## RELEVANT PROVISIONS IN THE LEGISLATION

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<td>(1) strengthening research, technological development and innovation through:</td>
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<td>(a) enhancing research and innovation (R&amp;I) infrastructure and capacities to develop R&amp;I excellence, and promoting centres of competence, in particular those of European interest</td>
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<td>(b) promoting business investment in R&amp;I, developing links and synergies between enterprises, research and development centres and the higher education sector, in particular promoting investment in product and service development, technology transfer, social innovation, eco-innovation, public service applications, demand stimulation, networking, clusters and open innovation through smart specialisation, and supporting technological and applied research, pilot lines, early product validation actions, advanced manufacturing capabilities and first production, in particular in key enabling technologies and diffusion of general purpose technologies</td>
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(10) Investing in education, training and vocational training for skills and lifelong learning by developing education and training infrastructure

This is a draft document based on the new ESIF Regulations published in OJ 347 of 20 December 2013 and on the most recent version of the relevant Commission’s draft implementing and delegated acts. It may still require review to reflect the content of these draft legal acts once they are adopted.
The main purpose of this note is to highlight the most important EU policy messages relating to higher education (HE) systems and to the training and mobility of researchers, which are relevant to the European Social Fund (ESF) for the period 2014-2020.

1. Rationale for the policy and main objectives

As in other sectors of the education and training system, the EU's role in higher education is to "contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action" (TFEU Art. 165). While the inter-governmental Bologna Process, in which the European Commission is a member, has led to some degree of convergence in the structures and organisation of higher education systems in the EU, considerable diversity remains in areas such as institutional organisation, access conditions, participation and graduation rates, teaching and learning, research and innovation activities and funding and governance of higher education institutions and student support.

The Commission Communication "An agenda for the modernisation of Europe's higher education systems" [COM(2011) 567 final] provides the most recent overarching expression of EU policy in the field of higher education. The Communication, which was endorsed by Member States in Council Conclusions in December 2011, sets out five core priorities for developing higher education systems in the EU in the coming decade:

1. Increasing attainment levels to provide the graduates and researchers Europe needs: this priority reflects the need to increase the level of higher education attainment in the EU labour force to meet predicted demand for high-skilled human capital by 2020 and beyond: the core rationale for the Europe 2020 headline target of raising the proportion of 30-34 year olds with a higher education qualification or equivalent to 40% by 2020. The EU will also need more researchers to fill the estimated one million new research jobs that are needed if it wants to reach the 3% of GDP research investment targets. The Communication and Council Conclusions call upon Member States to facilitate progression to higher education (e.g. from vocational streams of secondary education or on the basis of recognition of non-formal learning), improve outreach and guidance to individuals in schools, adult learners and groups currently under-represented in higher education and ensure adequate financial support for students (particularly those from low income backgrounds).

2. Improving the quality and relevance of higher education: a key priority in this area is to ensure higher education provision is better aligned with the needs of the labour market. Key priorities recommended for Member States include increased use of skills projects and graduate

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1 The term "higher education" is used interchangeably with "tertiary education" to refer to all types of third-level education (ISCED 1997 levels 5 and 6; ISCED 2011 levels 5-8) delivered in universities, university colleges, universities of applied sciences, polytechnics, arts academies and similar institutions. In Austria and Germany some types of "post-secondary, non-tertiary" education and training (ISCED level 4) are considered by national authorities to be "equivalent" to third-level qualifications and are thus included in Europe 2020 national targets for tertiary education attainment.


employment data in strategic planning, involvement of employers in curriculum design, developing a greater variety of study modes (part-time, distance etc), linking the funding for doctoral programmes to the Principles for Innovative Doctoral Training and improved use of ICT to facilitate high quality learning. More generally, higher education should move to a student-centred approach, with clear learning outcomes provided for all programmes, including transversal skills as well as subject knowledge.

3. **Strengthening quality through mobility and cross-border cooperation**: the focus here is on encouraging student mobility as a means to support their skills development, as well as staff and researcher mobility as a means to promote internationalisation and boost quality.

4. **Making the knowledge triangle work**: the aim is to create effective links between education, research and business. Key issues in this area include stimulating entrepreneurial, creative and innovation skills, promoting partnership and cooperation with business and the creation of regional hubs to support smart specialisation.

