



Social Prerogatives and Specific Competencies Lines (SocPL)

Call for proposals

Information, consultation and participation of representatives of undertakings

(SOCPL-2024-INFO-REPR)

Version 1.0 11 January 2024



| HISTORY OF CHANGES | | | | | | |
|--------------------|---------------------|------------------------------|------|--|--|--|
| Version | Publication Date | Change | Page | | | |
| 1.0 | 11.01.2024 | ■ Initial version (new MFF). | | | | |
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EUROPEAN COMMISSION

Directorate-General for Employment, Social Affairs and Inclusion

EMPL.C Working Conditions and Social Dialogue **EMPL.C.1. Labour Law**

CALL FOR PROPOSALS

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$\label{lem:consultation} \textbf{Call: SOCPL-2024-INFO-REPR - Information, consultation and participation of representatives of undertakings}$

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0. Introduction

This is a call for EU action grants in the field of social policy including social dialogue under the **Social Prerogatives and Specific Competencies Lines (SOCPL)**.

The regulatory framework for this EU Funding Programme is set out in:

- Regulation 2018/1046 (EU Financial Regulation)

The call is launched in accordance with the <u>2024 Work Programme</u>¹ and will be managed by the **European Commission**, **Directorate-General for Employment**, **Social Affairs and Inclusion (DG EMPL)**.

The call covers the following **topics**:

SOCPL-INFO-REPR-2024 - Information, consultation and participation of representatives of undertakings

We invite you to read the **call documentation** on the Funding & Tenders Portal Topic page carefully, and in particular this Call Document, the Model Grant Agreement, the <u>EU Funding & Tenders Portal Online Manual</u> and the <u>EU Grants AGA — Annotated Grant Agreement</u>.

These documents provide clarifications and answers to questions you may have when preparing your application:

- the <u>Call Document</u> outlines the:
 - background, objectives, scope, activities that can be funded and the expected results (sections 1 and 2)
 - timetable and available budget (sections 3 and 4)
 - admissibility and eligibility conditions (including mandatory documents; sections 5 and 6)
 - criteria for financial and operational capacity and exclusion (section 7)
 - evaluation and award procedure (section 8)
 - award criteria (section 9)
 - legal and financial set-up of the Grant Agreements (section 10)
 - how to submit an application (section 11)
- the <u>Online Manual</u> outlines the:
 - procedures to register and submit proposals online via the EU Funding & Tenders Portal ('Portal')
 - recommendations for the preparation of the application
- the AGA Annotated Grant Agreement contains:
 - detailed annotations on all the provisions in the Grant Agreement you will have to sign in order to obtain the grant (including cost eligibility, payment schedule, accessory obligations, etc).

 $^{^1}$ Commission Decision $\underline{\text{C(2023)6959}}$ final of 20 October 2023 on the adoption of the 2024 work programme for grants and procurement for prerogatives of the Commission and specific powers conferred on the Commission in the social and employment field, serving as financing decision

1. Background

This call for proposals is financed under the **Social Prerogatives and Specific Competencies Lines (SOCPL)**, **budget heading 07.200406:** Specific competences in the area of social policy, including social dialogue is intended to cover call for proposals (grants) for **Information**, **consultation & participation of representatives of undertakings.**

The measures of this call should contribute to addressing the objectives of the European Pillar of Social Rights, proclaimed by the Council, Parliament and Commission in November 2017 and in particular its Principle 8(b) "Workers or their representatives have the right to be informed and consulted in good time on matters relevant to them, in particular on the transfer, restructuring and merger of undertakings and on collective redundancies."

The measures should help develop employee involvement in undertakings - e.g. any mechanism, including information and consultation, through which employees' representatives may exercise an influence on decisions to be taken within undertakings - by raising awareness and contributing to the application of EU legal framework and policies in this area and, in particular, the take-up and development of European Works Councils.

EU law on employee involvement at national level includes Directive 2002/14/EC establishing a general framework for informing and consulting employees, Directive 98/59/EC on collective redundancies and Directive 2001/23/EC on transfer of undertakings.

EU law on employee involvement at transnational level includes recast Directive 2009/38/EC on European Works Councils as well as Directives 2001/86/EC and 2003/72/EC on employee involvement in the European Company and the European Cooperative Society, respectively.

The call also aims at supporting projects which seek to identify and address challenges in workers' involvement in undertakings resulting from changes driven by the so-called twin transition (green and digital).

Transnational actions tackling systemic issues and involving European level organisations or representatives from several Member States as well as the joint participation of employers and workers organisations shall be promoted.

The budget heading can be used to finance actions involving representatives of workers and/or employees organisations from the Candidate Countries (see point 6)².

2. Objectives — Themes and priorities — Activities that can be funded — Expected impact

Definitions used in the contect of this call

a) "Social partner organisation" is either an organisation representing workers – including organisations referred to as "trade unions" – or an organisation representing employers. They engage in some form of "social dialogue", discussing and often negotiating such issues as wages, working conditions, training, etc.

