and criteria to support the implementation of partnership and to facilitate the sharing of information, experience, results and good practices among Member States.
- (4) At least once a year, for each CSF Fund, the Commission shall consult the organisations which represent the partners at Union level on the implementation of support from the CSF Funds⁷.

In addition, the CPR contains provisions which directly refer to partnership or are linked to this principle on monitoring, reporting and evaluation.

Under the Commission's proposals for the CSF funds in the period 2014-2020, Member States will have a clear obligation to organise a partnership, but the specific procedures for involving the relevant partners in the different stages of the programming will be left to the national authorities. The European code of conduct on partnership (ECCP) will lay down minimum requirements which are necessary to attain a high quality partnership in the implementation of the funds while maintaining ample flexibility to Member States in ways they organise the participation of the different partners.

This staff working document should help Member States to shape their partnership appropriately during the preparatory work before the regulations are adopted. In particular, it provides some examples of good practice on implementation of the partnership principle, based on the Commission's findings and various enquiries.

It also outlines the main requirements that the ECCP could contain as a basis for discussion with the European Parliament and the Council, in order to facilitate the on-going legislative procedure and to allow stakeholders to take part in this debate. The ECCP should be adopted by the Commission as a delegated act, as soon as the Common Provision Regulation enters into force.

⁷ The consultation shall be done at least twice during the programming period for the European Maritime and Fisheries Fund (EMFF), according to the Article 90 of the EMFF fund specific regulation.

2. WHICH PARTNERS TO SELECT?

The Common Provisions Regulation requires Member States to organise a partnership with (a) competent regional, local, urban and other public authorities, (b) economic and social partners and (c) bodies representing civil society, including environmental partners, non-governmental organisations, and bodies responsible for promoting equality and non-discrimination. Partnership is to be organised according to the institutional set-up of each Member State. In decentralised Member States, regions will be key actors in the organisation of the partnership.

As a first step towards preparation of the Partnership Contract and the programmes, Member States are recommended to identify, in their national context, the relevant stakeholders in the CSF Funds, the incentives and the legal and administrative barriers to partnership and possibly ways to address these obstacles. Member States are also encouraged to build upon the key existing national/regional/local partnership structures to minimise duplication and save time. Support for capacity-building might be necessary in order to help establish a representative and functioning partnership.

The ECCP could supplement the Common Provisions Regulation by asking Member States to ensure an open and transparent selection of partners and that the selected partners are aware of their duties related to confidentiality and conflict of interest.

The nature and size of the partnership will depend on the policy priorities with which it is dealing and on territorial circumstances. **The ECCP could supplement the Common Provisions Regulation by requiring** that the partnership includes the institutions, organisations and groups which can influence or be affected by implementation of the programmes. Specific attention will have to be paid to groups that might be affected by the programmes but find it difficult to influence them, in particular the most vulnerable and marginalised, such as the persons with disabilities, migrants, Roma... It is important to encourage pluralism in the partnership and to bring in the different relevant parts of the public sector alongside business, community-based and voluntary organisations, covering different types and sizes of organisations and including small innovative players.

In Romania, the ESF managing authority was responsible for conducting a contextual analysis prior to the country's accession to the EU. This document served as the key programming document for the National Strategic Reference Framework (NSRF) and operational programmes. As well as the need to work in partnership with the most relevant policy actors for the programming exercise at national level, it was clear that partnership mechanisms at regional and local levels were needed to strengthen the capacity of the actors for decision making and implementation. Within this framework, a background analysis regarding employment and social inclusion in each region was conducted via meetings and discussions with relevant actors at regional and county level. In the North East region, for example, more than 200 actors were involved⁸.

In Hungary, the methodology for the public consultation of the NSRF was set up following recommendations from civil society organisations. About 4000 partner organisations, including trade unions, employee interest groups and NGOs, representatives of business,

⁸ Community of Practice on Partnership in the ESF, Guidebook "How ESF managing authorities and intermediate bodies support partnership", 2011

education and science, were invited to advise on the orientation of the NSRF and the OPs. The general public was also able to access and comment on the NSRF and the OPs via a webpage. Workshops were organised to discuss draft versions with relevant professional and social partners and ministerial representatives⁹.

