

Creative Europe – MEDIA Sub-programme

GUIDE FOR EXPERTS

ON ASSESSMENT OF TV PROGRAMMING ACTIONS

Call for proposals EACEA/21/2017

managed by the Education, Audiovisual and Culture Executive Agency

Unit B2 – MEDIA

1. INTRODUCTION

The European Commission's Education, Audiovisual and Culture Executive Agency (the Agency) is responsible for the implementation of the Actions of the Creative Europe MEDIA. The Agency is in charge of the selection of projects to be funded, it assesses projects with the assistance of independent experts to ensure that only those of the highest quality are selected for funding. Thus, the final decision on the selection or rejection of applications is taken by the Agency.

This Guide for Experts provides instructions and guidance for experts when assessing applications, in order to ensure a standardised and high quality assessment.

The Guide for Experts provides information on:

- the role and appointment of experts;
- the principles of the assessment;
- the assessment process in practice;
- information on how to assess the award criteria for each action and field.

2. THE MEDIA SUB-PROGRAMME: TV PROGRAMMING SCHEME

The general objectives of the MEDIA sub-programme of Creative Europe are to strengthen the competitiveness and distribution of the audiovisual industry in Europe and thus contribute to growth and jobs as well as to cultural and linguistic diversity.

The TV programming scheme is directly linked to these general objectives in the sense that the support to TV works contributes to the strength and competitiveness of European production companies by enabling them to realise their projects, and at the same time the scheme encourages the circulation of TV works in Europe.

The specific objective of the support to TV programming is to increase the capacity of audiovisual producers to develop projects presenting innovative aspects in term of content and financing, with the potential to circulate throughout Europe and beyond, and to facilitate European and international co-productions within the TV sector.

The scheme aims to strengthen the independence of TV producers in relation to broadcasters by providing funds to produce strong, competitive content with wide circulation potential in the international markets and to encourage broadcasters to be involved in high quality programming aimed at wide international distribution.

The expected results are:

- Increased feasibility of high European quality works for the TV market.
- Stronger producer's independence in relation to broadcasters.

3. EXPERTS

3.1 Role of experts

The assessment and selection of grant applications is organised on the basis of impartiality and equal treatment of all applicants.

The role of experts allows providing a fair, impartial, and consistent assessment of project applications according to the objectives and the policy priorities of the Programme.

The assessment is a key part in the selection procedure. Based on the experts' assessment, a list of grant applications ranked in quality order is established, which serves as a basis for the Agency to take the grant award decision, following the proposal of the Evaluation Committee.

Based on the experts' comments, the Agency provides feedback to the applicants on the quality of their application (cf. section 4).

3.2 Appointment of experts, code of conduct and conflict of interest

Experts are appointed on the basis of their skills and knowledge in the areas and the specific field(s) of the audiovisual industry in which they are asked to assess applications. Experts perform assessments on a personal basis, not as representatives of their employer, their country or any other entity.

To ensure their independence, the names of the experts are not made public.

Experts are required to perform the assessment to the highest professional standards and within the deadline agreed with the Agency.

Through the appointment by the Agency experts are bound to a code of conduct as set out in the appointment letter or contract with the expert.

The assessment of applications will be undertaken by two independent experts, external to the Agency. Experts must not have a conflict of interest¹ in relation to the proposals on which they are requested to give their opinion. To this end, they sign a declaration provided by the Executive Agency that no such conflict of interest exists at the time of their appointment and that they undertake to inform the Executive Agency of both the existence and its nature should such conflict arise (cf. template in annex 3 to this Guide). The same declaration binds experts to confidentiality.

When a potential conflict of interest is reported by the expert or brought to the attention of the Executive Agency by any means, the Executive Agency will consider the circumstances and decide either to exclude the expert from the assessment of the given application or the whole selection round or allow the expert to take part in the assessment, depending on the objective elements of information at its disposal.

4. ASSESSMENT OF APPLICATIONS

4.1 Preparation for assessment

Before the start of the assessment, the experts are briefed by the Agency on the Programme and the action under assessment, as well as on the assessment process.