Where reference is made to the Candidate Countries in this call for proposals, it concerns the Candidate Countries at the time of the deadline for the submission of applications of this call for proposals https://european-union.europa.eu/principles-countries-history/joining-eu en

b) European-level social partner organisations (or "European-level social partners") are either organisations that are consulted in accordance with Article 154 TFEU (an up-to date list can be found here) or other European social partner organisations fulfilling the definition of social partner organisations representing workers (also referred to as trade union) or employers at regional, national or European level that are engaged in "social dialogue" i.e. the discussion and negotiation of wages, working conditions, training, etc. that are not included in this list, but which: (1) demonstrate that they represent several national social partners (fulfilling as well the definition above); (2) have a mandate of these organisations to engage in social dialogue at European level on their behalf; and (3) are involved in the preparation and functioning of European social dialogue at sector level.

Objectives (expected outcome)

The main objective of this call is to develop employees' involvement in undertakings by raising awareness and contributing to the application of European Union law and policies in this area, against the background of the twin transition and changes that it triggers in the world of work, and, in particular, the take-up and effective functioning of European Works Councils.

The call shall focus on one or a limited number of topical challenges with a view to maximise both the individual and aggregated impact of the selected projects.

Themes and priorities (scope)

Actions to promote European level and strengthened transnational cooperation between social partners that address the following themes would be expected:

- to promote exchange and wider dissemination of knowledge and good practices and to launch actions aimed at supporting the setting up and good functioning of European Works Councils.
- to support workers' involvement in the anticipation and management of change and the prevention and resolution of disputes in the event of various forms of restructuring in EU level undertakings and groups of undertakings, as required to address challenges brought by the implementation of the European Green Deal (cf.Council recommendation of 16 June 2022³ on ensuring a fair transition towards climate neutrality), and by the digital transformation of economies (e.g. impact of Artificial Intelligence (AI) on work organisation or working conditions).

Activities that can be funded (scope)

The types of activities which may be funded under this call for proposals include, but are not limited to:

- training actions, manuals and any other type of outreach activities, exchange of information and of good practices involving workers' and/or employers' representatives, with a focus on activities generating a lasting effect;
- analysis of quantitative and qualitative aspects and results on subjects related to workers' and employers' representation and social dialogue at undertaking level in a transnational cooperation context and enhanced collaboration and pro-activity of stakeholders in the anticipation of / response to change and restructuring activities and to changes in work organisation, business/production models and forms of work;
- dissemination of information on project activities and outputs through websites, publications, newsletters and other means with a view to support the lasting effect of the action.

³ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022H0627%2804%29

In order to achieve inclusion of persons with disabilities accessibility must be ensured, for example of information, meetings, consultations, etc.

Activities funded under this call for proposals should pay adequate attention to gender equality and non-discriminatory. Access for people with disabilities shall be guaranteed.

Expected impact

Proposals are expected to have a EU-wide systemic impact and to contribute to improved capacity of social partners and the social actors at company level to familiarize themselves with EU law and policies in the area of employee involvement, to exercise their rights and their duties to this regard and to work together towards the definition and implementation of concrete responses to the challenges posed to workers' involvement in addressing key challenges and objectives such as climate neutrality and resilient economy in the EU, by presenting novel solutions with pragmatic and sustainable impact.

Proposals should contribute to easier negotiation and creation of European Works Councils and their better functioning.

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They should contribute to fullfilling objectives set out in package of measures put forward by the Commission on 25 January 2023⁴ with a view to promote social dialogue at EU and national level and support the key role of social partners against the backdrop of the transitions to a digital and climate neutral economy. This notably includes the Council Recommendation on strengthening social dialogue in the European Union adopted on 12 June 2023⁵.

3. Available budget

The available call budget is EUR 2 500 000.

We expect to fund between 8 to 10 proposals.

We reserve the right not to award all available funds or to redistribute them between the call priorities, depending on the proposals received and the results of the evaluation.

4. Timetable and deadlines

| Timetable and deadlines (indicative) | | | | |
|--------------------------------------|--|--|--|--|
| Call opening: | 11 January 2024 | | | |
| Deadline for submission: | <u>19 March 2024</u> <u>17:00:00 CET (Brussels)</u> | | | |
| Evaluation: | April -June 2024 | | | |
| Information on evaluation results: | July 2024 | | | |
| GA signature: | August 2024-October 2024 | | | |

⁴ Strengthening social dialogue (europa.eu)

⁵ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=consil%3AST 10542 2023 INIT

5. Admissibility and documents

Proposals must be submitted before the **call deadline** (see timetable section 4).

Proposals must be submitted **electronically** via the Funding & Tenders Portal Electronic Submission System (accessible via the Topic page in the <u>Search Funding & Tenders</u> section). Paper submissions are NOT possible.

Proposals (including annexes and supporting documents) must be submitted using the forms provided inside the Submission System (beta NOT the documents available on the Topic page — they are only for information).

Proposals must be **complete** and contain all the requested information and all required annexes and supporting documents:

- Application Form Part A contains administrative information about the participants (future coordinator, beneficiaries and affiliated entities) and the summarised budget for the project (to be filled in directly online)
- Application Form Part B contains the technical description of the project (to be downloaded from the Portal Submission System, completed and then assembled and re-uploaded as PDF in the system)
- mandatory annexes and supporting documents (to be uploaded):
 - detailed budget table: not applicable
 - CVs (standard) of core project team in English with clear indication of level of foreign languague competences
 - list of previous projects (key projects relating to the subject of the call in the last 3 years).

