

Creative Europe – MEDIA Sub-Programme

GUIDE FOR EXPERTS

ON ASSESSMENT OF

Support for the Distribution of non-national films – The Distribution Selective scheme

Call for proposals EACEA 21/2019

managed by the Education, Audiovisual and Culture Executive Agency

Unit B2 - MEDIA

1. INTRODUCTION

The European Commission's Education, Audiovisual and Culture Executive Agency (hereafter 'the Agency') is responsible for the implementation of the actions of the Creative Europe Programme¹ under the supervision of the European Commission. The Agency is in charge of the selection of projects to be funded.

The Agency runs these selections with the assistance of independent experts. The aim is to ensure that only proposals² of the highest quality are selected for funding. The experts hired by the Agency have an advisory role; the final decision on the selection or rejection of applications remains with the Agency. For each selection round, the Agency appoints an Evaluation Committee whose role is to give an advisory opinion to the authorising officer in view of taking the financing decision on the award of grants based on the quality assessments. The Committee is composed of representatives of the Executive Agency and the European Commission.

This Guide is a tool for experts providing instructions and guidance in order to ensure a standardised and high quality assessment of applications.

The Guide for Experts provides information on:

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

2. OBJECTIVES OF THE SELECTIVE SCHEME

The general objectives of the MEDIA Sub-programme of Creative Europe are to strengthen the competitiveness of the audiovisual industry in Europe with a view to promoting smart, sustainable and inclusive growth as well as to safeguard develop and promote cultural and linguistic diversity.

Within the specific objective of promoting non-national circulation, one of the priorities of the MEDIA Sub-programme shall be the following:

- supporting theatrical distribution through non-national marketing, branding, distribution and exhibition of audiovisual works.

The MEDIA Sub-programme shall provide support for the following:

- establishing systems of support for the distribution of non-national European films through theatrical distribution and on all other platforms as well as for international sales activities; in particular the subtitling, dubbing and audio-description of audiovisual works.

Expected results:

- Development of pan-European distribution strategies for non-national European films
- Increase in the investment in promotion and distribution of non-national European films.
- Develop links between the production and distribution sector thus improving the competitive position of non-national European films.

¹ The Creative Europe Programme was established by Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the 'Creative Europe Programme (2014 to 2020)' and its corrigendum of 27/06/2014.

² Please note that the terms "proposal" and "application" are used interchangeably in this Guide.

Targeted projects:

The aim of the “Selective scheme” is to encourage and support the wider distribution of recent non-national European films by encouraging sales agents and theatrical distributors to invest in promotion and adequate distribution of non-national European films.

The scheme also aims to encourage the development of links between the production and distribution sector thus improving the competitive position of non-national European films and the competitiveness of European companies.

3. EXPERTS

3.1 Role of experts

The assessment and selection of grant applications is organised on the basis of a peer review system following a transparent process that guarantees 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 an essential part of the selection procedure. Based on the experts' assessment, their review by and the resulting recommendations of the Evaluation Committee, a list of grant applications in order of quality is established, which serves as a basis for the Agency to determine which proposals may be financed.

Based on the experts' comments, the Executive 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 audio-visual sector in which they are asked to assess applications.

For the assessment of project applications, the Agency applies a system of rotation of experts.

To ensure their independence, the Agency does not disclose information or contact details of experts in relation with a given proposal they assess. The Agency however publishes a list of experts who signed contracts with it annually on its website³.

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 code of conduct for experts can be found in Annex 3.

³ https://eacea.ec.europa.eu/about-eacea/working-expert-eacea/call-for-expressions-interest-n%C2%B0-eacea201301_en

The assessment of applications will be undertaken by two independent experts, external to the Agency. Experts must not have a conflict of interest⁴ in relation to the proposals on which they are requested to give their opinion. When a potential conflict of interest is reported by the expert or brought to the attention of the Agency by any means, the 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.

By signing their contract with the Agency, experts are bound by the obligations of impartiality (absence of conflict of interest) and confidentiality.

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 (OEEET), in which they perform the assessment using the standard quality assessment forms.

Before starting the assessment of applications, experts must:

- have a sound knowledge of the Selective scheme guidelines 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 4.3);
- 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 (OEEET). The applications to be assessed as well as the evaluation forms are accessible through OEEET. Experts are provided with technical instructions for the use of OEEET by the Agency as part of their briefing.

