



Ireland's European Structural and Investment Funds Programmes 2014-2020

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Rialtas na hÉireann
Government of Ireland

PMC Meeting 22 November 2018

Agenda Item 5 - General Updates on ECohesion, Designation etc

ECohesion Update

The Astron Report of May 2018 found that the overall operation of the e-Cohesion system addressed the designation criteria subject to resolution of the issues in their recommendations, namely that:

- There should be testing of the financial figures and the performance indicator figures.
- There should be transaction volume testing.
- The project board should certify that the system has been approved for live operation and specify the criteria used.
- The user acceptance testers should be identified.
- Ensure that the Fund Administrator role and associated processes are adequately specified in the user manuals to ensure that system configuration changes can be correctly implemented.

A revised Test Report and a Corporate Governance Guide were approved (subject to drafting amendments) by the User Group and Oversight Group and provided to Astron who submitted an unqualified Final Report on 21 September, 2018.

Designation Update

Pursuant to Article 124(1) of Regulation (EU) No 1303/2013 (CPR), the ESF Managing and Certifying Authorities have now been designated for the Operational Programme Employability, Inclusion and Learning – CCI 2014IE05M9OP001. This follows the examination undertaken by the independent audit body (the ESF AA) pursuant to Article 124(2) of the CPR. The IAB has provided an unqualified opinion that the managing authority and certifying authority being designated for the programme comply with the designation criteria relating to internal control environment, risk management, management and control activities and monitoring set out in Annex XIII to Regulation (EU) No 1303/2013. The designations are effective from 13th November 2018.

Complaints Procedure

Article 74(3) of Regulation (EU) No 1303/2013 requires Member States with responsibility for ESF programmes to ensure that effective arrangements for the examination of complaints are in place.

The ESF MA has developed the ESF PEIL Complaints Procedure and associated Complaint Form – copies attached at Annex 1 - are available on www.esf.ie (from the About Us and Contact Us pages). The Complaints Procedure covers complaints relating to:

- the ESF Policy and Operations Unit's performance of its functions;
- the Programme Monitoring Committee; and
- a project or activity co-funded by the ESF under the PEIL (for example, complaints regarding calls for proposals, functioning of internal controls etc). The procedure advises complainants that, in the first instance, complaints relating to ESF co-funded projects/activities should be brought to the attention of the body delivering the project/activity. However, in cases where the complainant considers that the complaint has not been resolved locally or they do not wish to deal directly with the body concerned, the complaint can be referred to the ESFMA.

It does not cover matters which are the subject of litigation or requests under freedom of information or data protection legislation. Where the complaint relates to a decision on an ESF co-funded activity where there is a right of appeal or other procedure for review, the ESF MA will refer the complainant to that process. The procedure was brought to the attention of IBs and Beneficiaries (where there is no IB) on 24th October 2018.

Anti-Fraud Strategy

The ESF MA hosted a training session on promoting best practice with regard to anti-fraud measures, targeted at Intermediate Bodies and Beneficiaries on 14th September 2018. There were some 70 attendees and the topics covered in the session by Mr Stewart Roche, Management Accountant in the HEA were "Combating fraud in EU Funded Projects", "Audit Strategy for Fraud Detection" and the "MA's Anti-fraud Measures". Ms Ashling Abbott from the ESF MA outlined the MA's Anti-Fraud Measures, including its exercise in seeking assurance that a number of mitigating controls are in place at Beneficiary level. The MA subsequently circulated its "ESF Anti-Fraud Strategy" and "ESF Anti-Fraud and Conflict of Interest Policy" to the IBs and Beneficiaries (where there is no IB) on 25th October 2018 – copies attached at Annex 2.

The MA is currently reviewing the mitigating controls responses received from IBs with the IBs.