At proposal submission, you will have to confirm that you have the **mandate to act** for all applicants. Moreover you will have to confirm that the information in the application is correct and complete and that the participants comply with the conditions for receiving EU funding (especially eligibility, financial and operational capacity, exclusion, etc). Before signing the grant agreement, each beneficiary and affiliated entity will have to confirm this again by signing a declaration of honour (DoH). Proposals without full support will be rejected.

Your application must be readable, accessible and printable.

Proposals are limited to **50 pages** (Part B) - Evaluators will not consider any additional pages.

You may be asked at a later stage for further documents (for legal entity validation, financial capacity check, bank account validation, etc).

For more information about the submission process (including IT aspects), consult the Online Manual.

6. Eligibility

Eligible participants (eligible countries)

In order to be eligible, the applicants (beneficiaries and affiliated entities) must:

 be legal entities (public or private bodies). In derogation from this requirement and pursuant to Article 197(2)(c) of the Financial Regulation, the organisations of social partners without legal personality under the applicable national law are also eligible provided that their representatives have the capacity to

undertake legal obligations on behalf of the entities and that the entities offer guarantees for the protection of the financial interests of the Union equivalent to those offered by legal persons. In particular the applicant shall have a financial and operational capacity equivalent to that of a legal person and offer guarantees for the protection of the EU financial interests equivalent to that offered by legal persons⁶. The representatives of the applicant shall prove that those conditions are satisfied. For organisations without legal personality, a signed letter of the legal representative certifying his/her capacity to undertake legal obligations on behalf of the organisation must be submitted.

- be established in one of the eligible countries, i.e.:
 - EU Member State
 - non-EU countries (not for coordinator and single applicant):
 CandidateCountries (Albania, Bosnia and Herzegovina, North Macedonia, Moldova, Montenegro, Serbia, Türkiye and Ukraine)
- be representative of workers or employers such as:
 - A. for workers: the applicants may be works councils or similar bodies ensuring the general representation of workers; European, national, regional, sectoral or multi-sectoral trade unions;
 - B. for employers: applicants may be organisations representing employers at European, national, regional, sectoral or multi-sectoral level.

As an exception to the above requirement, applicants may also be technical bodies such as non-profit training or research bodies, or commercial companies only if the aim of the project is non profit. These technical bodies and commercial undertakings will be considered eligible as coordinators only where they are expressly mandated by one or more eligible participating organisations representing workers or employers and when a mandatory letter of endorsement is included.

Beneficiaries and affiliated entities must register in the <u>Participant Register</u> — before the submitting the proposal — and will have to be validated by the Central Validation Service (REA Validation). For the validation, they will be requested to upload documents showing legal status and origin.

Other entities may participate in other consortium roles, such as associated partners, subcontractors, third parties giving in-kind contributions, etc (see section 13).

Applicants may participate with associated partners (i.e. partner organisations which participate in the action but without the right to receive grant money). They participate without funding and therefore do not need to be validated (see section 13).

Specific cases

Exceptional funding — Entities from other countries (not listed above) are exceptionally eligible to participate and receive funding, if the granting authority considers their participation essential for the implementation of the action.

Natural persons — Natural persons are NOT eligible with the exception of selfemployed persons, i.e. sole traders, where the company does not have legal personality separate from that of the natural person.

⁶ See Article 197(2)(c) EU Financial Regulation 2018/1046

⁷ Candidate Countries at the time of the deadline for the submission of applications of this call https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy en

International organisations — International organisations are eligible as co-applicants and they undertake to comply with their obligations under the grant agreement. The rules on eligible countries do not apply to them. International organisations cannot be the consortium coordinator.

Entities without legal personality — Entities which do not have legal personality under their national law may exceptionally participate, provided that their representatives have the capacity to undertake legal obligations on their behalf, and offer guarantees for the protection of the EU financial interests equivalent to that offered by legal persons⁸.

EU bodies: with the exception of the European Commission Joint Research Centre, EU bodies can NOT be part of the consortium.

Social partner organisations — These include notably the European social partner organisations that are consulted in accordance with Article 154 TFEU (for the list, see List of consulted organisations) as well as other European-level social partner organisations that are not included in this list, but who are for example involved in the preparation and launch of European social dialogue at sector level. Social partner organisations without legal personality are eligible provided that the conditions for entities without legal personality (see above) are met.

EU restrictive measures — Special rules apply for certain entities (e.g. entities subject to EU restrictive measures under Article 29 of the Treaty on the European Union (TEU) and Article 215 of the Treaty on the Functioning of the EU (TFEU)9 and entities covered by Commission Guidelines No 2013/C 205/0510). Such entities are not eligible to participate in any capacity, including as beneficiaries, affiliated entities, associated partners, subcontractors or recipients of financial support to third parties (if any).

• For more information, see Rules for Legal Entity Validation, LEAR Appointment and Financial Capacity Assessment.

Single applicants

Proposals by single applicants are allowed. Affiliated entities and associated partners may be included in projects submitted by single applicants. Single applicants are ONLY eligible if the entity is either a trade union or employers' organisation, or an international organisation.

