



Decision of the Governing Board of the ECSEL Joint Undertaking
Adopting Terms of Reference for observers to monitor the process of
evaluation of proposals of ECSEL Calls 2020

Having regard to Council Regulation 561/2014 setting up the ECSEL Joint Undertaking and in particular Article 8 of the Statutes;

Having regard to PAB decision ECSEL PAB 2018.31 on the evaluation and selection procedures related to Calls for Proposals;

WHEREAS:

- (1) The Governing Board may appoint independent observers to observe the practical workings of the evaluation process and give independent advice;
- (2) The observers shall report to the Governing Board of the ECSEL Joint Undertaking on any aspect of the conduct of the evaluation;
- (3) The Governing Board shall adopt terms of reference applicable to the observers;

HAS DECIDED:


Article 1

The Governing Board hereby approves the Terms of Reference as annexed to this Decision.

Article 2

This decision shall enter into force on the day following its adoption.

Done at Brussels, on 17.08.2020

For the Governing Board

Sabine Herlitschka
Chairperson of the Governing Board

Annex1: Terms of Reference

BACKGROUND

Pursuant to Article III.1.1 of the PAB decision on the evaluation and selection procedures related to Calls for Proposals (decision PAB 2018.31), the Governing Board may appoint independent observers to monitor the process of evaluation of proposals with full access to documents and evaluation experts.

The main role of the observers is to observe the process of R&D proposal evaluation and to report to the Governing Board of the ECSEL Joint Undertaking on any aspect of the conduct of the evaluation as required.

In particular, the observers should report on the respect of the evaluation rules and procedures, on the application of the evaluation criteria by the evaluators and the panel, and recommend ways in which the evaluation process could be improved.

During the evaluation process, the observers will also regularly inform the Executive Director on preliminary findings, for example on any potential problem or deviation from agreed procedures; and suggest any possible improvements that could be put into practice immediately.

TERMS OF REFERENCE

The observers will report and inform the Governing Board on:

- the conduct of, the fairness and equity of the evaluation;
- “best practice” and on ways in which cases close to the boundary of acceptability are dealt with;
- respect for procedures and ways in which procedures could be improved;
- the preparations for the evaluation including selection of evaluators, allocation of proposals and completeness of information given to them;
- the evaluation criteria used and the way in which evaluators apply these criteria; and
- the process of reaching a consensus on evaluation marks and proposal ranking (whether in meetings or through electronic means).
- functioning and execution of the overall process
- suggestions for possible corrections that could be put into practice
- Other aspects of the evaluation specific to the call.

SCOPE AND TIMETABLE

The task of the observers is to look at the process of evaluation and not at the proposal content or evaluation outcome, unless the outcome of the evaluation is a direct result of operational problems. For this reason, it is not necessary that the observers have expertise in the technical areas of the proposals being evaluated. They will not express views on the proposals under examination or on the evaluators' opinion on the proposals.

The observers will participate in the evaluations scheduled by the ECSEL JU for 2020.

They will report to the Governing Board at its meeting planned end of November 2020.

Monitoring will be effected through direct observation of the evaluations including evaluator briefings, consensus and panel meetings, and interviews with relevant stakeholders and JU staff, review of individual reporting and consensus-building as well as review of the documentation.

The observers will regularly inform the Executive Director on their preliminary findings, and they will be responsible for their final written report to the Governing Board.

The observers are required to respect the same confidentiality obligations and code of conduct as evaluators and to sign confidentiality agreements. They will not be permitted to disclose details of the proposals, the evaluators assigned to examining the proposals, nor the discussions in the evaluation panel.

Annex 2: Indicative List of Issues

To help identify the issues which the observers may wish to address in their observation of the ECSEL Calls 2020 proposal evaluations, some issues are listed below:

1. Proposal submission, reception and registration: notably:
 - the effectiveness and management of the project outline and full project proposal phase;
 - the effectiveness and management of electronic submission (and IT support generally);
 - the role and effectiveness of the external service provider.
2. Proposal assignment to evaluators
3. Adequacy of evaluator knowledge and expertise, notably:
 - adequacy of the procedures for selecting evaluators; balanced range of expertise¹; effectiveness of the contractual procedures for evaluators;
 - availability of sufficiently knowledgeable, experienced and independent experts;
 - adequacy of arrangements to avoid conflicts of interest;
 - adequacy of briefings on evaluation procedures (incl. on topics, instruments, ethical issues, and evaluation criteria, etc.).
4. Adequacy of working conditions, notably:
 - physical working conditions (space, availability of tools, etc.);
 - adequacy of security arrangements (to ensure confidentiality and security and to avoid exchange of views between the evaluators);
 - adequacy of logistical planning (organisation of consensus and panel meetings);
 - remote reading and marking.
5. The interpretation of the evaluation criteria, notably:
 - relevance of criteria; overlap between criteria;
 - the uniformity and consistency of interpretation of the criteria;
 - the clarity of the criteria, and the clarity with which they are covered in proposals: the ease with which proposals can be assessed against them;

¹ In particular the participation of women evaluators, new evaluators, and evaluators from industry.

- the adequacy and consistency of background documentation and guidelines;
- the appropriateness and effect of weights and thresholds;
- use of the marking system: use of full range of marks, justification of marking. Are first proposals marked differently than later ones?

6. Developing consensus, notably:

- the consistency of individual evaluation;
- the availability of good practice guidelines;
- the effectiveness of processes for reaching consensus between evaluators;
- the effectiveness and consistency of panel discussions;
- the discussion of the possible ethical issues raised in proposals by proposers, evaluators or ECSEL staff
- quality of the overall consensus process.

7. Reporting, notably:

- the adequacy, quality and consistency of justifications for marks on the ESR, including in terms of coherence between text and score, and feedback provided to applicants; (do they provide sufficient feedback to applicants and sufficient guidance for negotiations?);
- the consistency of the panel reports – and of the rapporteurs' understanding of their task;
- the pros and cons of a 2-stage evaluation compared to a single stage process.

8. Ranking of proposals, notably:

- the clarity and consistency of ranking procedures;
- organisation of panel meetings; quality and appropriateness of the expertise of the panel members? Quality of the chair person? Role/quality of the rapporteur?
- the adequacy of supporting reports and documentation.

9. Comment on the implementation of recommendations of previous monitoring reports

Unforeseen problems may arise. It may then be necessary to address the adequacy of contingency arrangements and internal quality management procedures, in particular in cases close to the boundary of reasonable practice and acceptability; the effectiveness of conflict

resolution; the robustness of the process and its organisation; the effectiveness of the supervision mechanism; and the effectiveness of the JU's response.

Finally, the observers may wish to comment on the adequacy and effectiveness of the arrangements for independent observation and monitoring.

Annex 3: Selected observers

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