2.1. The involvement of competent regional, local, urban and other public authorities

Closer cooperation between all national, regional and local levels of administration favours a coherent and integrated approach to implementation of funds. As the public authorities closest to the ground, regional and local authorities have a key role to play and a crucial interest in delivering the Europe 2020 Strategy and in achieving economic, social and territorial cohesion.

The extent of their involvement will depend on the individual institutional framework of each Member State and, in particular, the legal and budgetary powers of the different territorial levels with regard to the scope of the different funds. At national level, Member States are encouraged to use existing associations and networks of regional, sub-regional and local authorities as they may offer wide representativeness and practical experience.

In most cases, regions play a prominent role in the partnership, actively being engaged in the preparation of the strategic documents and the implementation of CSF funds at national level. Regions, and in particular those with constitutional powers, are often managing authorities as well and are thus responsible for ensuring the involvement of partners in the preparation, implementation, monitoring and evaluation of programmes.

The ECCP could supplement the Common Provisions Regulation by requiring that the different existing territorial levels in a Member State, in particular the regional level, are represented in the partnership and involved in the different stages of implementation of the CSF funds in line with their individual powers. Where regions are managing authorities of Programmes, they must organise partnership and involve the competent local, urban and other public authorities, the economic and social partners and bodies representing civil society, including environmental partners, non-governmental organisations, and bodies responsible for promoting equality and non-discriminations in the preparation, implementation, monitoring and evaluation of the programmes.

Taking into account the geographical scale of interventions operations and the functional interdependencies between different territories, **it could also be envisaged that the ECCP supplements the Common Provisions Regulation by asking** Member States to ensure that the urban areas, where integrated territorial investments (ITIs) will be carried out, are directly involved in the preparation, implementation, monitoring and evaluation of the programme in order to build an appropriate strategic approach addressing their specific needs into the programmes.

In the **Liverpool City Region (UK)** a technical group was created in order to ensure that all projects granted under the European Regional Development Fund (ERDF) have been

⁹ Community of Practice on Partnership in the ESF, Guidebook "How ESF managing authorities and intermediate bodies support partnership", 2011

considered by the Merseyside / Liverpool City Region. This technical group comprises representatives from local public authorities, private sector, higher education sector, the community and voluntary sectors, the Public Transport authority and the local Employment and Skills Board. It is supported by two local staff employed through technical assistance funding and by the Managing Authority, who attend the meetings of the technical group in advisory capacity. This technical group comments on every ERDF application, identifies priorities for ERDF support, helps to develop consortium to deliver activities across the Liverpool City Region (i.e. entrepreneurship, social enterprise, business support, energy efficiency in housing, etc.) and can influence the design and implementation of the JESSICA and JEREMIE schemes established in the region, etc.

2.2. The involvement of economic and social partners

Dialogue with the social partners is one of the pillars of the European social model and is recognised as such in Article 152 of the Treaty on the functioning of the European Union (TFEU). The social partners are indeed different in nature from other organisations, like pressure or interest groups, because of their ability to take part in collective bargaining and thus influence the social standards in their Member State.

The ECCP could supplement the Common Provisions Regulation by specifying that Member States need to ensure that the nationally recognised social partners' organisations are included in the partnership, in particular the general cross-industry organisations and the sectoral organisations. In this context, equal representation of employers' organisations and employees' organisations must be guaranteed.

The ECCP could also supplement the Common Provisions Regulation by requiring a strong involvement of business associations, in particular those representing SMEs, Chambers of commerce, universities and research institutions. These are key partners in fostering development, innovation and competitiveness. Their interaction in implementation of CSF funds will be crucial to achieve the Europe 2020 targets on the ground — in line with the priorities of smart, sustainable and inclusive growth.

It could finally be envisaged that the ECCP supplements the Common Provisions Regulation by making clear that the economic and social partners are groups or associations representing the general interest of industries or branches, employers and employees, but in no case the interests of a sole company, enterprise or economic group (mother or subsidiaries).