5. **Improving governance and funding**: here the focus is on giving higher education institutions the autonomy to set strategic direction (within the broader system of public accountability), improving efficiency through performance-related funding (focusing on outputs rather than just inputs) and promoting access by higher education to alternative sources of funding, including using public funds to leverage private and other public investment (through match-funding, for example).

The priorities above are relevant to all Member States. Given the diversity of higher education systems that exist in the EU, the precise order of priorities will vary. A key distinction can be made between those Member States which are still making the transition from an "elite" to a "mass" higher education system and those which already have high rates of higher education attainment, where more modest levels of growth in the system size are foreseen. Analysis of higher education attainment rates (based on the Europe 2020 headline target – see Annex 1) and attainment growth rates in recent years highlights four broad groups of Member States:

1. **Italy, Malta and Bulgaria**, perform below the EU average (34.6% in 2011) and attainment growth has been comparatively slow in recent years

2. **Romania, Hungary, Portugal, the Czech Republic, Slovakia, Greece, Germany and Austria** have, in contrast to the first group of countries, have higher attainment growth rates, but current attainment rates are still below the EU average. The attainment rates in Slovenia, Poland and Latvia are above the EU average but below the 40% headline target.

3. **Belgium, Denmark, Cyprus, France, Finland, Spain and the Netherlands** have already reached the level of the headline target, but their attainment rates have grown slowly or decreased in recent years.

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4. **Ireland, Estonia, Lithuania, Luxembourg, Sweden and the UK**, also have attainment rates above the target, but are still developing fast towards even higher attainment levels.

The "HE attainment challenge" can be seen as greatest in the first and (to varying degrees) the second categories above, even though issues such as widening access among under-represented groups or attracting more adult learners to HE remain relevant across the Union. It is more difficult to categorise Member States according to the challenges of quality, relevance, internationalisation, governance and funding priorities, owing the diversity of systems in place and the comparative difficulty of assessing such issues quantitatively. Qualitative assessments by Member State are necessary to gain a fuller picture of higher education system performance.

In the context of the Europe 2020 process, in 2012, nine countries (AT, BG, CZ, EE, HU, IT, LV, SI, SK) received Country Specific Recommendations (CSRs) relating to higher education. Many of these recommendations concerned attainment – reflecting the central role of the HE attainment target in the Europe 2020 process – although some also focused on aspects such as the labour market relevance of teaching and learning or implementation of new legal frameworks for the higher education sector.

2. **How can these objectives be operationalized in the ESIF?**

The ESF investment priority on higher education focuses on "Improving the quality, efficiency and openness of tertiary and equivalent education with a view to increasing participation and attainment levels". In principle this covers all elements of the modernisation agenda outlined above, albeit with a clear emphasis on increasing attainment.

The Proposal for the ESF regulation specifies that the ESF shall also strengthen research, technological development and innovation through the training of researchers, networking activities and partnerships between higher education institutions, research and technological centres and enterprises. In this respect, Member States are encouraged to pay attention to strengthening coordination and complementarities between the Structural Funds and Horizon 2020, the Framework Programme for Research and Innovation from 2014 to 2020. In particular, Member States should make full use of provisions allowing for combining the ESF Funds with those under Horizon 2020 in the relevant programmes used to implement parts of the strategies such as the Marie-Skłodowska-Curie Actions for training, mobility and career development of researchers.

**Criteria for assessing Partnership Agreements/Operational Programme**

The pre-requisite for investing ESF and ERDF funds in higher education, reflected in the ex-ante conditionality for this investment priority, is for national or regional authorities in the Member State concerned to have made a clear assessment of the challenges faced by their higher education sector in terms of attainment/participation, quality and relevance (e.g. employability and employment outcomes of graduates). Actions to be supported with ESF funds should a) respond to the problem analysis undertaken and b) form part of a coherent strategy of public support to address these issues (e.g. through a mapping of the higher education infrastructure, a link with demographic trends, etc.). Such a strategic approach is essential to ensuring the efficiency of individual measures and public investments in the field of higher education, allowing them to be better targeted to contribute more effectively to the broader goals.
Measures supported by the Structural Funds should build on higher education strategies, in accordance with the criteria set out in the ex-ante conditionalities. ESF and ERDF investments should be prepared in an integrated way and build on the 2007-13 period. Linked to this, a number of "success factors" should also be considered when programming investments in higher education in order to enhance the effectiveness of spending:

- Measures to increase participation or attainment (bring more people into the system) should always be part of a wider strategy to ensure the quality and relevance of provision is maintained or enhanced (the absorption capacity of the system): without this, there is a serious risk of a decline in the quality of education provided, which may ultimately be counter-productive (more individuals graduating with lower quality skills and qualifications).

