

## West of Scotland Colleges' Partnership

### EU Programme for Cross-Border Territorial Cooperation 2007 to 2013: Northern Ireland, the Border Region of Ireland and Western Scotland

#### Response to SEUPB Consultation: April 2007

#### Introduction

The West of Scotland Colleges' Partnership (WoSCoP), based in Glasgow, is a company limited by guarantee whose 17 members are colleges of further and higher education that engage in the development and delivery of a range of vocational education and training, knowledge transfer and capacity building activities. Over the past twenty years, all of its members have impacted significantly in European funding programmes and, through WoSCoP, have developed links with other key players in economic regeneration locally, regionally, nationally and internationally.

Links already exist amongst WoSCoP member colleges and third level institutions in Northern Ireland and the Border Region of Ireland and WoSCoP has established close links with the Association of Northern Ireland Colleges (ANIC). The latter link has been a gateway to an emerging tripartite relationship which will include the Council of Directors of Institutes of Technology in Ireland (CoDITI). As a consequence of its close links with the Association of Scotland's Colleges (ASC), the Scottish Further Education Unit (SFEU) and Scotland's Colleges International (SCI), WoSCoP has endeavoured to advise and represent all colleges in the Programme's eligible area in south-west Scotland.

This response has been circulated to all WoSCoP members, other colleges in the eligible area of south west Scotland, the ASC, the SFEU, SCI, the West of Scotland European Consortium, members of the informal Scottish stakeholders' forum and ANIC.

#### Responses

WoSCoP has been pleased to participate in the consultation opportunities that have been available since 2006. This response complements the views that WoSCoP expressed in the joint Scottish response of August 2006.

Responses are provided for all 9 questions, listed in the Consultation Document.

#### ***Question 1: Presentation of the Region***

It is not easy to source sufficient and adequate common data sets, across the eligible Programme area in three jurisdictions. Since this data is fundamental to developing a realistic and relevant SWOT analysis to underpin the programme, WoSCoP repeats a suggestion made earlier in the consultation, by a number of Scottish stakeholders, that this task is duly scoped and handled by an external independent organisation or consultants who possess acknowledged expertise in this field.

Whilst the analysis presents some easily recognisable features of the eligible area it does not enter into sufficient depth to provide a detailed picture of the area's issues: for example, the impact of it being a non-metropolitan area, the lag in economic growth compared to other areas in the three jurisdictions, etc.

***There is an error in drafting in paragraph 2.2 on page 13 of the Draft Operational Programme, which results in an incomplete list of adjoining NUTS III areas for south west Scotland.*** The correct listing of adjoining NUTS III areas for this part of Scotland is the local authority areas of Scottish Borders, South Lanarkshire, East Renfrewshire, Inverclyde, Renfrewshire, East Dunbartonshire and West Dunbartonshire.

#### ***Question 2: Objectives of the Programme***

The Programme rationale and its two identified priorities are consistent with both the Lisbon strategy and Gothenburg agenda. One of the cross-cutting themes identified for the Programme is *Impact on Poverty*. However the proposed priority two, which one might have expected to respond to this seems to be limited to addressing the issue at the level of public institutions and ignores the potential for allowing this priority to promote grassroots project development to build community capacity and create relevant policy and sustainable approaches to address poverty, promote social and economic development and encourage enterprise and entrepreneurship.

### **Question 3: Programme approach**

This Programme and its predecessor Interreg IIIA programme are available because of the border between two EU Member States - Ireland and the UK. It is well-understood by Scottish stakeholders that their participation is due to Ireland, the other EU Member State. However, it is disappointing and worrying that decisions appear to have been made, in advance, by the two Member States to:

- a) prohibit the formation of projects between Ireland and Scotland;
- b) restrict Scottish participation to a minority of projects;
- c) "*ring fence*" almost all of the funding under the 20% flexibility rule to benefit a single area - Belfast.

The close relationship that exists between Scotland and the Irish Republic and Northern Ireland ensures that the Scottish stakeholders are well aware of the political, economic and human sensibilities and sensitivities on the road to peace, security and devolved government in Northern Ireland. Scottish stakeholders also recognise that significant funding has underpinned progress made thus far and that continuing progress is likely to require further financial support. It could be argued that sufficient funding for this should be drawn from other UK, Irish, EU and international sources and preclude the need to skew the funding and delivery arrangements proposed for this Interreg IV Programme, in the way outlined in paragraphs 3.33 to 3.36 of the Draft Operational Programme. Nevertheless, should the majority of stakeholders support the proposed deployment of the funding package in line with points a) and b), WoSCoP suggests that such arrangements are short-term and the stage at which they would cease is indicated, clearly and in advance of the Programme's formal launch. It is our view that maintaining these special funding arrangements and partnership restrictions for a maximum of two years would be adequate and reasonable.

WoSCoP recognises the impact that organisations located in the adjoining NUTS III areas and further afield currently have in the eligible area. It is not unreasonable to expect that, where natural, logical and appropriate this Programme would be enhanced if it were free to promote active and smart co-operation between the eligible and adjoining areas. Therefore, WoSCoP supports an intelligent and considered application of the "*20% flexibility rule*" that is reviewed throughout the Programme's lifecycle. Consequently, it is difficult to comprehend the proposal to apply this rule in such a way that the associated funding would, in essence, be "*ring fenced*" for Belfast and Outer Belfast and that only "*... in exceptional cases will investments be approved for other adjoining NUTS III areas*". The investment of Programme funds under the 20% flexibility rule should simply be based on a fair evaluation of the value and benefits of each project proposal for which the application of the rule is required.