Austria's traditional social partnership model is reflected in the ESF and the ERDF programmes. The economic and social partners were involved in designing and monitoring the NSRF (*STRAT.AT*) within a permanent body, the Austrian Conference on Spatial Planning (ÖROK). *STRAT.AT plus* is an innovative instrument for the current programming period. It is a platform for strategic monitoring. It aims to offer a bottom-up process for learning and dialogue, targeting a broad partnership to develop new strategies. Regular dialogue meetings ('Foren' and 'Synergien') and exchanges of experience are organised.¹⁰

¹⁰ Exploratory Opinion of the EESC on 'How to foster efficient partnership in the management of cohesion policy programmes, based on good practices from the 2007-2013 cycle', CESE 967/2010.

2.3. The involvement of bodies representing civil society and bodies responsible for promoting equality and non-discrimination

Non-governmental organisations (NGOs) representing civil society, particularly in areas such as environment, social inclusion, gender equality and equal opportunities should be consulted and involved in programming.

Where the number of organisations interested — and hence the potential partnership — is particularly large, it might be appropriate for potential partners to establish coordination platforms and umbrella organisations and to designate a common representative to contribute to preparing and implementing programmes, in order to ensure wider representativeness and to make the partnership work more smoothly.

The ECCP could supplement the Common Provisions Regulation by indicating that the selection of partners must include the most representative non- governmental organisations, which deal with the subject areas covered by the different funds. Non-governmental organizations must be free to designate their individual representatives to be members of the partnership. In case of large number of non-governmental organisations involved, platforms could be established to elect representatives who would be members of the partnership.

In Spain, the need to integrate gender equality in all Funds was recognized. The "Instituto de la Mujer" (Women's Institute) was involved as member of the Monitoring Committees of the European Regional Development Fund (ERDF), European Social Fund (ESF), Cohesion Fund, European Agricultural Fund for Rural Development (EAFRD) and European Fisheries Fund (EFF). The Network for equality between women and men policy was created to ensure a real and effective implementation of gender mainstreaming in the interventions financed by the Funds.

In Slovenia, specific funding was introduced, within the ESF priority of 'Institutional and administrative capacity', for development of NGOs and, in particular, networks of NGOs. One example of such a network at national level is CNVOS, made up of more than 200 associations. CNVOS supports NGOs in their engagement in the structural funds and nominates NGO representatives to participate in the monitoring committees. Furthermore, 10 regional NGO networks were established to foster development of regional and local NGOs and to enable them to contribute more actively to public policies. To improve dialogue in specific areas (culture, the environment, health, etc.), 12 thematic networks also receive support.¹¹

2.4. Adjusting the partnership to the programmes

For the EAFRD programmes, key partners will be the regional and local authorities responsible for rural areas, sectoral organisations, economic and social partners involved in agriculture and forestry, representatives of other public and private organisations in sectors relevant to the development of rural areas, regional or local business associations, organisations of women in rural areas, environmental NGOs, NGOs responsible for non-discrimination/equality, representatives of national or regional (depending on the programming level) associations of local action groups involved in community-led local

¹¹ SF Team for Sustainable Future study 'Why bother with partnership?', 2011.

development, and associations working in the field of integrated rural development (e.g. associations of local development agencies). These key partners may already be linked through the National Rural Network, which can thus support strongly the partnership principle.

For the EMFF programmes, regional and local authorities, representatives of the fisheries and aquaculture sectors and other sub-sectors such as processing, sectoral organisations of social partners, environmental NGOs, organisations of women in fisheries, scientific and research organisations, and national or regional networks of fisheries local action groups (FLAGs) appear crucial.

For the ERDF and Cohesion Fund, partnerships will include regional and local authorities, in particular cities carrying out integrated sustainable urban development schemes as part of the integrated territorial investments, along with economic and social partners, representatives of NGOs having developed an expertise for cross-cutting issues, such as gender equality or accessibility for persons with disabilities, and for the relevant sectors where the funds are active and representatives of universities and research institutions, chambers of commerce and business organisations.