Consortium composition

When proposals are submitted by a consortium, the consortium shall consist of at least two applicants (beneficiaries; not affiliated entities), from minimum 2 different eligible countries, which complies with the following conditions:

- The coordinator representing the consortium shall be a European, national or regional level workers' or employers' organisation;
- International organisations may participate as co-applicants only (other beneficiaries, not as coordinator); even if, as an exception their registered office is not in one of the EU Member States or Candidate Countries. They cannot be coordinators.

⁸ For the definitions, see Articles 187(2) and 197(2)(c) EU Financial Regulation 2018/1046

⁹ Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails

over that of the EU Sanctions Map. 10 Commission guidelines No 2013/C 205/05 on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards (OJEU C 205 of 19.07.2013, pp. 9-11).

- Other entities may participate in other consortium roles, such associated partners, subcontractors, third parties giving in-kind contributions;
- Associated partners and third parties giving in-kind contributions shall not declare eligible costs and shall not benefit from the grant (they will not become formal recipients of EU funding);
- Technical bodies or commercial companies can participate in the consortium provided they meet the conditions described under "eligible participants".

Eligible activities

Eligible activities are the ones set out in section 2 above.

Projects must comply with EU policy interests and priorities (such as environment, social policy, security, industrial and trade policy, etc).

Financial support to third parties is not allowed.

Geographic location (target countries)

Proposals must relate to the activities taking place in the eligible countries (see above).

Duration

Projects should normally range between 18 and 24 months.

Extensions are possible, if duly justified and through an amendment.

Project budget

Project budgets (maximum grant amount) are expected to range between EUR 250 000 and maximum EUR 350 000 per project.

This does not preclude the submission/selection of proposals requesting other amounts. The grant awarded may be lower than the amount requested.

7. Financial and operational capacity and exclusion

Financial capacity

Applicants must have **stable and sufficient resources** to successfully implement the projects and contribute their share. Organisations participating in several projects must have sufficient capacity to implement all these projects.

The financial capacity check will be carried out on the basis of the documents participating entities will be requested to upload in the <u>Participant Register</u> during grant preparation (e.g. profit and loss account and balance sheet, business plan, audit report produced by an approved external auditor, certifying the accounts for the last closed financial year, etc). The analysis will be based on neutral financial indicators, but will also take into account other aspects, such as dependency on EU funding and deficit and revenue in previous years.

The check will normally be done for all beneficiaries, except:

 public bodies (entities established as public body under national law, including local, regional or national authorities) or international organisations

if the individual requested grant amount is not more than EUR 60 000.

If needed, it may also be done for affiliated entities.

If we consider that one or more participants' financial capacity is not satisfactory, we may require:

- further information
- an enhanced financial responsibility regime, i.e. joint and several responsibility for all beneficiaries or joint and several liability of affiliated entities (see below, section 10)
- prefinancing paid in instalments
- (one or more) prefinancing guarantees (see below, section 10)

or

- propose no prefinancing
- request that the participants are replaced or, if needed, reject the entire proposal.

For more information, see <u>Rules for Legal Entity Validation, LEAR Appointment and Financial Capacity Assessment</u>.

Operational capacity

Applicants must have the **know-how, qualifications** and **resources** to successfully implement the projects and contribute their share (including sufficient experience in projects of comparable size and nature).

This capacity will be assessed on the basis of the competence and experience of the applicants and their project teams, including operational resources (human, technical and other) or, exceptionally, the measures proposed to obtain it by the time the task implementation starts.

Applicants will have to show their capacity via the following information:

- general profiles (qualifications and experiences) of the staff responsible for managing and implementing the project (CVs of the proposed persons who will perform the main tasks, notably project manager and key personnel)
- description of the consortium participants
- list of previous projects (key projects relating to the subject of the call in the last 3 years)
- Min. B2 level English for the project manager and members of project team and at least 3 years experience in project management for the project manager

Additional supporting documents may be requested, if needed to confirm the operational capacity of any applicant.

Public bodies, Member State organisations and international organisations are exempted from the operational capacity check.

Exclusion

Applicants which are subject to an **EU exclusion decision** or in one of the following **exclusion situations** that bar them from receiving EU funding can NOT participate¹¹:

- bankruptcy, winding up, affairs administered by the courts, arrangement with creditors, suspended business activities or other similar procedures (including procedures for persons with unlimited liability for the applicant'ps debts);
- in breach of social security or tax obligations (including if done by persons with unlimited liability for the applicant's debts);
- guilty of grave professional misconduct¹² (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant;
- committed fraud, corruption, links to a criminal organisation, money laundering, terrorism-related crimes (including terrorism financing), child labour or human trafficking (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant;
- shown significant deficiencies in complying with main obligations under an EU procurement contract, grant agreement, prize, expert contract, or similar (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant;
- guilty of irregularities within the meaning of Article 1(2) of Regulation No 2988/95 (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant;
- created under a different jurisdiction with the intent to circumvent fiscal, social
 or other legal obligations in the country of origin or created another entity with
 this purpose (including if done by persons having powers of representation,
 decision-making or control, beneficial owners or persons who are essential for
 the award/implementation of the grant.

