

Programme for Employability, Inclusion and Learning 2014-2020

Non-Financial Data Issues

ESF Managing Authority
Department of Education and Skills
Programme Monitoring Committee Meeting October 2019



Overview

- ▶ 2018 AIR
- ▶ Performance Review
- ▶ Management Verifications
- ▶ 2019 AIR
- ▶ Data Protection
- ▶ 2021-2027 Round

2018 AIR

- ▶ 2018 AIR submitted to Commission on 28 June 2019
- ▶ Included all participant data for 2014-2018 period
- ▶ Significant delays in receiving data from some beneficiaries/IBs
 - ▶ Issues relating to Completeness
 - ▶ Issues relating to Consistency
- ▶ Subsequent delay in commencement of management verifications by IBs
- ▶ Reported data provided basis for the Performance Review
- ▶ At least 85% achievement required for Priorities 1, 2 and 4, at least 85% and 75% required for two indicators in Priority 3.

2018 AIR

	2018 Milestones	Reported Participants	Achievement Level
Priority 1	72,716	52,983	72.9%
Priority 2	43,494	47,942	110.2%
Priority 3	52,000	49,182	94.6%
	163,486	165,750	101.4%
Priority 4	16,300	13,988	85.8%

Performance Review

- ▶ Priority 1 - ~73% achievement level, falling short of 85% of milestone
 - ▶ Withdrawal of Momentum from OP and exclusion of Springboard data the main factors
- ▶ Priority 2 - ~110% achievement level
 - ▶ Mainly attributable to SICAP exceeding expectations
- ▶ Priority 3 - ~95% and 101% achievement levels for the two non-financial milestones in Priority 3
 - ▶ Broadly in line with expectations
- ▶ Priority 4 - ~86% achievement level
 - ▶ Exceeded milestone by <1%, withdrawal of Momentum and under-achievement of DEASP activities the main factors

Performance Review

- ▶ Commission Decision on the Performance Review adopted on 17 July
- ▶ Failure of Priority 1 to achieve 85% of the milestone requires that the Priority Performance Reserve amount is re-allocated to a “performing Priority”
- ▶ Priority 1 Performance Reserve amounts to €25,687,360
- ▶ MA Proposal to re-allocate to Priority 3B (i.e. Adult Literacy and BTEI)
- ▶ Re-allocation extends support to Adult Literacy activity beyond 2019
- ▶ Revised OP submitted to Commission on 17 October
- ▶ Revisions also made to Performance Framework (arising from re-allocation), technical issues with Priorities 2/3, and to the descriptive text within the OP.

Management Verifications

- ▶ IBs instructed to undertake formal management verification of non-financial data
- ▶ MA issued standard checklists for use by IBs
- ▶ Checks of each Operation to provide broad assessment

IB	MV Paper Issued by MA	Sample Size	Declarations Submitted	IB Reports Due
SOLAS	May 2019	234	April 2019	13/09/2019
DJE	March 2019	223	June 2019	06/09/2019
DEASP	March 2019	129*	June 2019	20/09/2019
DRCD	March 2019	255*	April 2019	26/09/2019*
HEA (TLA)	August 2019	100	June 2019	October 2019

Management Verifications

- ▶ Protracted process - only DRCD have provided their report to MA to date
- ▶ Other IBs -
 - ▶ Samples selected and records/documents examined
 - ▶ Discussion of preliminary observations with MA
- ▶ MA has selected sub-samples for all activities (except TLA) and has undertaken examination of records/documents
- ▶ IBs must finalise their checks and provide reports to MA as a matter of urgency
- ▶ Must conclude checks urgently to allow progression of reporting of new 2019 data, and updating of 2014-2018 data

2019 AIR

- ▶ AIR 2019 must be submitted by 31 May 2020
- ▶ Beneficiaries should be notified that data expected to be up-to-date early in 2020.
- ▶ IBs/MA to undertake verifications of data before submission of AIR
- ▶ Expectation that process will be more straightforward -
 - ▶ Experience of current checks
 - ▶ Fewer records to be checked
- ▶ MA will issue official notification of deadlines for upload of data to eCohesion shortly.

Data Protection

- ▶ Legal advice of CSSO sought by DPER and DES in context of rollout of eCohesion
- ▶ Coming into force of GDPR in May 2018 also relevant.
- ▶ Advice -
 - ▶ Cascade bodies are “joint data controllers” of ESF data
 - ▶ Cascade bodies have “legal obligation” under Regulations
 - ▶ Data Protection Agreements/MOUs needed to describe roles and responsibilities of bodies
 - ▶ Needed also to appoint DPER as “data processor” in role as eCohesion manager.

Data Protection Agreements

- ▶ Agreements signed and returned by DEASP, DDef and SOLAS/ETBs.
- ▶ DRCD, DJE and HEA (x2) Agreements - issues to be resolved
- ▶ DRCD
 - ▶ Legal advice received by DRCD from AG's Office, apparently at odds with CSSO advice
 - ▶ Recent meeting, hopeful that Agreement can be signed shortly
- ▶ DJE
 - ▶ opinion of DJE DPO re role of bodies, and lawful basis for collection
 - ▶ Agreement amended slightly and expected to be signed shortly

Data Protection Agreements

▶ HEA

- ▶ Two separate Agreements - HEA/HEIs for Third Level Access, HEA only for Springboard and ICT Skills Conversion Courses
- ▶ For TLA, MA await response from HEA
- ▶ For Springboard+, Agreement amended slightly, to be signed shortly

2021-2027 Round

- ▶ COM proposals published H1 2018
- ▶ Proposals reduce some requirements -
 - ▶ Less indicators
 - ▶ Aligned with national definitions
 - ▶ “Informed estimation” for non-core indicators
 - ▶ Assumptions based on participant eligibility
 - ▶ “Non-Binary” options where provided in national law
- ▶ However, COM proposal that data reported 6 times per year and up-to-date to previous month.
- ▶ Council broadly positive regarding proposals and reduced burden
- ▶ Council amendment that non-financial data reported twice yearly

2021-2027 Round

- ▶ PARL also proposes twice yearly reporting
- ▶ However, PARL proposing additional range of indicators -
 - ▶ Extra age band
 - ▶ Reinstate “inactive, not in education and training”
 - ▶ Roma-specific indicator, indicator re participants from areas with high levels of social exclusion
 - ▶ Additional round of longer-term results at 12 months
- ▶ Council-PARL negotiations ongoing
- ▶ Hopeful that PARL amendments will not progress - experience from 2014-2020 may assist.

2021-2027 Round

- ▶ COM currently consulting Member States regarding indicator definitions, etc.
- ▶ Expected that requirements will be finalised H1 2020
- ▶ COM to then prepare and issue Guidance for Member States
- ▶ MA will engage with relevant bodies during 2020
- ▶ No Ex Ante Conditionality for 2021-2027 - expectation that full compliance from 1/1/21.
- ▶ Need to ensure -
 - ▶ compliance with definitions,
 - ▶ methodologies for “informed estimation” established and agreed
 - ▶ greatest possible use of databases/registers
 - ▶ beneficiaries using fit-for-purpose IT systems to capture and report data

Thank You

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