For the ESF, the involvement of economic and social partners in the partnership is essential. Regional and local authorities will also be key partners, as will the chambers of commerce, business organisations, workers' education associations, education and training institutions, social and health services providers, NGOs and organisations having developed an expertise in the fields of gender equality, non-discrimination and social inclusion that have close ties with disadvantaged groups such as persons with disabilities, migrants, Roma

In the case of multi-fund programmes, the partnership should include the institutions, organisations and groups that are relevant to the different funds concerned.

3. HOW TO INVOLVE THE PARTNERS IN PREPARATION OF THE PROGRAMMING DOCUMENTS?

The active involvement of all stakeholders in the very early stages of programming is crucial for successful implementation of the funds, in particular preparing the Partnership Contract at national level and the programmes at national and/or regional levels. The involvement of the partners in the preparation of the programmes should be without prejudice to the consultations held under the requirements of the Strategic Environmental Assessment Directive (SEA)¹². Synergy would need to be strived for between the opinions expressed in the SEA process and in the partnership context.

3.1. Preparation of the Partnership Contract and of the programmes

According to the Commission's proposal for the Common Provisions Regulation, the Partnership Contract and the programmes must be drawn up by Member States or any authority designated by them (in the case of the programmes), in cooperation with the partners. Appropriate options for involving different stakeholder groups in the design process

¹² SEA directive 2001/42/EC

will need to be carefully considered in relation to time, resources and context and may include meetings, consultations, surveys and workshops.

The ECCP could supplement the Common Provisions Regulation by specifically requiring that the partners are meaningfully involved (i) in the analysis of the challenges and needs to be addressed by the CSF funds, (ii) in the selection of objectives and priorities to address them, and (iii) in the coordination mechanisms put in place to harness the synergies between the different instruments available to foster smart, sustainable and inclusive growth.

In cases where agreements such as the Territorial Pacts for Europe 2020 have been established between the country's different tiers of government¹³, **the ECCP could also supplement the Common Provisions Regulation by requesting that** Member States take effective account of the multi-level governance arrangements agreed in the Territorial Pact in the preparation of their Partnership Contract to ensure effective policy delivery.

In Latvia, the environmental NGOs established the national NGO coalition focusing on environmental issues in May 2005 in the context of the preparation of the programmes. Eight to ten environmental NGOs were actively involved in its work. Face-to-face meetings and exchanges of opinions with the Ministry of Finance and the Ministry of the Environment took place throughout 2005 and 2006 leading to very active interaction between NGOs' representatives and ministries. There was also close cooperation between NGOs across various sectors, in particular those dealing with education, gender and social issues. The success of this involvement of NGOs was partly down to the opportunities provided by the arrangements for participation, including proper information tools, clear participation procedures, such as the public consultation process on draft documents, and the strategic environmental impact assessment. A special website was created where all information related to the programming of EU funds was published. The meetings between NGOs and ministries were demand-oriented, i.e. NGOs proposed holding consultation meetings and the ministries were responsive, allowing the consultation process to go far beyond formalities.¹⁴

In Malta, several working groups focusing on priority areas — economic development and competitiveness, accessibility, the environment, employment and social inclusion — were organised to prepare programmes. These brought together ministries, NGOs and socio-economic partners. Questionnaires were distributed to the main stakeholders and bilateral meetings were organised. In September 2005 over eighty organisations participated in a national workshop to analyse the development challenges and opportunities. Local governments, NGOs and other civil society organisations participated in the public dialogues organised by the Prime Minister's Office in the first quarter of 2006.

¹³ Territorial Pacts for Europe 2020 are an initiative taken by the Committee of the Regions to give the Europe 2020 Strategy a territorial dimension and increase ownership at sub-national level. They are defined as an agreement between a country's tiers of government (local, regional and national). Parties signing up to a Territorial Pact commit themselves to coordinate and synchronise their policy agendas in order to focus their activities and financial resources on the goals and targets of the Europe 2020 Strategy. Territorial Pacts should aim at: setting national, and possibly regional, targets, with recourse, when necessary, to indicators and targets other than GDP; implementing one or more flagship initiatives; and identifying obstacles to achievement of the targets at national level.