Applicants will also be refused if it turns out that 13:

- during the award procedure they misrepresented information required as a condition for participating or failed to supply that information;
- they were previously involved in the preparation of the call and this entails a distortion of competition that cannot be remedied otherwise (conflict of interest).

8. Evaluation and award procedure

The proposals will have to follow the **standard submission and evaluation procedure** (one-stage submission + one-step evaluation)

An **evaluation committee** will assess all applications. Proposals will first be checked for formal requirements (admissibility and eligibility, see sections 5 and 6). Proposals

¹¹ See Articles 136 and 141 of EU Financial Regulation <u>2018/1046</u>.

Professional misconduct includes: violation of ethical standards of the profession, wrongful conduct with impact on professional credibility, false declarations/misrepresentation of information, participation in a cartel or other agreement distorting competition, violation of IPR, attempting to influence decision-making processes or obtain confidential information from public authorities to gain advantage.

¹³ See Article 141 EU Financial Regulation 2018/1046.

found admissible and eligible will be evaluated against the operational capacity and award criteria (see sections 7 and 9) and then ranked according to their total scores.

All proposals will be informed about the evaluation result (**evaluation result letter**). Successful proposals will be invited for grant preparation; the other ones will be put on the reserve list or rejected.

No commitment for funding — Invitation to grant preparation does NOT constitute a formal commitment for funding. We will still need to make various legal checks before grant award: legal entity validation, financial capacity, exclusion check, etc.

Grant preparation will involve a dialogue in order to fine-tune technical or financial aspects of the project and may require extra information from your side. It may also include adjustments to the proposal to address recommendations of the evaluation committee or other concerns. Compliance will be a pre-condition for signing the grant.

If you believe that the evaluation procedure was flawed, you can submit a **complaint** (following the deadlines and procedures set out in the evaluation result letter). Please note that notifications which have not been opened within 10 days after sending are considered to have been accessed and that deadlines will be counted from opening/access (see also *Funding & Tenders Portal Terms and Conditions*). Please also be aware that for complaints submitted electronically, there may be character limitations.

9. Award criteria

The **award criteria** for this call are as follows:

Relevance: The extent to which the action meets the objectives, themes and priorities of this Call for proposals and presents added value:

Clarity and consistency of project – e.g. clear contextualisation and justification of objectives and planning; extent to which they match the objectives, themes and priorities of the call; innovative character; added value in view of pre-existing comparable projects; extent to which the project contributes to European/transnational dimensions; extent to which it aims at addressing systemic issues. (Max. 30 points)

Quality: The quality of the design and cost-effectiveness of the action including the clarity, efficiency and feasibility of the work organisation and task allocation; the extent to which the project promotes the joint participation of employers and workers organisations on a transnational basis, including the participation of candidate countries:

Project design and implementation: logical links between the identified problems, needs and solutions proposed (logical frame concept); methodology for implementing the project (concept & methodology, management, procedures, timetable, risks & risk management, monitoring and evaluation); feasibility of the project within the proposed time frame; cost-effectiveness (sufficient/appropriate budget for proper implementation; best value for money) (**Max. 25 points**)

Project team and cooperation arrangements: transnational character; joint participation of employers and workers organisations; quality of the consortium and project teams (in the case of sole applicant: quality of the internal working arrangements); appropriate procedures and problem-solving mechanisms for cooperating within the

project teams and/or consortium (Max. 25 points)

Impact: Overall impact of the proposal, and the extent to which it is of lasting character:

Relevance and quality of planned actions / deliverables to achieve expected impact; impact on envisaged target group(s); sustainability of impact on target group(s) and structures involved and beyond (multiplier effect); appropriate dissemination strategy for ensuring sustainability and long-term impact; sustainability of results after EU funding ends (Max. 20 points)

| Award criteria | Minimum pass score | Maximum score |
|---|-----------------------|------------------|
| Relevance | 20 | 30 |
| Quality — Project design and implementation | 15 | 25 |
| Quality — Project team and cooperation arrangements | 15 | 25 |
| Impact | 10 | 20 |
| Overall (pass) scores | 60 | 100 |

Maximum points: 100 points.

Individual thresholds per criterion: 20/30 points for Relevance, 15/25 points for each Criterion on Quality, 10/20 points for Impact.

Overall threshold: 60 points.

Proposals that pass the individual thresholds AND the overall threshold will be considered for funding — within the limits of the available call budget. Other proposals will be rejected.

10. Legal and financial set-up of the Grant Agreements

If you pass evaluation, your project will be invited for grant preparation, where you will be asked to prepare the Grant Agreement together with the EU Project Officer.

This Grant Agreement will set the framework for your grant and its terms and conditions, in particular concerning deliverables, reporting and payments.

The Model Grant Agreement that will be used (and all other relevant templates and quidance documents) can be found on Portal Reference Documents.

Milestones and deliverables

The milestones and deliverables for each project will be managed through the Portal Grant Management System and will be reflected in Annex 1 of the Grant Agreement.

There are 3 available options for the dissemination level of your deliverables:

- **Public** fully open (<u>automatically posted online on the Project Results platforms</u>)
- Sensitive limited (not public) under the conditions of the Grant Agreement

- EU classified (EUCI) - under Decision 2015/444

EU classified is not necessary under the SOCPL programme, therefore you should only use Public and Sensitive.