Experts are provided with the reference documents for the assessment and get access to the Online Evaluation Expert Tool (OEET), in which they perform the assessment using the standard quality assessment forms.

Before starting the assessment of applications, experts must:

¹ Financial Regulation Art. 57(2): « ... a conflict of interests exists where the impartial and objective exercise of the functions of a financial actor or other person, ..., is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with a recipient.»

- have a sound knowledge of the TV programming Guidelines² which provides all necessary information to potential applicants on the actions for which they can apply for a grant;
- have an in-depth understanding of the award criteria applicable to the applications under assessment (cf. section 3.3);
- be familiar with all the reference documents and tools provided by the Executive Agency.

Experts have to read the whole application carefully before completing the assessment form. It is recommended to read several applications before assessing any one of them in full: this allows experts to benchmark answers in different sections of the applications.

Each expert works individually and independently, gives scores and comments for each criterion and summarises his/her assessment in the assessment form-

The eligibility criteria are assessed by the Agency in the first phase of the selection process. Only eligible projects are sent to experts for evaluation.

4.2 Assessment forms

Experts carry out their assessment in English, using the Online Expert Evaluation Tool (OET). The applications to be assessed as well as the evaluation forms are accessible through OET. Experts are provided with technical instructions for the use of OET by the Agency as part of their briefing.

Experts examine the issues to be considered under each award criterion, enter their scores for each applicable criterion and provide comments on each award criterion and on the application as a whole (cf. section 3.3).

On completion of the assessment, experts validate the individual assessment in the Online Expert Evaluation Tool, thereby confirming that they have no conflict of interest with respect to the assessment of that particular proposal.

4.3 Assessment of award criteria and scoring

Experts assess applications only against the award criteria defined in the Guidelines. These award criteria are listed and further explained in Annex 1 of this Guide.

Each of the award criteria is defined through several elements which must be taken into account by experts when analysing an application. These elements form a list of points to be considered before giving a score for the given criterion. They are intended to help experts arrive at the final assessment of the criterion in question.

In order to give clear guidance to experts as to how individual elements of analysis should be assessed, further information is provided in the above mentioned annexe.

When assessing applications against award criteria experts make a judgement on the extent to which applications meet the defined criteria. This judgement must be based on the information provided in the application. Experts cannot assume information that is not explicitly provided. Information relevant for a specific award criterion may appear in different parts of the application and experts take all of them into account when scoring the award criterion.

An application can receive a maximum of 100 points for all criteria relevant for the action. The table below shows the relative weightings of each criterion:

	Criteria	Definitions	Max. Weighting
1	Relevance and European added-value	European dimension of the financing of the project	20
2	Quality of the content and activities	Quality of the project and quality of the distribution, marketing and promotion strategies	45
3	Dissemination of project results	Broadcaster's involvement and potential for international circulation	30
4	Organisation of the project team	Distribution of the roles and responsibilities of the production and creative team	5

Within the maximum number of points per award criterion, ranges of scores are defined that correspond to a fixed definition of the expected quality standard so that as coherent approach as possible is implemented, across experts as well as across schemes. The score cannot include decimals. The standards on a 10 points scale are as follows:

- 9-10 Very good – the application addresses all relevant aspects of the criterion in question convincingly and successfully. The answer provides all the information and evidence needed and there are no concerns or areas of weakness.
- 7-8 Good – the application addresses the criterion well, although some small improvements could be made. The answer gives clear information on all or nearly all of the evidence needed.
- 5-6 Acceptable – the application broadly addresses the criterion, but there are some weaknesses. The answer gives some relevant information, but there are areas where detail is lacking or the information is unclear.
- 3-4 Fair – the application addresses the criterion, but there are many weaknesses. The answer gives some relevant information, but there are several areas where detail is lacking or the information is unclear.
- 1-2 Very weak – the application fails to address the criterion or cannot be judged due to missing or incomplete information. The answer does not address the question asked, or gives very little relevant information.
- 0 No evidence –the application fails to include a minimum amount of evidence to enable the criterion to be evaluated.

N.B. Although indicated on the scoring scale, experts should avoid "0" which relates to "no evidence". For obvious particular cases, experts should contact the agency staff à priori.