⁴ Financial Regulation Art. 61(3): « ... 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 direct or indirect personal interest.»

Experts examine the issues to be considered under each award criterion, enter their scores for each applicable sub-criterion and provide comments on each sub-award criterion and on the application as a whole (cf. section 4.3).

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 two tables below show the relative marks of each criterion:

1	Relevance and European added-value	This criterion evaluates the relevance of the content of the activity including its international/European/regional dimension vis-à-vis the objectives of the Call for proposals.	30 points
2	Quality of the content and activities	This criterion evaluates the quality of the project in terms of content and distribution strategies.	45 points
3	Dissemination of project results, impact and sustainability	This criterion evaluates the sales agent plan to expand the project with a view to increase the impact and sustainability of the funded action.	15 points
4	Coordination	This criterion evaluates the methodology in place by the applicant to distribute the fund to third parties, to collect results and to report.	10 points

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 case, experts should contact the agency staff à priori.

Experts are expected to give comments on each award criterion highlighting its relative strengths and weaknesses and, in their comments, refer explicitly to the elements of analysis under the relevant criterion. The comments on each award sub-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 inform the Agency about that immediately.

4.6 Panel of experts and Consolidated assessment and final score

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 of the final score of the eligible 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. Code of Conduct of Experts

Annex 1 Support for the Distribution of non-national films – The Distribution Selective scheme – Award Criteria

AWARD CRITERIA	Definition of the award criteria	Elements of analysis of the award criteria relevant for all projects	Elements to be taken in consideration	Weighting of the criterion	Parts of eform/annex to be checked*
<p>Relevance and European added-value (maximum 30 points)</p>	<p>This criterion evaluates the relevance of the content of the activity including its international/European/regional dimension vis-à-vis the objectives of the Call for proposals.</p>	<p>- The quality of the grouping</p>	<ul style="list-style-type: none"> - Experience of the sales agent on pan-European projects - Number of distributors involved - Experience and involvement of distributors in the project 	<p>10 points</p>	<p>Profile of the applicant Section C.3.4 of eform Budget form Project implementation - part 5 (in particular questions 5.3, 5.4, 5.5)</p>
		<p>- The European and international dimension of the project</p>	<ul style="list-style-type: none"> - European and international dimension of the project (global strategy by the sales agent, geographical coverage, cultural and linguistic diversity, taking into account the nationality of the film) - confirmed theatrical releases and partnerships with online platforms or festivals that are outside the support to third parties but which expand the scope of the project. 	<p>10 points</p>	<p>Budget form Project implementation - part 5 (in particular questions 5.3, 5.5, 5.8)</p>

		- The promotion and coordination activities to foster coordinated pan-European release	<ul style="list-style-type: none"> -Cooperation with the production company - Production of common material - Release dates coordination -Common promotion and coordination activities forecasted with third parties (such as market events; cross-border strategy...) - Actions already carried out in preparation of the application 	10 points	Budget form Project implementation - part 5 (in particular questions 5.1, 5.3, 5.4 and 5.7)
Quality of the content and activities (maximum 45 points)	This criterion evaluates the quality of the project in terms of content and distribution strategies.	- The potential of the film to reach a European audience	<ul style="list-style-type: none"> - Market potential of the film - the quality of the SA promotion campaign and material submitted - Potential for additional visibility (awards, festival selection, adaptation of best-seller, etc.) 	15 points	eForm part C.3 Budget form Project implementation - part 5 (in particular questions 5.1, 5.2 and 5.6) Film financing plan Sales agent agreement The individual promotion strategies also indicates the potential of the film for specific markets.
		- National promotion strategies	<ul style="list-style-type: none"> - Quality of national distribution strategies including the targeted audience and the expected results - Feasibility of each strategy in light of the involvement of 	15 points	Budget form Project implementation - part 5 (in particular question 5.5)