¹⁴ SF Team for Sustainable Future study 'Why bother with partnership?', 2011.

3.2. Establishing clear rules and timeline for the partnership work at the onset

The importance of individual stakeholders and the contribution they can make will differ widely in each Member State, depending on its internal institutional set-up. It is, however, crucial that partnership is organised in a transparent manner for all partners and that everyone involved knows what the purpose of the partnership is, who is doing what, and which results are expected from the partnership.

Establishing a work programme with clear objectives and a precise roadmap is thus strongly recommended. It could list the specific instruments and action to involve the partners in preparation of the Partnership Contract and the programmes, giving details of the involvement of the partners in preparation of the different programming documents with the corresponding timeline.

The ECCP could supplement the Common Provisions Regulation by asking Member States to establish minimal requirements in terms of procedure, in order to ensure (i) the timely disclosure of information during the debates on strategic documents, (ii) sufficient time for stakeholders to analyse, consult their members and constituencies and give feedback on the documents, (iii) channels for stakeholders to ask questions or make suggestions and comments, (iv) transparency on the way their proposals have been taken into account, providing an explanation for the acceptance or rejection of any comments; and (v) dissemination of the outcome of the consultation. Accessibility for persons with disabilities to the process both in terms of the physical environment and the information provided will also need to be taken into consideration.

3.3. Informing on the way partnership is implemented in the programming documents

According to the Commission's proposal for the Common Provisions Regulation, the Partnership Contract must set out the action taken to involve the partners and their role in preparation of the Partnership Contract.

The ECCP could supplement the Common Provisions Regulation by requesting that the Partnership Contract and the programmes detail in particular (i) the list of partners who have been involved, their responsibilities and the extent of their participation; (ii) how the partners were identified and how the principles of transparency and accessibility have been applied; (iii) the action taken to facilitate wide involvement and active participation by the partners; (iv) the coordination structures and procedures within the programme and with other CSF fund operations; (v) how technical assistance resources will be used to promote partnership (nature of support services envisaged, level of resources made available and management arrangements planned), (vi) and finally the views of the partners on implementation of the partnership principle clearly and openly documented.

4. HOW TO INVOLVE THE PARTNERS IN THE IMPLEMENTATION PHASE?

4.1. Participation in the monitoring committees

The monitoring committees have a key role in the implementation of the programmes and they naturally embody the partnership at work in the programmes.

4.1.1. The composition of the monitoring committees

According to the Commission's proposal for the Common Provisions Regulation, the members of the monitoring committees are to be appointed by the Member State in agreement with the managing authority. A Member State may set up a single monitoring committee for programmes co-financed by the CSF funds. The monitoring committees are to be composed of representatives of the managing authority and intermediate bodies and of representatives of the partners.

It could be envisaged that the ECCP supplements the Common Provisions Regulation by requiring that (i) the selection of the members in the monitoring committees takes into account the partners who were involved in preparing the programme in order to ensure sufficient continuity and ownership between the programming and the implementing phases, (ii) the representation of the different partners is based on their respective responsibilities for implementation of the programmes, (iii) partners select and appoint their own members of the monitoring committees and other consultative bodies and working groups established within the framework of the CSF funds, (iv) monitoring committees are gender balanced and diverse in their composition, (v) the list of members of the monitoring committees and other working groups are made public, (vi) each selected partner is aware of his duties related to confidentiality and conflict of interest through specific training and a formalisation of his obligation in a signed statement.

4.1.2. The role and procedures of the monitoring committees

According to the Commission's proposal for the Common Provisions Regulation, the monitoring committees will review implementation of the programmes and progress towards achieving their objectives. They must also examine in detail all issues that affect performance of the programmes. They must be consulted and issue an opinion on any amendment of the programmes. They may issue recommendations to the managing authorities regarding implementation of the programmes and their evaluations and monitor the action taken as a result.

In terms of procedure, each monitoring committee will draw up and adopt its rules of procedure. The Commission's proposal for the Common Provisions Regulation also states that each member of the monitoring committee will have a voting right, except the Commission and the European Investment Bank who act in an advisory capacity. The chairperson must ensure that all the partners have an opportunity to give their opinion and that there is enough time for discussion. It is strongly recommended that the monitoring committees take decisions on the basis of a consensus.