- Higher education measures should be consistent with smart specialisation strategies, where appropriate, as many of these strategies include education measures to tackle the relevant shortcomings.

- In systems with high non-completion rates, measures to broaden participation must be accompanied by actions to reduce drop-out rates and thus increase the efficiency of public investment.

- Measures for widening access to higher education should be coordinated / linked to strategies to enhance secondary educational attainment (notably measures to reduce early school leaving) and improve transition pathways (permeability) between different levels of education and training.

- Measures to support increase higher education participation should demonstrate explicitly how they will be targeted at population groups currently under-represented in higher education, where the potential added value of public intervention can be assumed to be the greatest (resources should not be wasted on supporting those who would go to HE anyway). Particular attention should be placed on providing equal opportunities and enhancing access to those from disadvantaged backgrounds.

  a) Measures to promote the quality and relevance of higher education provision should, where possible, involve partnerships between higher education institutions and stakeholders in the wider economy (employers, unions, research institutions etc) to bring in additional insights and increase the openness of higher education.

  b) Relevant measures and indicators

**ESF**

The majority of measures aimed at increasing participation in tertiary education require interventions outside the sphere of higher education. Such measures should be programmed under the investment priority on "Improving the quality, efficiency and openness of tertiary and equivalent education with a view to increasing participation and attainment levels", only if the their main purpose is to increase participation and do not include comprehensive reforms of VET, Adult education and LLL systems, which should be covered by other investment priorities.
Measures to increase participation from under-represented groups may include, among others:

- Development of guidance and counselling services for pupils in upper secondary education, as well as "outreach" activities linking higher education institutions and schools or vocational colleges, to support choices regarding progression to higher education.

- Development and implementation of systems of validation and recognition of prior learning (including non-formal and informal learning) to support access to higher education, including among adult learners / those already in the labour market.

- Development and funding of targeted financial support (e.g. scholarships, travelling costs, dormitory places etc.) and incentives to support access to higher education for those from low-income backgrounds (ESF funds could be used to establish new systems and top-up national funds).

- Education and training equipment

**Key indicators:** baseline analysis of student cohort by socio-economic or target group which can be monitored over time (definitions of target groups will vary between MS).

- **Measures to reduce the proportion of students not completing the study programmes they begin successfully** may include:

  - Development of improved guidance and counselling for applicants to improve course choice by prospective students.

  - Development of institutional guidance, counselling and support services within higher education institutions for students experiencing difficulties

  - Targeted financial support for groups with socio-economically disadvantaged backgrounds.

**Key indicators:** completion rates (by target group)

- **Measures aimed at improving the quality and relevance of higher education provision and graduates' transition to the labour market** in institutions may include:

  - Support for cooperation between higher education, employers and other social and economic actors in in the development or refinement of higher education programmes to meet current and future labour market needs.

  - Measures to reformulate higher education curricula to focus on clear learning outcomes and promote student-centred learning

  - Measures to enhance the use of ICT tools within delivery of existing programmes and in the development of new learning offers (eg distance and flexible learning options).
o Support enhanced cooperation between higher education, research and innovation actors (including businesses) to improve the quality and relevance of teaching and learning and promote innovation.

o Teacher / lecturer training (eg related to new pedagogical techniques, student centred learning approach, in use of new technologies etc.)

o Development of opportunities for work-based placements for students, graduates or researchers in national contexts or abroad

o Education and training infrastructure (including reconfiguration of higher education premises and ICT) needed to support improvements in the quality and relevance of teaching and learning

Possible output indicators: number of partnerships supported, number of programme curricula development, number of teacher/lecturers trained, changes to quality assurance procedures.

Possible outcome indicators include: graduate employment rates

- Measures aimed at enhancing the contribution of higher education to innovation and entrepreneurship may include:

  o Staff, researcher or graduate student exchange schemes fostering interaction between higher education and other economic sectors

  o Measures to support the exchange and flow of knowledge between higher education and companies to strengthen the innovation capacity of the individuals, the higher education institutions, the companies and the eco-environment

  o Measures to support the development of entrepreneurial teaching and learning practices, including entrepreneurship education programmes that foster entrepreneurial mindsets and attitudes of professors, researchers and students

  o Measures to support and facilitate the establishment of start-ups by higher education graduates, researchers and professors.

