

Irish National Agency for higher education (Erasmus+)

Right of redress

Policy and procedures

1. Introduction

This Policy establishes procedures and responsibilities for appeals in connection with a decision to decline funding of a proposal.

In reaching its decisions regarding funding, the Erasmus+ Irish National Agency in higher education (the Higher Education Authority, i.e. 'HEA') considers the peer review assessments of the proposal, and the funding budget available. Erasmus+ applications are evaluated in an open competition and assessed by an independent panel of experts. The evaluation criteria used to assess proposals and determine the outcome of the competition can vary according to the relevant key action but generally include: relevance of the project, quality of the project design and implementation, quality of the partnership and cooperation arrangements, and impact.

The primary function of the appeals procedure is to ensure that HEA's review process has been fair and reasonable, and that HEA's review procedures were followed. Although the appeal procedure is not a peer review process itself and will not re-open such a process, it may address procedural errors that may have occurred during assessment and other aspects of proposal review including: unaccounted-for conflicts of interest, inappropriate consideration of extraneous information / rumour / hearsay or incomplete / inconsistent documentation being made available to the reviewers.

It is appreciated that applicants may occasionally disagree with the perspective of the expert reviewer, or their views on the overall quality or impact of the proposed project. However, the HEA has full confidence in the high quality of experts that it engages in the assessment process and takes the position that this source of expert input allows the HEA to make the best and most informed decisions. **Thus, the judgment, interpretation or level of understanding of these experts is not an admissible ground for appeal.**

Appeals must be limited to clearly identifiable issues of procedure. The process required for invoking the formal appeal is detailed below. An appeal will not be processed if the matter(s) in question are already the subject of legal proceedings.

The procedures for submission of applications are clearly set out in the call documentation outlined by the European Commission. It is the responsibility of an applicant for funding to ensure that these are followed correctly. Consequently, appeals based on applications that have been deemed administratively ineligible, including, but not restricted to, missed deadlines, applications exceeding word limits or missing documentation, will not be considered unless it can be explicitly demonstrated that this resulted from an oversight or default on the part of the HEA.

Appeals relating to funding levels or award conditions will not be considered.

Award of Erasmus+ funding is discretionary and the appeal process is not an adversarial one. A formal hearing is not therefore provided. Factors such as programme budgets are also taken into account when considering an appeal.

2. Appeal Procedures

Appeals are a three-stage process:

Appeal stage (1)

Explanation by the Erasmus+ Programme Manager

An applicant whose proposal has been declined is encouraged to request more information from the relevant Erasmus+ Programme Manager at the HEA, over and above the explanatory materials received with the Declination Notice. The Programme Manager will afford the applicant an opportunity (i) to present their point of view, (ii) to provide additional information if any exists, and (iii) to take any further action that is deemed appropriate in consultation with the Erasmus+ Senior Manager. Following this engagement, an applicant may be satisfied with any action taken and/or may accept that no further action is required. If, however, an applicant signifies dissatisfaction with the outcome of this engagement, a written explanation will be furnished to the applicant by the Erasmus+ Programme Manager.

Appeal stage (2)

Review by the Erasmus+ Director at the HEA

If dissatisfied with any action taken or the explanation provided under appeal stage (1), the appellant may submit a written request to the Erasmus+ Director at the HEA requesting that HEA reconsider its decision.

The HEA will consider such a request:

- only if the appellant has first sought and obtained an explanation under the procedures described in appeal stage (1);
- only if the request is received by the HEA within 14 days of the date of issue of the explanation.

In the letter requesting reconsideration, the appellant should state whether the appeal is based on

- a) factual inaccuracy; or
- b) procedural error.

The appellant should also provide a concise written statement (no more than 300 words) clearly outlining the grounds for the appeal. The Director will reconsider the record to determine whether the HEA's review of the declined proposal was fair and reasonable. The Director may personally conduct the review or may designate a Programme Manager, who had no part in the initial review, to do so.

The Director will endeavour to provide the *appeal result*, in writing, to the appellant within 15 working days of receipt of the request for reconsideration. If the *appeal result* cannot be furnished within that period, the Director will notify the appellant, in writing, indicating a later date by which the *appeal result* can be expected to issue.

Appeal stage (3)

Further Review by an Independent Committee

Within 15 working days of notification of the *appeal result*, the appellant may request Further Review by an Independent Committee.

No particular format for such request is required, other than it must be in writing and signed by the President/Provost/Chief Executive Officer of the higher education institution (HEI) and by the appellant. The written request should set out concisely why the HEI is still of the opinion that an

error may have occurred in the initial evaluation and why it is not satisfied with the *appeal result* issued by the Erasmus+ Director under the procedures described in appeal stage (2) above.

An Independent Committee, made up of three non-HEA members, will review this request for further review and the record of earlier HEA actions (including the reviews conducted under appeal stages (1) and (2)). The Independent Committee will endeavour to furnish the result of the Further Review, in writing, to the signee of the HEI within 15 working days. If the result cannot be furnished within that period, the Independent Committee will notify the signee of the HEI and the appellant, in writing, indicating a later date by which the result can be expected to issue.

3. Decisions to be final and binding

An explanation, or decision following review or further review (as the case may be) given by:

- i. the Erasmus+ Senior Manager under appeal stage (1) (if not subject to appeal),
- ii. the Erasmus+ Director under appeal stage (2) (if not subject to appeal),
- iii. the Independent Committee under appeal stage (3), shall be final and binding on the parties.

4. Review of appeal policy and procedures

The HEA intends to keep this policy under regular review and may update at its own discretion. Policy updates will be effective on the date that the update is posted on the HEA's Erasmus+ website. Please check www.eurireland.ie regularly for updates.