Experts are expected to give comments on each award criterion and, in their comments, refer explicitly to the elements of analysis under the relevant criterion. The comments on each award criterion have to reflect and justify the score given for it.

At the end of the assessment, experts give overall comments on the application as a whole. In the comments, experts must provide a thorough analysis of the application highlighting its relative strengths and weaknesses.

As their comments will be used by the Executive Agency to provide feedback to applicants, experts must pay particular attention to clarity, consistency and appropriate level of detail. All evaluation reports are to be written in English.

The Executive Agency monitors the quality of expert assessments and can require the expert to revise the assessment should the necessary quality standard not be met.

Experts must assess all applications in full, regardless of the score given to any award criterion.

4.5 Possible problems with applications

Experts are under no circumstances allowed to contact applicants directly. In case of any problems arising during the assessment, experts contact the Agency. The Agency decides whether the applicant will be asked to provide additional information or clarifications or if the application should be assessed in the form it was submitted.

Also, if experts notice during the assessment that the same or similar text appears in two or more applications submitted, as well as any other indications of possible double submissions and overlaps, they should inform the Agency about this situation immediately.

4.6 Panel of experts, consolidated assessment and final score

At the first stage of assessments, the role of expert 1 and expert 2 are identical. Both experts do their assessment individually and submit the evaluation through the online Expert evaluation Tool. Once all applications have been assessed by two experts, the experts meet in Brussels to fulfil the following further evaluation steps:

First phase of the Expert panel: Consolidation of each assessment between the two experts.

In this phase, the two experts having assessed the project compare their evaluations and reach to an agreement for a consolidated score. In case the two experts fail to agree on the consolidation, the project will be discussed collectively by the expert panel in the second phase.

Second phase of the Expert panel:

During the second phase of the Expert panel, the following evaluation steps will be carried out by all experts:

- discuss the projects for which the consolidation has failed, and that need to be discussed further;
- validate scores of all projects that have been subject to consolidation process;
- discuss any issues/questions related to projects;

- confirm the ranking of all projects.

At the end of the two phases of the Expert panel, the approved consolidated assessment forms the basis for ranking the application on the list of eligible grant applications.

5. Feedback to applicants

As explained in the Guidelines, the Agency notifies the applicant in writing of the selection result once the grant award decision is taken, providing the relevant information on the assessment scores and comments.

In case of a request for further information or appeal by an applicant, the Agency may request the expert involved in the assessment to provide additional elements of information on the assessment as necessary.

Annexes:

1. Award criteria
2. Reference documents on policy priorities in the field of the audiovisual
3. Template for the Declaration of absence of conflict of interests and of confidentiality

	Criteria	Definitions	Max. Weighting
1	Relevance and European added-value	European dimension of the financing of the project	20

For the assessment of the criterion, please refer to the confirmed Financing Plan of the project and to section E.1 of the Application form.

How to assess, How to score:

Experts will have to assess the following sub-criteria:

- European dimension of the financing of the project: percentage of non-national financing, strategies of the producer and efforts made to reach the confirmed financing, originality and innovation of the financing structure: **0-15 points**;

To what extent has the producer gone beyond his traditional production market and use the European market in order to finance his production? Is the financing structure creative? Is the part of non-national financing important?

- European co-production: existence of European co-production and level of cooperation on creative aspects, level of cooperation between countries with different market sizes, including distribution of MEDIA grant among co-producers: **0-5 points**;

Is there a European coproduction? Is it an "organic" coproduction with creative collaboration or only a financing coproduction? Is there a collaboration between countries with different market sizes? Is the MEDIA grant split between the coproducers? Is this split favourable to the smallest company/country?

	Criteria	Definitions	Max. Weighting
2	Quality of the content and activities	Quality of the project and quality of the distribution, marketing and promotion strategies	45

For the assessment of the criterion, please refer to the confirmed Financing Plan of the project and to section E.2 of the Application form.

How to assess, How to score:

Experts will have to assess the following sub-criteria:

Artistic quality of the project: innovation, originality and quality of the subject/format/treatment; quality of the pitch/trailer; for second and third seasons of series: quality of the new developments in the stories and characters; **0-10 points.**

Assessment of artistic and creative quality of the project.