- Measures to strengthen the human resource base in research and to attract excellent and motivated researchers at higher education institutes, research centres and enterprises may include:

  o Doctoral programmes, ensuring an international, interdisciplinary and intersectoral training of doctoral candidates and application of the principles for Innovative Doctoral Training.

  o Fellowship programmes to internationalise research teams and to mobilise young researchers
When running these programmes, Member States are encouraged to seek synergies with the Marie-Sklodowska-Curie Actions (MSCA) under Horizon 2020. In particular, Member States should consider co-funding of their regional or national programmes through the MSCA.

**ERDF**

4. Infrastructure investment in higher education

Investments in education are one of the categories of public expenditure highlighted in the 2013 Annual Growth Survey which should be prioritised and strengthened, while ensuring the efficiency of such expenditure. Furthermore, all Member States have received a CSR with regard to education and training in 2013. In a number of Member States, particularly in the less developed regions, such reforms of education and training systems may also need to be supported by investment in education infrastructure, triggering ERDF expenditure.

The education ex-ante conditionalities are also applicable to ERDF. In each case, a strategic policy framework should be in place which, inter alia, explains how infrastructure needs have been appraised and how this has been translated into decisions mapping out the long-term infrastructure network, which will form the framework for co-financed investments. The strategy should also specify the financial resources to be allocated, either from EU or national sources, to implement the envisaged measures.

In contrast to the 2007-2013 period, where infrastructure investments were eligible only in convergence regions, for 2014-2020 they are now eligible in all regions. The principle of thematic concentration allowing for a genuine focus of resources nevertheless needs to be respected. Another important change is that the purchase of equipment has become an eligible expenditure from the European Social Fund. This widens the range of possibilities for the ESF to undertake education-related investments. In any case, the purchase of infrastructure, land and buildings remain non-eligible for the ESF. Infrastructure investments can be financed by the ERDF, if covered by the Operational Programmes and if the planned budget is realistic.

Infrastructure investment in higher education should be primarily directed towards

- Supporting the modernisation of teaching activities – this would typically involve renovation / reconfiguration of existing teaching premises and facilities (including information, library and IT infrastructure) with a clear focus on enhancing the educational offer, although newly built teaching facilities could be considered if adequately justified;
- Infrastructure to support improvements to guidance and counselling provided to prospective and existing students (establishment / improvement of advice or support centres etc);
- Infrastructure, such as knowledge and communication management systems, to support enhanced management and governance within higher education institutions (which should in turn support improved outcomes in teaching, learning, innovation and research);
• Expanding student accommodation facilities with a view to supporting widened access to higher education (only where the social added value of the accommodation facilities can be clearly demonstrated – not commercial rental premises) and;

• Improving the accessibility of existing premises, notably (but not exclusively) for those with reduced mobility.

Investments in research and innovation infrastructure in higher education could be programmed under thematic objective 1 where the focus would be on the innovation and research components of the knowledge triangle\(^6\) or under thematic objective 10 where the focus would be on the education component, including investment in education, skills and lifelong learning by developing education and training infrastructure. In both cases, however, investments designed to improve links between education, innovation actors and research should be encouraged. The choice made by the Managing Authority regarding the appropriate Thematic Objective under which to programme interventions should be based on the objectives of the relevant operational programme and the intervention logic set out therein, in particular the specific objective in question.

The following points should be taken into account:

• Infrastructure investments should be part of the mapping carried out as part of ex-ante conditionality and be individually justified as being cost-effective and sustainable.

• Isolated renovation of buildings with limited impact on quality or participation should be avoided (for example, renovation/refreshing of existing and functional lecture, learning and study premises, which should be maintained through mainstream maintenance budgets).

• An integrated approach with ESF investment is highly desirable in order to maximise effectiveness.

• Funding is unlikely to be sufficient to implement wide reforms or investment programmes. It should therefore be concentrated on areas within the overall strategy allowing for a measurable incremental impact and added value (e.g. with a demonstration or seed effect).

Strategic linkages should be established with any investments proposed for strengthening ICT applications for e-learning under thematic objective 2 (e.g. for teaching purposes) and other investments targeted at higher education institutions under TO1 or TO10.