The ECCP could supplement the Common Provisions Regulations by requiring Member States to detail in the rules of procedure at least (i) the deadlines for invitations to the meetings and transmission of documents which should be not less than two weeks, (ii) the members voting rights, (iii) the procedure for adoption, publication and accessibility of the minutes, (iv) the transparent process to establish and operate working parties, (v) and the arrangements for publication and accessibility of the preparatory documents submitted to the monitoring committees.

In Germany (Mecklenburg-Vorpommern), the monitoring committee is a forum for overall regional development policy-shaping. It covers not only the ESF and ERDF but also the EAFRD and has a real say in decision-making on selection criteria for projects. The monitoring committee meets five or six times a year and has its own rules of procedure. The participatory system also includes working parties and other consultative bodies. Their tasks are decided by the partnership.¹⁵

In **Denmark**, the decisions of the monitoring committee for the rural development programme are always taken on the basis of consensus. No voting takes place in practice. Similarly, in the **Polish** rural development programme there is broad and active participation in the monitoring committee, where open discussions during the meetings and via written procedure are encouraged.

In **Ireland**, effective cooperation within the monitoring committee for the EFF programme can be observed: regular meetings, broad representation (around 50 members), including the fisheries sector, NGOs and local representatives (Axis 4/Leader), active participation and strong influence on decisions by all members. Prior to approval of the programme, the same partners were strongly associated in preparing the programming documents (national strategic plan (NSP) and operational programme (OP)).

4.2. Participation in project selection

It may be valuable to draw on stakeholders' expertise at the stage of defining calls for proposals and evaluating the resultant proposals. Participation in project selection processes improves stakeholder organisations' understanding of how these processes work in practice, including how well evaluation criteria are formulated, how they are applied and to what extent they serve their purpose.¹⁶

However, the involvement of partners in the selection process raises the question of conflicts of interest. In this regard, disclosure and transparency throughout the process are critical for preventing these situations.

It could be envisaged that the ECCP supplements the Common Provisions Regulation by requiring managing authorities, (i) to involve where appropriate the partners in definition of the calls for proposals and evaluation of the proposals, (ii) to prevent, through clear pre-established procedures, that any person representing the partner organisations and having

¹⁵ Appendix to the Exploratory Opinion of the EESC on 'How to foster efficient partnership in the management of cohesion policy programmes, based on good practices from the 2007-2013 cycle', CESE 967/2010.

¹⁶ SF Team for Sustainable Future study 'Why bother with partnership?', 2011.

direct or indirect interest in a body taking part to the calls for proposals is involved in the process of designing the calls for proposals and in assessing the resulting replies, (iii) to organise regular turnover of the people involved in the calls for proposals to prevent and address possible conflicts of interest, (iv) and to ensure that each selected partner is aware of his duties related to confidentiality and conflict of interest through specific training and a formalisation of his obligation in a signed statement.

In the Czech Republic, for the ESF operational programme on ‘Human Resources and Employment’, stakeholders are involved in preparation of individual grant schemes in the form of submitting comments or discussing the schemes in expert working groups. The detailed list of stakeholders involved depends on the content of the scheme. A database has been created to list all the project evaluators and allow on-line working. General and specific training is provided to project evaluators.¹⁷

In Sweden, the structural funds partnerships at regional level are composed of regional/local politicians (majority) and a broad cross-section. The partnerships have a central role in implementation of both the ERDF and the ESF, as they are responsible for prioritising between applications when it comes to selecting projects. They can thus give priority to projects that respond best to the regional development plans and regional needs. The eight structural funds partnerships in Sweden are consensus-based and create synergies between ERDF and ESF projects.

4.3. Involvement in reporting

The Commission's proposals for the future programming period place an obligation on the Member States to submit to the Commission annual report on implementation of each programme. The monitoring committees will consider and approve the annual implementation reports before they are submitted to the Commission. For the ERDF, the CF and the ESF, the annual implementation reports submitted in 2017 and 2019 shall also assess, among other points, the involvement of the partners in implementing, monitoring and evaluating the operational programmes.