Overall quality of the financing of the project: feasibility of the project; coherence between the budget and the financing; **0-5 points**

Assessment of the overall quality of the financing: is the budget coherent, is the gap manageable, can the production be completed as foreseen?

Quality of the distributor's involvement: experience and track record of the distributor involved with similar projects; financial involvement and risk taken by the distributor (i.e. amount of the MG); if applicable and if the production company is acting as distributor: experience and track record of the producer as distributor **0-15 points**

Assessment of the distributors/sales agents involvement, including their track record and financial involvement.

Quality of the promotion, marketing and distribution strategy: coherence and development of the distribution and marketing strategies, key aspects of the distribution; presence of innovative promotion strategies, including strategies developed in collaboration with the broadcasters, in order to promote the project to the audiences **0-15 points**

Assessment of the distribution and marketing strategy: is the distribution strategy in terms of sales to the broadcasters well developed, tailor-made to the project, realistic and potentially successful? Is the marketing strategy and the promotion strategy towards the audience innovative and relevant?

	Criteria	Definitions	Max. Weighting
3	Dissemination of project results	Broadcaster's involvement and potential for international circulation	30

For the assessment of the criterion, please refer in particular to the confirmed Financing Plan of the project.

This criterion should be scored on the basis of the following table as follows³:

	For works from France, Germany, Italy, Spain and United Kingdom	For works from Austria, Belgium, Denmark, Finland, Ireland, Norway, Netherlands, Poland, Sweden, Switzerland	For works from Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, FYROM, Greece, Hungary, Iceland, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Portugal, Romania, Republic of Serbia, Slovakia, Slovenia ⁴
3 broadcasting companies from 3 different countries participating in the MEDIA Sub-programme	1-10 points	10-15 points	15-20 points
At least 4 broadcasting companies from 4 different countries (of which at least 3 from countries participating in the MEDIA Sub-programme)	11-30 points	16-30 points	21-30 points

How to assess, How to score:

- for a project submitted by a company based in France, Germany, Italy, Spain or the UK for which **only three broadcasters** are involved, the experts will have to give a score between 1 and 10 points.

or

- for a project submitted by a company based in the second category (Austria, Belgium, Denmark, etc) or third category (Albania, Bosnia, etc) where **more than 3 broadcasters** are involved, the experts will have to give a score between 16 and 30 points / or 21 and 30 points.

³ The application of this grid is subject to the condition of fulfilment of the conditions set out in section 6.1 Eligible countries.

⁴ And any other participating country not listed but fulfilling the conditions set out in section 6.1 Eligible countries.

In order to decide the score to attribute, the experts will have to analyse the following aspect:

Is the number and nature of the broadcasters involved confirming the potential of international circulation of the project?

For projects having only the 3 minimum broadcasters involved, the scoring will be based on:

- the financial involvement of the broadcasters: strong financial involvement increases the score / small amounts would be less considered than high amounts;
- the geographic and linguistic diversity of the broadcasters involved: *are the broadcasters involved coming from diverse areas?*
- the strength of the commitment of the involved broadcasters (contracts, letters of commitment, letters of intent): *are these only letters confirming the broadcasters' participation or do they have signed contracts? (stronger commitment). Please refer to the table "comment" in the Financing Plan for details on the nature of commitment.*
- the potential audience reach: *are the broadcasters involved able to reach a wide audience?*

For projects having more than 3 broadcasters involved, the scoring will be based on:

- the number of European and non-European broadcasters involved;
- the financial involvement of the broadcasters (strong financial involvement increases the score / small amounts would be less considered than high amounts): strong financial involvement increases the score / small amounts would be less considered than high amounts;
- the geographic and linguistic diversity of the broadcasters involved: *are the broadcasters involved coming from diverse areas?*
- the strength of the commitment of the involved broadcasters (contracts, letter of commitment, letter of intent): *are these only letters confirming the broadcasters' participation or do they have signed contracts? (stronger commitment). Please refer to the table "comment" in the Financing Plan for details on the nature of commitment.*
- the potential audience reach: *are the broadcasters involved able to reach a wide audience?*

	Criteria	Definitions	Max. Weighting
4	Organisation of the project team	Distribution of the roles and responsibilities of the production and creative team	5

For the assessment of the criterion, please refer to the Track record of the Production company in the last 5 years (Annex V of the application), the CVs of the Director and Producer and the section E.4 of the Application form.