3. Good/bad practices and examples

• Widening access – adult learners / lifelong learning

**Springboard programme (Ireland)** [http://www.springboardcourses.ie](http://www.springboardcourses.ie)

Springboard is an up-skilling programme open to unemployed people with a previous history of employment currently claiming social benefits. The programme offers a choice of 220 free, part-time courses in higher education. All courses lead to qualifications in enterprise sectors which are growing and need skilled personnel, including information and communications technology (ICT); the medical

\(^6\) Education, research and innovation
devices sector; bio-pharma; pharma-chem; green energy; international financial services; and the food and beverage sector. Qualifications are also available in cross-enterprise skills such as Six Sigma; Lean and Quality Systems; sales; business-start up and entrepreneurship.

- Improving quality and relevance of teaching / learning provision

**GO Wales (UK)** [http://www.gowales.co.uk/en/employer/about/index.html](http://www.gowales.co.uk/en/employer/about/index.html)

GO Wales supports quality work experience and training in businesses for students and recent graduates. Managed by the Higher Education Funding Council for Wales (HEFCW) the project is delivered by University Careers Services in Wales. The project will aim to provide almost 6,741 students and graduates with training and development opportunities to prepare them for their future careers during 2009-2014.

- Entrepreneurship and innovation


EXIST is a support program of the Federal Ministry of Economics and Technology (BMWi) aimed at improving the entrepreneurial environment at universities and research institutions and at increasing the number of technology and knowledge based business start-ups. The EXIST program is part of the German government’s “Hightech Strategy for Germany” and is co-financed by funding of the European Social Fund (ESF).

- Strengthening and Internationalisation of the human resource base in research by regional or national mobility programmes⁷:


NEWFELPRO is a fellowship programme of the Government of Republic of Croatia through the Ministry for Science, Education and Sport (MSES). The long-term objective of the New International Fellowship Mobility Programme for Experienced Researchers is to contribute to the presence of significantly more research qualified individuals who can become future leaders of universities and colleges, research groupings, research institutes and innovative companies, presenting a significant international trans-national experience and well developed international scientific networks. The programme will be focused on a combination of actions connected with transnational and inter-sector mobility.

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⁷ These are examples co-financed by the FP7 Marie Curie Actions. Note that joint funding of these type of programmes from different European funding sources, including the ESF, are foreseen to become possible in the future programmes 2014-2020.
SoMoPro is a regional grant programme backed by European funding set up to attract skilled researchers to the South Moravian Region. SoMoPro is a pilot programme planned for four years (2009 – 2013) with an overall budget of 3 887 158 EUR, 60% of which will be financed by regional public sources (Region of South Moravia) and remaining 40% is co-funded by the European Commission through the Marie Curie Actions (COFUND project). It was designed to attract skilled researchers from abroad to come and carry out their work in South Moravia.

5. Further reading

Communication from the Commission to the European Parliament, the Council, the European economic and social committee and the committee of the regions supporting growth and jobs – an agenda for the modernisation of Europe’s higher education systems [COM(2011) 567 final]:

The European Higher Education Area in 2012: Bologna Process Implementation Report


Websites of the Marie Curie Actions and COFUND:

http://ec.europa.eu/mariecurieactions/

http://ec.europa.eu/research/mariecurieactions/about-mca/actions/cofund/index_en.htm

Interim evaluation of MARIE CURIE: Individual fellowships and COFUND:

Information session organised on the occasion of the 100th COFUND Fellowship Programme on 12/12/2012:
http://ec.europa.eu/research/mariecurieactions/news-events/events/year/2012/100th_cofund_event_en.htm
Figure 4.1. Tertiary education attainment levels or equivalent, aged 30-34 (%)

Source: Eurostat (Labour Force Survey). * The dashed additional bars for Austria and Germany denote the postsecondary attainment qualifications (ISCED 4 for DE and ISCED 4/4a for AT, both national data); that these 2 countries have decided to include into the definition of their respective national targets. For FR: the 50% national target refers to the age group 17-33 years old. For FI, the national target is defined more narrowly than the EU headline target and excludes technological institutes.

National targets (minimum) for 2020 (%), source NRP

| Country | IT | RO | MT | SK | CZ | AT | PT | BG | HU | EL | DE  | EU2  | LVPL | SI | EE | ES | NL | DK | BE | FR | LT | CY | UK | FI | SE | LU | IE |
|---------|----|----|----|----|----|-----|----|----|----|----|-----|------|------|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Target | 26 | 26 | 33 | 40 | 32 | 38  | 40 | 36 | 30.3| 32 | 42  | 40   | 34   | 45 | 40 | 40 | 40 | 40 | 47 | 50 | 40 | 46 | 42 | 40 | 56 | 60 |