The Commission's proposal for the Common Provisions Regulation adds that the partners must be consulted on the progress reports on implementation of the Partnership Contract submitted by the Member State in the first half of 2017 and of 2019. The progress reports will be the basis of the performance review undertaken by the Commission in cooperation with Member States with reference to the performance framework set out in the Partnership Contract and programmes. Progress reports shall also set out information on and assess the role of the partners in the implementation of the Partnership Contract.

The ECCP could supplement the Common Provisions Regulation by requiring Managing Authorities to actively associate the partners, through the monitoring committees, in preparing the annual implementation reports on the programmes, and by asking Member States to actively associate the partners in preparing the progress reports in 2017 and 2019 and to provide in these reports an overview of the opinions given by the partners during the consultation and the way they have been taken into account.

¹⁷ Community of Practice on Partnership in the ESF, Guidebook ‘How ESF managing authorities and intermediate bodies support partnership’, 2011.

5. HOW TO INVOLVE THE PARTNERS IN THE EVALUATION?

Involving partners in preparing, implementing and following up evaluations is important to ensure impartiality and learning for all involved in the process.

According to the Commission's proposals for the CSF funds, an evaluation plan must be drawn up by the managing authority for each programme. The evaluation plan will be discussed by the partnership in the monitoring committees for the ERDF, the CF, the ESF and the EMFF. In the case of the EAFRD, an evaluation plan, for which the Commission will establish the minimum requirements, is submitted as part of each rural development programme and will thus have been discussed by the partners in the context of the preparation of the programmes.

The partnership must regularly examine, through the monitoring committees, the progress on implementation of the evaluation plan. The partners will receive all the evaluations made on the different programmes and be informed about the follow-up given to findings of the evaluations for the ERDF, the CF, the ESF and the EMFF. Monitoring committees responsible for EAFRD programmes will examine activities and outputs related to the programme's evaluation plan.

For the ESF, the ERDF and the Cohesion Fund, managing authorities must submit to the Commission, by 31 December 2020, for each programme a report summarising the findings of the evaluations carried out during the programming period.

It could be envisaged that the ECCP supplements the Common Provisions Regulation by requesting Managing Authorities to involve partners in the evaluation process through the monitoring committees, from establishment of the terms of reference to finalisation of the evaluation. Member States could also be required to carry out an evaluation of the performance and the effectiveness of the partnership principle during the programming period across the funds and the programmes. Finally, Managing Authorities for the ERDF, ESF and Cohesion Fund programmes could be asked to consult the partners on the reports summarising the findings of the evaluations carried out during the programming period.

In the United Kingdom, an Evaluation Sub-Committee of the ESF Programme Monitoring Committee for England meets once a year. It includes members nominated by the ESF Programme Monitoring Committee. In the spirit of partnership, the members of the Evaluation Sub-Committee are consulted on the evaluation strategy for the operational programme and are actively involved in discussing and providing feedback on key issues related to all stages of evaluating projects. The Evaluation Sub-Committee might suggest representatives to sit on steering groups for various evaluations.

In **Portugal**, partners are interviewed by the independent evaluators of the NSRF. Partners in the monitoring committees also have the opportunity to express their opinion on the evaluation reports, as the latter are discussed in the committees' meetings. In addition, different partners made a substantial contribution to the Action Plan which had to be drafted to implement the recommendations made in the evaluation reports.

6. ASSISTANCE TO PARTNERS

Implementing the partnership principle effectively is about empowering all partners, in particular the ones with limited human resources.

Some stakeholders find it difficult to work in a partnership because they do not have the knowledge or the resources to engage actively. This is the case for small players in particular, which need to train their managers and their staff, or for organisations representing an emerging or cross-cutting issue which is not yet mainstreamed into the political agenda. Continuous capacity-building for the partners is therefore crucial.

