

REPORT of BESTPRAC Training School “Understanding the EC Grant and Consortium Agreement – legal affairs for non-legals”

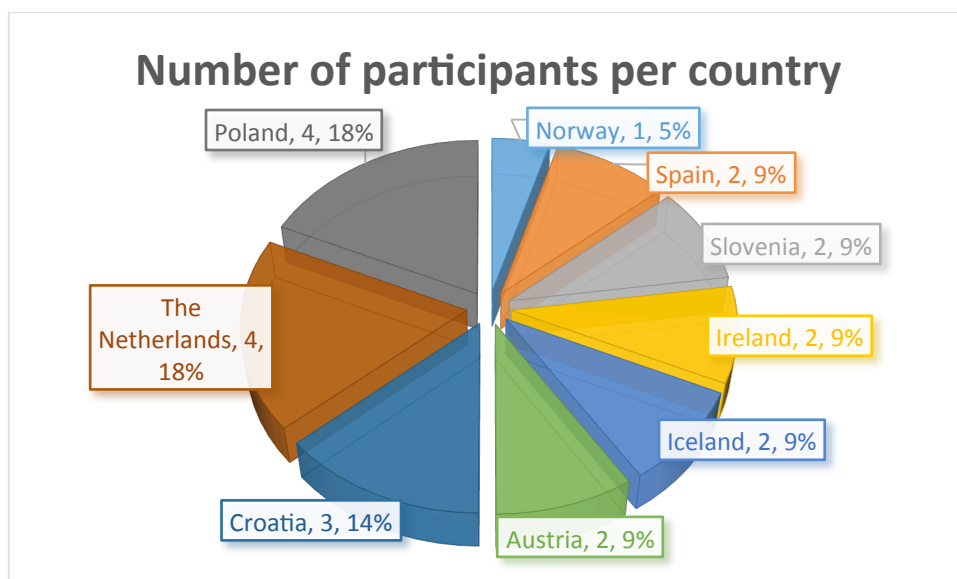
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Warsaw, main campus, Old Library Building, room 308

The target group of the training school were Early Stage Administrators without legal background.

The objectives of the training school were to explain and interpret the Horizon 2020 key documents (Rules of Participation, Grant Agreement and Consortium Agreement) in order to help developing strategies to explain their content and requirements to the researchers at the participants’ home institutions were reached over 3 days of lectures, analysis followed by hands-on exercises and Questions & Answer sessions.

The response to the call for applications was overwhelming. 50 applications from 20 different countries were received. After the evaluation of the applications, 22 trainees from 9 different countries were accepted. 35 % of the trainees were from so-called inclusiveness countries and 85 % were early stage administrators.



DAY 1

Module 1: Grant Agreement

Lecturer: Diana Pustuła, M.A., LL.M. Deputy Head of Research Services Office, University of Warsaw, Leader of WG Legal

The first module was devoted to the legal basis of Horizon 2020 including Rules of Participations, Grant Agreement (Model Grant Agreement and Annotated Model Grant Agreement).

The aim was to explain the participants the purpose, the structure, the content of those documents in order highlight the differences between them and to show how to read the legal documents. The meaning of the project start date and the date of entry into force of the GA in the context of the financial consequences and risk management was discussed. The legal provisions surviving the project duration to remember were indicated.

Brief comparison of the structures of the FP7 and H2020 Grant Agreements was made.

The participants could learn where to look for basic legal definitions, how to find key information needed by each project manager, the PI and the financial administration including applicability of the legal provisions, IPR issues and the H2020 novelty - open access to publications.

Another specific issues addressed were the proper identification of the authorized legal representatives of the Parties (LSIGNs), the idea of the electronic signature and the Commission concept of the "circle of trusts" on which the personalized services of the new integrated Participant Portal used for submitting proposals, signing Grant Agreements and financial statements have been based.

DAY 2

Module 2: Consortium Agreement

Lecturer: Sanna Häikiö, LL.M., Legal Counsel in VTT Technical Research Centre of Finland, member of the DESCAs core group

The presentation included information on different CA models used by non-profit and commercial project participants of which DESCAs is the most often used model Consortium Agreements by the scientific community.

The participants could learn how to handle the preparations of the CA usually preceded by the Non-Disclosure Agreement/Letter of Intent/Memorandum of Understanding, about the Parties and the general content of the CA (Obligations and liabilities of the Parties, Management (governance structure); finance, ownership and Access rights to results and IPR; confidentiality and publication) as well as about the differences between the DESCAs developed for H2020 and the model CA used under FP7.

The specific issues covered by module 2 were the key additional DESCA definitions like: Consortium Plan, Defaulting Party, Needed, Software including the novelties like: the Funding Authority.

The duration and termination of the CA, general responsibilities of the Parties (e.g. cooperation, notification and information) and liability were reminded. The governance structure and operational procedures of the consortium bodies were discussed.

The IPR issues were explained in the context of H2020 with particular attention to the DESCA Access Rights to background and results of the Project.

Tips on general issues, governance and IPR issues to remember were given followed by the case exercises on IPR discussed in smaller groups and altogether. The confidentiality issues, dissemination and third parties and signature procedures were explained followed by presentation of FAQs and Q&A session.

DAY 3

Module 3: Communicating the legal facts to scientist

Lecturer: Anne Kathrin Werenskiold, Dr. rer. nat., Head of the "EU - Office" at the Max Planck Institute of Biochemistry Martinsried, Germany, BESTPRAC Transversal-Task-Force Manager Training

Module 3 was devoted to the communication of legal aspects and issues to the researchers starting with identifying the scope of support needed of which the administrative staff with good communications skills being able to listen, comprehend, explain complex legal issues in a clear way is of essence.

The communication cycle was explained and the need of being selective and precise while communication information to the researchers whether orally in person, on the phone or via telephone was stressed.

The hands-on tasks focused on identifying, defining the message and any background

information required, defining the target group, choosing the most suitable communication channel. Good supporting staff must always be attentive to questions and be ready and able to thoroughly word the message in non-technical language.

The participants had an opportunity to share their experience and best practices on the subjects as well to build a network and pre-arrange for the exchange of staff within the STSM scheme available under the BESTPRAC exchange activities.