Please double check if your "public" deliverables can really be published on the Portal (a signed attendance list should not be public for instance), and modify the dissemination level is necessary.

Starting date and project duration

The project starting date and duration will be fixed in the Grant Agreement (Data Sheet, point 1). Normally the starting date will be after grant signature. Retroactive application can be granted exceptionally for duly justified reasons reasons — but never earlier than the proposal submission date.

Project duration: normally between 18 and 24 months (extensions are possible, if duly justified and through an amendment).

Form of grant, funding rate and maximum grant amount

The grant parameters (maximum grant amount, funding rate, total eligible costs, etc) will be fixed in the Grant Agreement (Data Sheet, point 3 and art 5).

Project budget: (maximum grant amount) see section 6 above.

The grant will be a budget-based mixed actual cost grant (actual costs, with unit cost and flat-rate elements). This means that it will reimburse ONLY certain types of costs (eligible costs) and ONLY costs you actually incurred for your project (NOT the budgeted costs). For unit costs and flat-rates, you can charge the amounts calculated as described in the Grant Agreement (see art 6 and Annex 2 and 2a).

The costs will be reimbursed at the funding rate fixed in the Grant Agreement (90%).

The no-profit rule applies to for-profit organisations applying under this call. The grant may NOT produce a profit. For profit organisations must declare their revenues and, if there is a profit (i.e. surplus of revenues + EU grant over costs), we will deduct it from your final grant amount. The types of revenues counted are set out in the Grant Agreement (art 22.3).

Moreover, please be aware that the final grant amount may be reduced in case of non-compliance with the Grant Agreement (e.g. improper implementation, breach of obligations, etc).

Budget categories and cost eligibility rules

The budget categories and cost eligibility rules are fixed in the Grant Agreement (*Data Sheet, point 3, art 6 and Annex 2*).

Budget categories for this call:

- A. Personnel costs
 - A.1 Employees, A.2 Natural persons under direct contract, A.3 Seconded persons
 - A.4 SME owners and natural person beneficiaries
 - A.5 Volunteers
- B. Subcontracting costs
- C. Purchase costs
 - C.1 Travel and subsistence

- C.2 Equipment
- C.3 Other goods, works and services
- E. Indirect costs

Specific cost eligibility conditions for this call:

- personnel costs:
 - SME owner/natural person unit cost¹⁴: No
 - volunteers unit cost¹⁵: No
- travel & subsistence unit cost¹⁶: : Yes
- equipment costs: depreciation
- other cost categories:
 - costs for financial support to third parties: not allowed
- indirect cost flat-rate: 7% of the eligible direct costs (categories A-D, except volunteers costs, if any)
- VAT: non-deductible VAT is eligible (but please note that since 2013 VAT paid by beneficiaries that are public bodies acting as public authority is NOT eligible)
- other:
 - in-kind contributions for free are allowed, but cost-neutral, i.e. they cannot be declared as cost
 - project websites: communication costs for presenting the project on the the participants' websites or social media accounts are eligible; costs for separate project websites are not eligible
 - other ineligible costs: No

Reporting and payment arrangements

The reporting and payment arrangements are fixed in the Grant Agreement (Data Sheet, point 4 and art 21 and 22).

Payment of the grant is generally made in **prefinancing** instalments and a final payment (the balance). The aim of the prefinancing is to provide the beneficiaries with a float. The prefinancing remains the property of the EU until the payment of the balance. The frequency and size of prefinancing will depend upon the project duration but may be adjusted in case of risk:

- actions between 18 to 24 months: prefinancing payments linked to annual reporting periods will be made as follows:
 - 40% from the entry into force of the grant agreement or after receiving the financial guarantee (if required), whichever is the latest
 - 40% after receiving a additional prefinancing report. Where the consumption of the previous prefinancing is less than 70%, the amount of the new prefinancing payment will be reduced by the difference between the 70% ceiling and the amount used

14 Commission <u>Decision</u> of 20 October 2020 authorising the use of unit costs for the personnel costs of the owners of small and medium-sized enterprises and beneficiaries that are natural persons not receiving a salary for the work carried out by themselves under an action or work programme (C(2020)7715).

¹⁵ Commission <u>Decision</u> of 10 April 2019 authorising the use of unit costs for declaring personnel costs for the work carried out by volunteers under an action or a work programme (C(2019)2646).

¹⁶ Commission <u>Decision</u> of 12 January 2021 authorising the use of unit costs for travel, accommodation and subsistence costs under an action or work programme under the 2021-2027 multi-annual financial framework (C(2021)35).

There will be no **interim payments**.

Payment of the balance: At the end of the project, we will calculate your final grant amount. If the total of earlier payments is higher than the final grant amount, we will ask you (your coordinator) to pay back the difference (recovery).

All payments will be made to the coordinator.

Please be aware that payments will be automatically lowered if one of your consortium members has outstanding debts towards the EU (granting authority or other EU bodies). Such debts will be offset by us — in line with the conditions set out in the Grant Agreement (see art 22).

Please note that you are responsible for keeping records on all the work done and the costs declared.