How to assess, How to score:

Experts will have to score this criterion on a scale between 0 to 5 points.

Adequacy of the track record of the production and creative team in relation to the objectives of the project

- Adequacy of the track record of international sales of the producer/production company (in relation to the project).
- Adequacy of the track record of the Director and other key actors of the creative team (Scriptwriter, Script Doctor, Animation team, etc.) in relation to the project.

The Legal basis of Creative Europe:

http://ec.europa.eu/culture/creative-europe/index_en.htm

TV Programming Guidelines:

http://eacea.ec.europa.eu/creative-europe/funding/tv-programming-2018_en

CODE OF CONDUCT FOR EXPERTS

ARTICLE 1 – PERFORMANCE OF THE CONTRACT

1. The expert works independently, in a personal capacity and not on behalf of any organisation.
2. The experts must:
 - (a) carry out their tasks in a confidential and fair way, in accordance with the EACEA guidelines for submission of proposals and the related evaluation, selection and award procedures
 - (b) assist the contracting party or relevant service to the best of their abilities, professional skills, knowledge and applying the highest ethical and moral standards
 - (c) follow any instructions and time-schedules given by the contracting party or relevant service and deliver consistently high quality work.
3. The expert may not delegate another person to carry out the work or be replaced by any other person.
4. If a legal entity involved in a proposal approaches the expert during the evaluation of this proposal, s/he must immediately inform the contracting party or relevant service.

ARTICLE 2 – OBLIGATIONS OF IMPARTIALITY

1. The expert must perform their work **impartially**. To this end, the expert is required to:
 - (a) take all necessary measures to prevent any situation of conflict of interest;
 - (b) inform without delay the contracting party or relevant service of any conflicts of interest arising in the course of their work including of any proposal competing with the proposal where the expert may have a conflict of interest;
 - (c) confirm there is no conflict of interest for each proposal s/he is evaluating by signing a declaration in the electronic evaluation system.
2. **Definition of the conflict of interest:** Such situation arises where the impartial and objective performance of the Contract is compromised for reasons involving economic interest, political or national affinity, familial or emotional ties, or any other shared interest.

For a given proposal, a conflict of interest exists if an expert:

- (a) was involved in the preparation of the proposal
- (b) stands to benefit directly or indirectly if the proposal is accepted
- (c) has a close family or personal relationship with any person representing an applicant or participating legal entity
- (d) is a director, trustee or partner or is in any way involved in the management of an applicant legal entity
- (e) is employed or contracted by one of the applicant legal entities⁵ or any named subcontractors

⁵ However, the contracting party or relevant service may decide to invite an expert who is employed or contracted by one of the applicant legal entities or any named subcontractors to take part in the panel review session, if the expert works in a different department/laboratory/institute from the one where the work is to be carried out, and if the constituent bodies operate with a high degree of autonomy, and if

(f) is a member of an Advisory Group set up by the Commission to advise on the preparation of EU work programmes related to, or in an area related to, the call for proposals in question

(g) is a National Contact Point

(h) is a member of a Programme Committee

In the following situations the contracting party or relevant service will decide whether a conflict of interest exists, taking account of the objective circumstances, available information and related risks.

when an expert:

(i) was employed by one of the applicant or participating legal entities in the last three years

(ii) is involved in a contract or grant agreement, grant decision or membership of management structures (e.g. member of management or advisory board etc.) research collaboration with an applicant or participating legal entity or a fellow researcher, or had been so in the last three years

(iii) is in any other situation that could cast doubt on their ability to participate in the evaluation of the proposal impartially, or that could reasonably appear to do so in the eyes of an external third party.

3. Consequences of a situation of conflict of interest:

If a conflict becomes apparent at any stage of the evaluation, the expert must immediately inform the contracting party or relevant service staff. If a conflict is confirmed, the expert must stop evaluating the proposal concerned. Any comments and scores already given by the expert will be discounted. If necessary, the expert will be replaced.