It could be envisaged that the ECPP supplements the Common Provisions Regulation by requiring Member States and managing authorities to use part of their technical assistance of the current and next programming periods to ensure that partners, in particular small local authorities, economic and social partners and NGOs, have the capacity necessary to participate in preparation, implementation, monitoring and evaluation of the Partnership Contract and the programmes. This support may take the form of dedicated workshops, training sessions, coordination and networking structures or contributions to partners' costs incurred for participation in the meetings related to preparation, implementation, monitoring and evaluation of the programmes. In order to encourage development of partnership actively, joint training between public and private partners is recommended. Raising the awareness of the individual partners about application of the sound financial management principle is particularly recommended.

In southern Italy, a support structure funded by technical assistance has been established to improve economic and social partners' engagement in the regional and sectoral programmes.¹⁸ Still in southern Italy, the economic and social partners created and managed a very successful technical assistance project during the period from 2000 to 2006, financed by the ERDF and focusing on improving their knowledge of development programmes and strengthening their capacity to participate. This project is good practice, both for its governance and for the results obtained. It was continued in the current period.

In Slovakia, in the context of the operational programme on 'Health' funded through the ERDF, the managing authority asked the members of the monitoring committee to fill in a questionnaire on the functioning of the monitoring committee and implementation of the OP. As a result of this consultation, the eligibility rules for technical assistance were amended in order to allow members of the monitoring committee to participate in training activities in the fields of healthcare and EU structural funds.

¹⁸ Community of Practice on Partnership in the ESF, Guidebook 'How ESF managing authorities and intermediate bodies support partnership', 2011.

7. CONTINUOUS EXCHANGE OF GOOD PRACTICES

Thematic umbrella organisations and NGOs, socio-economic partners and networks and associations representing local, urban and regional authorities, all working at EU level on cohesion policy, are currently taking part in structured dialogue meetings organised by the Commission to discuss implementation of CSF funds. This could be the basis for the future formal meetings to be organised post-2013 under Article 5(4).

In addition, regular exchanges of experience and best practice will be encouraged in the Coordination Committee of the Funds (COCOF), the European Social Fund Committee, the Rural Development Committee and the European Maritime and Fisheries Fund Committee. The EU-wide networks of information and communication officers (INFORM for the ERDF and CF and INIO for the ESF) will be used to exchange good practice on how to give visibility to cohesion policy, notably via easier access to information (publication of the list of operations and beneficiaries, descriptions of operations and an improved search function). In the case of the EAFRD, the European network for rural development and the national rural network established in each Member State will, *inter alia*, aim to increase the involvement of stakeholders in the implementation of rural development.

To facilitate partnership on specific themes, exchanges of views and cooperation should be encouraged within existing thematic networks such as the European Network of Environmental Authorities and Managing Authorities for cohesion policy (ENEA-MA) and the European and national networks for rural development.

Interested managing authorities will also be encouraged to establish a Community of Practice (CoP) on Partnership common to the five funds, modelled on the current CoP on Partnership, funded from the ESF.

The Community of Practice on Partnership, funded from the ESF, was a network of ESF managing authorities and intermediate bodies from nine Member States. Over a period of three years (2008-2011), the CoP intensively exchanged learning about different ways of implementing partnership with the ‘critical friend’ review method. The network focuses on partnerships adopted by national and regional operational programmes of Member States and regions. The CoP members exchanged and learnt about their ways of implementing partnerships, with special emphasis on governance processes and action. The budget of the CoP was co-financed by the technical assistance on the initiative of the Commission. The network produced several key lessons reports, ran a web portal including a database on partnership experiences and published a partnership learning manual at the beginning of 2012.

The European Network of Environmental Authorities for cohesion policy (ENEA) was established in September 2004, in order to help integrate environment and sustainable development policies in the cohesion policy operational programmes of EU Member States and candidate countries. In 2010 the membership was extended to the managing authorities of cohesion policy programmes. The tasks of the ENEA-MA are to foster exchanges of experience and identification of good practice among the relevant environmental authorities and to promote, wherever possible, national networks of environmental authorities dealing with structural and cohesion funds. In this respect, several Member States, such as Spain,

Poland, Greece, Italy or Germany, have established such networks at national level. Environmental NGOs are members of the ENEA-MA and actively participate in its meetings.

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