Annex 1 Support for the Distribution of non-national films – The Distribution Selective scheme – Award Criteria

			the distributors, their budget and the potential of the film		
		- Cost-effectiveness of the project	- Cost-effectiveness of the Sales Agent's promotion and coordination. - Cost-effectiveness of the global project in light of the potential of the film - sharing of material and economy of scale	15 points	Budget form Project implementation - part 5 and part 6 (cost effectiveness)
Dissemination of project results, impact and sustainability (maximum 15 points)	This criterion evaluates the sales agent plan to expand the project with a view to increase the impact and sustainability of the funded action.	- additional revenues	- Other activities that would bring additional revenues for the film and strategy to reach markets that are not part of the project, whether European or non-European, in theatres or online	5 points	Project implementation - part 5, (in particular question 5.9)
		- Production of an international trailer	- Check if an international trailer is done or foreseen	5 points	Project implementation - part 4 Budget form (in particular question 5.2)
		- Dissemination of results to the programme	This element will be assessed by EACEA	5 points	Project implementation - part 6
Coordination (maximum 10 points)	This criterion evaluates the methodology in place by the applicant to distribute the fund to third parties, to collect results and to report.	- Methodology to gather third parties output (strategy, results and costs) - Methodology regarding the monitoring of third parties costs - Methodology regarding the allocation and payment of	These elements will be assessed by EACEA	10 points	Project implementation - part 6

Annex 1 Support for the Distribution of non-national films – The Distribution Selective scheme – Award Criteria

		the funds - Transparency on the management of the support to third parties			
--	--	---	--	--	--

*** Please note that this information is only indicative and experts need to check if other sections of the application may contain additional information that could be relevant for the award criteria assessed.**

The Legal basis of Creative Europe:

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

Support for the Distribution of non-national films – The Distribution Selective scheme:

https://eacea.ec.europa.eu/creative-europe/funding/distribution-selective-scheme-support-for-transnational-distribution-european-films-2020_en

CODE OF CONDUCT FOR EXPERTS

1. PERFORMING THE WORK

1.1. The expert must work independently, in a personal capacity and not on behalf of any organisation.

1.2. The experts must:

- (a) evaluate each proposal in a confidential and fair way, in accordance with the applicable rules;
- (b) perform his/her work to the best of his/her abilities, professional skills, knowledge and applying the highest ethical and moral standards;
- (c) follow the instructions and time-schedule given by the Agency.

1.3. The expert may not delegate the work to another person or be replaced by another person.

1.4. If a person or entity involved in a proposal(s) approaches the expert before or during the evaluation, s/he must immediately inform the Agency.

2. IMPARTIALITY

2.1. The expert must perform his/her work **impartially** and take all measures to prevent any situation where the impartial and objective implementation of the work is compromised for reasons involving economic interest, political or national affinity, family or emotional ties or any other shared interest ('**conflict of interests**').

The following situation will **automatically** be considered as **conflict of interest**:

(a) **for a proposal(s) s/he is requested to evaluate**, if s/he:

- (i) was involved in the preparation of the proposal(s);
- (ii) is a director, trustee or partner or is in any way involved in the management of an applicant (or linked third party or other third party involved in the action);
- (iii) is employed or contracted by one of the applicants (or linked third parties, named subcontractors or other third parties involved in the action).

In this case, the expert must be excluded from the evaluation of the proposal(s) concerned (and may not take part in the consensus group, panel review or hearings when the proposal(s) is being discussed). Part(s) of an evaluation to which the expert already participated must be declared void. Comments and scores already given must be discounted. If necessary, the expert must be replaced and the proposal(s) concerned must be re-evaluated.

However, in exceptional and duly justified cases, the responsible Agency staff may decide to nevertheless invite the expert to take part in the panel meeting, if:

- the expert works in a different department/laboratory/institute from the one where the action is to be carried out and
- the departments/laboratories/institutes within the organisation concerned operate with a high degree of autonomy and
- the participation is justified by the requirements to appoint the best available experts and by the limited size of the pool of qualified experts.

In this case, the other experts in the group of evaluators will be informed about the situation of the expert.

(b) for a proposal(s) s/he is requested to evaluate AND for all proposal(s) competing for the same call budget-split, if s/he:

- (i) was involved in the preparation of any proposal(s) submitted to the same topic/other topic within the same call budget-split;
- (ii) would benefit if any proposal(s) submitted to the same topic/other topic within the same call budget-split is accepted or rejected;
- (iii) has close family ties (spouse, domestic or non-domestic partner, child, sibling, parent etc.) or other close personal relationship with a person (including linked third parties or other third parties) involved in the preparation of any proposal(s) submitted to the same topic/other topic within the same call budget-split, or with a person which would benefit if such a proposal(s) is accepted or rejected.