If it is revealed during an evaluation that an expert has knowingly concealed a conflict of interest, the expert will be immediately excluded, and sanctions will apply (see Articles 14, 15, 16 and 18 of the Contract or in the Financial Regulation and its implementing rules).

ARTICLE 3 – OBLIGATIONS OF CONFIDENTIALITY

1. The contracting party and the expert must treat confidentially⁶ any information and documents, in any form (i.e. paper or electronic), disclosed in writing or orally in relation to the performance of the Contract.

such a role is justified by the requirement to appoint the best available experts and by the limited size of the pool of qualified experts. In this case, the expert must not take part in any detailed panel discussion (or electronic forum) of the proposal involving the legal entity concerned or in any hearings concerning the proposal.

In exceptional duly justified cases, experts in the circumstances described above may also participate in the consensus group for the proposal in question, provided valid reasons are given. The contracting party or relevant service will inform the other experts in the group of the affiliation of the expert concerned.

⁶ In this context, the term 'confidentiality' should not be taken as equating to the security classification 'EU CONFIDENTIAL'. The procedures related to 'EU CONFIDENTIAL' documents apply only to information and material the unauthorised disclosure of which would harm the essential interests of the EU of one of its Member States (Commission provisions on security (Commission Decision 2001/844/EC, ECSC, Euratom of 29 November 2001 amending its internal rules of procedure (OJ L 317, 3.12.2001, p. 1).

2. The expert undertakes to observe strict **confidentiality** in relation to their work. To this end, the expert:

- (a) must not use confidential information or documents for any purpose other than fulfilling their obligations under the Contract without prior written approval of the contracting party
- (b) must not disclose, directly or indirectly, confidential information or documents relating to proposals or applicants, without prior written approval of the contracting party.

In particular, the expert:

i. must not discuss any proposal with others, including other experts or contracting party or relevant service staff not directly involved in evaluating the proposal, except during the formal discussion at the meetings moderated by or with the knowledge and approval of the responsible contracting party or relevant service staff

ii. must not disclose:

- any detail of the evaluation process and its outcomes or of any proposal submitted for evaluation for any purpose other than fulfilling their obligations under the Contract without prior written approval of the contracting party
- their advice to the contracting party or relevant service on any proposal to the applicants or to any other person (including colleagues, students, etc.)
- the names of other experts participating in the evaluation.

iii. must not communicate with applicants, beneficiaries or any person linked to the applicant or participating legal entity on any proposal:

- during the evaluation or on-site visits, except in hearings or on-site visits between experts and the applicants or beneficiary organised by the contracting party or relevant service as part of the evaluation process;
- after the evaluation.

3. If the proposals are made available electronically to the expert who then works from their own or other suitable premises, s/he will be held personally responsible for maintaining the confidentiality of any documents or electronic files sent, and for returning, erasing or destroying all confidential documents or files upon completing the evaluation as instructed.

4. If the evaluation takes place in premises controlled by the contracting party or relevant service, the expert:

- (a) must not remove from the premises proposals, copies or notes on evaluation, either on paper or in electronic form
- (b) will be held personally responsible for maintaining the confidentiality of any documents or electronic files sent, and for returning, erasing or destroying all confidential documents or files on completing the evaluation as instructed.

5. If the expert seeks further information (for example through the internet, specialised databases, etc.) to complete their examination of the proposals, s/he:

- (a) must respect the overall rules for confidentiality for obtaining such information
- (b) must not contact applicants, beneficiaries or any person linked to the applicant legal entity
- (c) must not contact third parties without prior written approval of the contracting party.

6. These confidentiality obligations are binding on:

(a) the contracting party (see Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials

and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community⁷10

(b) the expert during performance of the Contract and for five years starting from the date of the last payment made to the expert unless:

- i. the contracting party agrees to release the expert from the confidentiality obligations earlier
- ii. the confidential information becomes public through other channels
- iii. disclosure of the confidential information is required by law.

⁷ OJ 45, 14.6.1962, p. 1385.