Prefinancing quarantees

If a prefinancing guarantee is required, it will be fixed in the Grant Agreement (Data Sheet, point 4). The amount will be set during grant preparation and it will normally be equal to the prefinancing for your grant.

The guarantee should be in euro and issued by an approved bank/financial institution established in an EU Member State. If you are established in a non-EU country and would like to provide a guarantee from a bank/financial institution in your country, please contact us (this may be exceptionally accepted, if it offers equivalent security).

Amounts blocked in bank accounts will NOT be accepted as financial guarantees.

Prefinancing guarantees are normally requested from the coordinator, for the consortium. They must be provided during grant preparation, in time to make the prefinancing (scanned copy via Portal AND original by post).

If agreed with us, the bank guarantee may be replaced by a guarantee from a third party.

The guarantee will be released at the end of the grant, in accordance with the conditions laid down in the Grant Agreement.

Certificates

Depending on the type of action, size of grant amount and type of beneficiaries, you may be requested to submit different certificates. The types, schedules and thresholds for each certificate are fixed in the grant agreement (Data Sheet, point 4 and art 24).

Liability regime for recoveries

The liability regime for recoveries will be fixed in the Grant Agreement (Data Sheet point 4.4 and art 22).

For beneficiaries, it is limited joint and several liability with individual ceilings — each beneficiary up to their maximum grant amount

In addition, the granting authority may require joint and several liability of affiliated entities (with their beneficiary).

<u>Provisions concerning the project implementation</u>

IPR rules: see Model Grant Agreement (art 16 and Annex 5):

rights of use on results: Yes

Communication, dissemination and visibility of funding: see Model Grant Agreement (art 17 and Annex 5):

additional communication and dissemination activities: Yes

Specific rules for carrying out the action: see Model Grant Agreement (art 18 and Annex 5):

specific rules for financial support to third parties: No

Other specificities

n/a

Non-compliance and breach of contract

The Grant Agreement (chapter 5) provides for the measures we may take in case of breach of contract (and other non-compliance issues).

• For more information, see <u>AGA — Annotated Grant Agreement</u>.

11. How to submit an application

All proposals must be submitted directly online via the Funding & Tenders Portal Electronic Submission System. Paper applications are NOT accepted.

Submission is a 2-step process:

a) create a user account and register your organisation

To use the Submission System (the only way to apply), all participants need to <u>create</u> an <u>EULogin user account</u>.

Once you have an EULogin account, you can <u>register your organisation</u> in the Participant Register. When your registration is finalised, you will receive a 9-digit participant identification code (PIC).

b) submit the proposal

Access the Electronic Submission System via the Topic page in the <u>Search Funding & Tenders</u> section (or, for calls sent by invitation to submit a proposal, through the link provided in the invitation letter).

Submit your proposal in 3 parts, as follows:

- Part A includes administrative information about the applicant organisations (future coordinator, beneficiaries, affiliated entities and associated partners) and the summarised budget for the proposal. Fill it in directly online
- Part B (description of the action) covers the technical content of the proposal.
 Download the mandatory word template from the Submission System, fill it in and upload it as a PDF file
- Annexes (see section 5). Upload them as PDF files.

The proposal must keep to the **page limits** (see section 5); excess pages will be disregarded.

Documents must be uploaded to the **right category** in the Submission System otherwise the proposal might be considered incomplete and thus inadmissible.

The proposal must be submitted **before the call deadline** (see section 4). After this deadline, the system is closed and proposals can no longer be submitted.

Once the proposal is submitted, you will receive a confirmation e-mail (with date and time of your application). If you do not receive this confirmation e-mail, it means your proposal has NOT been submitted. If you believe this is due to a fault in the Submission System, you should immediately file a complaint via the IT Helpdesk webform, explaining the circumstances and attaching a copy of the proposal (and, if possible, screenshots to show what happened).

Details on processes and procedures are described in the Online Manual. The Online Manual also contains the links to FAQs and detailed instructions regarding the Portal Electronic Exchange System.

12. Help

As far as possible, please try to find the answers you need yourself, in this and the other documentation (we have limited resources for handling direct enquiries):

- Online Manual
- FAOs on the Topic page (for call-specific questions in open calls; not applicable for actions by invitation)
- Portal FAQ (for general questions).

Please also consult the Topic page regularly, since we will use it to publish call updates.

Contact

For individual questions on the Portal Submission System, please contact the Π Helpdesk.

Non-IT related questions should be sent to the following email address:

call-specific questions: <u>EMPL-SOCPL-2024-INFO-REPR@ec.europa.eu</u>



🔼 Please:

- send your questions at the latest 7 days before the submission deadline (see section 4)
- indicate clearly the reference of the call and topic to which your question relates (see cover page).