In this case, the expert must be excluded from the evaluation of the proposal(s) concerned AND from all the proposal(s) competing for the same call budget-split. Part(s) of an evaluation to which the expert already participated must be declared void. Comments and scores already given must be discounted. If necessary, the expert must be replaced and the proposal(s) concerned must be re-evaluated.

(c) for ALL proposal(s) under the call in question, if s/he:

- (i) is a member of an advisory group set up by the Commission to advise on the preparation of EU or Euratom Horizon 2020 work programmes or work programmes in an area related to the call in question;
- (ii) is a National Contact Point (NCP) or is working for the Enterprise Europe Network (EEN);
- (iii) is a member of a programme committee.

In this case, the expert must be excluded from the evaluation of the call concerned. Part(s) of an evaluation to which the expert already participated must be declared void. Comments and scores already given must be discounted. If necessary, the expert must be replaced and the proposal(s) concerned must be re-evaluated.

The following situations **may be** considered as **conflict of interest** if the responsible Agency staff so decides, in view of the objective circumstances, the available information and the potential risks:

- (a) employment of the expert by one of the applicants (or linked third parties or other third parties involved in the action) in the last three years;
- (b) involvement of the expert in a contract, grant, prize or membership of management structures (e.g. member of management or advisory board etc.) or research collaboration with an applicant, a linked third party or another third party involved in the action in the last three years;
- (c) any other situation that could cast doubt on his/her ability to participate in the evaluation impartially, or that could reasonably appear to do so in the eyes of an outside third party.

In this case, the responsible Agency staff may decide to exclude the expert from the evaluation (and on the scope, i.e. only for the proposal(s) concerned or also for competing proposal(s) or the entire call) and, if necessary, to replace him/her and organise a re-evaluation.

2.2. The expert will be required to **confirm** – for each proposal(s) s/he is evaluating – that there is no conflict of interest, by signing a declaration in the Participant Portal electronic exchange system (see Article 21).

If the expert is (or becomes) aware of a conflict of interest, s/he must immediately **inform** the responsible Agency staff and stop working until further instructions.

2.3. If the expert breaches any of his/her obligations under Points 2.1 and 2.2, the Agency may apply the measures set out in Chapter 5, and in particular terminate the Contract (see Article 17).

3. CONFIDENTIALITY

3.1. During implementation of the Contract and for five years after the date of the last payment, the expert must keep confidential all data, documents or other material (in any form) that is disclosed (in writing or orally) and that concerns the work under the Contract (**'confidential information'**).

Unless otherwise agreed with the responsible Agency staff, s/he may use confidential information only to implement the Contract.

The expert must keep his/her work under the Contract strictly confidential, and in particular:

- (a) not disclose (directly or indirectly) any confidential information relating to proposal(s) or applicants without prior written approval by the Agency;
- (b) not discuss proposal(s) with others (including other experts or Agency staff that are not directly involved in the evaluation of the proposal(s)), except during evaluation meetings and with prior approval by the responsible Agency staff;
- (c) not disclose:
 - details on the evaluation process or its outcome, without prior written approval by the Agency;
 - detail on his/her position/advice;
 - the names of other experts participating in the evaluation.
- (d) not communicate with applicants (including linked third parties or other third parties involved in the actions) during the evaluation or afterwards – except in panel hearings.

If the Agency makes documents or information available electronically for remote work, the expert is responsible for ensuring adequate protection and for returning, erasing or destroying all confidential information after the end of the evaluation (if so instructed).

If the expert works on Agency premises, the expert:

- (a) may not remove from the premises any documents, material or information on the proposal(s) or on the evaluation;
- (b) is responsible for ensuring adequate protection of electronic documents and information and for returning, erasing or destroying all confidential information after the end of the evaluation (if so instructed).

If the expert uses outside sources (for example internet, specialised databases, third party expertise etc.) for his/her evaluation, s/he:

- (a) must respect the general rules for using such sources;

(b) may not contact third parties, without prior written approval by the Agency.

The confidentiality obligations no longer apply if:

- the Agency agrees to release the expert from confidentiality obligations;
 - the confidential information becomes public through other channels;
- disclosure of the confidential information is required by law.

3.2. If the expert breaches any of his/her obligations under Point 3.1, the Agency may apply the measures set out in Chapter 5.