13. Important



IMPORTANT

- **Don't wait until the end** Complete your application sufficiently in advance of the deadline to avoid any last minute technical problems. Problems due to last minute submissions (e.g. congestion, etc) will be entirely at your risk. Call deadlines can NOT be extended.
- Consult the Portal Topic page regularly. We will use it to publish updates and additional information on the call (call and topic updates).
- Funding & Tenders Portal Electronic Exchange System By submitting the application, all participants accept to use the electronic exchange system in accordance with the Portal Terms & Conditions.
- Registration Before submitting the application, all beneficiaries, affiliated entities and associated partners must be registered in the Participant Register. The participant identification code (PIC) (one per participant) is mandatory for the Application Form.
- Consortium roles— When setting up your consortium, you should think of organisations that help you reach objectives and solve problems.
 - The roles should be attributed according to the level of participation in the project. Main participants should participate as beneficiaries or affiliated entities; other entities can participate as associated partners, subcontractors, third parties giving in-kind contributions. Associated partners and third parties giving in-kind contributions should bear their own costs (they will not become formal recipients of EU funding). Subcontracting should normally constitute a limited part and must be performed by third parties (not by one of the beneficiaries/affiliated entities). Subcontracting going beyond 30% of the total eligible costs must be justified in the application.
- Coordinator In multi-beneficiary grants, the beneficiaries participate as consortium (group of beneficiaries). They will have to choose a coordinator, who will take care of the project management and coordination and will represent the consortium towards the granting authority. In mono-beneficiary grants, the single beneficiary will automatically be coordinator.
- **Affiliated entities** Applicants may participate with affiliated entities (i.e. entities linked to a beneficiary which participate in the action with similar rights and obligations as the beneficiaries, but do not sign the grant and therefore do not become beneficiaries themselves). They will get a part of the grant money and must therefore comply with all the call conditions and be validated (just like beneficiaries); but they do not count towards the minimum eligibility criteria for consortium composition (if any).
- **Associated partners** Applicants may participate with associated partners (i.e. partner organisations which participate in the action but without the right to get grant money). They participate without funding and therefore do not need to be validated.
- **Consortium agreement** For practical and legal reasons it is recommended to set up internal arrangements that allow you to deal with exceptional or unforeseen circumstances (in all cases, even if not mandatory under the Grant Agreement). The consortium agreement also gives you the possibility to redistribute the grant money according to your own consortium-internal principles and parameters (for instance, one beneficiary can reattribute its grant money to another beneficiary). The consortium agreement thus allows you to customise the EU grant to the needs inside your consortium and can also help to protect you in case of disputes.

- **Balanced project budget** Grant applications must ensure a balanced project budget and sufficient other resources to implement the project successfully (e.g. own contributions, income generated by the action, financial contributions from third parties, etc). You may be requested to lower your estimated costs, if they are ineligible (including excessive).
- **No-profit rule—** Grants may NOT give a profit (i.e. surplus of revenues + EU grant over costs). This will be checked by us at the end of the project.
- **No double funding** There is a strict prohibition of double funding from the EU budget (except under EU Synergies actions). Outside such Synergies actions, any given action may receive only ONE grant from the EU budget and cost items may under NO circumstances declared to two different EU actions.
- **Completed/ongoing projects** Proposals for projects that have already been completed will be rejected; proposals for projects that have already started will be assessed on a case-by-case basis (in this case, no costs can be reimbursed for activities that took place before [the project starting date]/[the signature of the grant agreement]).
- **Combination with EU operating grants** Combination with EU operating grants is possible, if the project remains outside the operating grant work programme and you make sure that cost items are clearly separated in your accounting and NOT declared twice (see <u>AGA Annotated Model Grant Agreement, art 6.2.E</u>).
- **Multiple proposals** Applicants may submit more than one proposal for *different* projects under the same call (and be awarded a funding for them).

Organisations may participate in several proposals.

BUT: if are several proposals for *very similar* projects, only one application will be accepted and evaluated; the applicants will be asked to withdraw one of them (or it will be rejected).

- **Resubmission** Proposals may be changed and re-submitted until the deadline for submission.
- **Rejection** By submitting the application, all applicants accept the call conditions set out in this this Call Document (and the documents it refers to). Proposals that do not comply with all the call conditions will be **rejected**. This applies also to applicants: All applicants need to fulfil the criteria; if any one of them doesn't, they must be replaced or the entire proposal will be rejected.
- **Cancellation** There may be circumstances which may require the cancellation of the call. In this case, you will be informed via a call or topic update. Please note that cancellations are without entitlement to compensation.
- **Language** You can submit your proposal in any official EU language(project abstract/summary should however always be in English). For reasons of efficiency, we strongly advise you to use English for the entire application. If you need the call documentation in another official EU language, please submit a request within 10 days after call publication (for the contact information, see section 12).

• **Transparency** — In accordance with Article 38 of the <u>EU Financial Regulation</u>, information about EU grants awarded is published each year on the <u>Europa website</u>.

This includes:

- o beneficiary names
- beneficiary addresses
- o the purpose for which the grant was awarded
- o the maximum amount awarded.

The publication can exceptionally be waived (on reasoned and duly substantiated request), if there is a risk that the disclosure could jeopardise your rights and freedoms under the EU Charter of Fundamental Rights or harm your commercial interests.

• **Data protection** — The submission of a proposal under this call involves the collection, use and processing of personal data. This data will be processed in accordance with the applicable legal framework. It will be processed solely for the purpose of evaluating your proposal, subsequent management of your grant and, if needed, programme monitoring, evaluation and communication. Details are explained in the Funding & Tenders Portal Privacy Statement.