Under the heading of promoting strategic investments, paragraph 3.37, there seems to be an inference that a tendering approach is a more strategic and proactive way of handling calls for projects. In the earlier consultation on this Programme there was strong and widespread support across the spectrum of Scottish stakeholders for the use of a system of open calls and there is ample evidence, from an enormous range of funding programmes, of the benefits of the latter approach in terms of securing impact, innovation, added value, quality and transparency in the use of funding at strategic and grassroots levels.

The use of a limited amount of Programme funding to support preparatory projects is welcomed and should be retained throughout the Programme's lifetime. This type of activity has proved beneficial across a range of EU programmes both in terms of increasing stakeholder range and engagement, improving project quality and in securing compliance with programme spending profiles.

### **Question 4: Programme priorities**

The use of two broad priorities and their definitions is beneficial in that it presents a wide spectrum of possibilities that may be considered in the design of projects to be submitted to address relevant Lisbon and Gothenburg issues. In the same way, it also affords those involved in the selection of projects ample scope to support innovation and experimentation as well as the use of tried and trusted solutions. It is hoped that this flexibility is not deliberately sacrificed or inadvertently lost by the blind imposition of a commissioning model of selecting projects and awarding grants.

### **Question 5: Indicative budget**

The amount proposed for technical assistance is reasonable in terms of scale, proportion and actual funding for this Programme. The range of funding presented for each of the priorities would seem to indicate that no firm views are currently held on the appropriate split across the two. The exemplar targets and indicators support a distribution of funding that favours a larger share for priority two. Consequently a split across the two priorities of 40% and 60%, respectively, is not unreasonable.

### **Question 6: Proposed implementation arrangements**

#### **Role of SEUPB**

The role of the SEUPB as Managing Authority, Certifying Authority and Joint Technical Secretariat is understood and accepted in the light of the domestic political drivers. However this level of investment, influence and interest in a single body underscores the need for effective, genuine and robust policies, procedures and structures for engagement with all legitimate stakeholders in the three jurisdictions.

#### **Programme Monitoring Committee (PMC)**

WoSCoP recognises the important role of the PMC and would expect that the composition of its membership will be sufficiently broadly based to ensure that no legitimate interests remain unrepresented at this level in the Programme's implementing structure.

#### **Lead Partners**

The implementation arrangements described in paragraphs 5.51 to 5.56 seem to reflect a desire to satisfy all the expressed interests of a range of statutory agencies, partnerships and enterprise agencies in the eligible areas that have responded to the previous consultation. This is an admirable effort at balancing the interests of these organisations with the aims and objectives of the Programme and the conclusions of opting for Lead Bodies and Closed Calls will, no doubt, satisfy a number of the agencies listed in these sections of the Draft Operational Programme. WoSCoP well understands the theoretical case for this approach and its claimed strategic benefits. Whilst not dismissing these entirely, experience acquired in the design and management of and participation in other funding programmes brings a degree of informed scepticism. Therefore, WoSCoP recommends that the potential disadvantages of this approach in for example, imposing increasing bureaucracy and complexity, extending decision processes and timescales, distorting programme priorities, introducing rigidity and limiting vision, reducing transparency, promoting exclusivity in participation, reducing accountability, protecting vested interests and distancing the programme and diminishing stakeholder engagement are duly considered from an end-user's perspective.

Should the Lead Partner approach prevail, it is important that a further and more thorough review of the number, nature and types of agencies with the potential to undertake this role is carried out across the Programme area. The expertise, structural capability and accountability structures required to be a Lead Partner are not restricted to those agencies already identified in the Draft Operational Programme.

#### **(Cross Border) Partnerships**

The role that is envisaged for the existing partnership bodies in the eligible area of the island of Ireland may be natural and logical and represent the preferred option for stakeholders in those jurisdictions. No comparable structures exist in Scotland. Consultations with and discussions amongst Scottish stakeholders have not unearthed any desire for the formation of a formal Scottish partnership to replicate those which exist across the water. Within Scotland there is a desire for an adequately resourced and competent **Scottish Contact Point based in Scotland and employed and managed by an existing programme management executive or the SEUPB**. The role of such a Scottish Contact point would be to undertake local delivery of Programme promotion and the provision of technical support to potential applicants. This would be compatible with the Scottish approach to partnership, collaboration, cooperation and project working. Given the geography of the eligible area in Western Scotland, it is hard to imagine this task being undertaken, effectively, with less than two competent officers supported by full administrative and office services.

#### **Closed Calls & Commissioning**

Scottish stakeholders have consistently expressed their faith in and preference for an open and competitive challenge approach to awarding funding and that they are content to secure matched funding during the project design phase. The proposed implantation provisions in the Draft Operational Programme seem to pay little regard to this approach and, conversely, appear to champion the use of commissioning, restricted calls and big projects as a guarantee of strategic impact. The creep of commissioning may also be detected in paragraph 3.37 of the Draft Operational Programme.

### **Continuation of response to question 6: Proposed implementation arrangements**

A number of Scottish stakeholders have already engaged with potential partners in the other jurisdictions. Notwithstanding this, the Scots are acutely aware that they are about to enter a new programme with a significant deficit of experience in the proposed implementation arrangements. The absence of adequate reflection on the relative merits of both the open challenge funding paradigm and what appears to be the preference for commissioning and closed calls could be perceived as the imposition of an alien funding model on the most inexperienced stakeholders in what is meant to be a new programme. Learning from effective practice in previous programmes has undoubtedly benefits. However transplanting practice from one programme to another must take account of all of the contextual issues and conditions in the new and expanded operational environment. Therefore, WoSCoP argues for a more balanced approach to implementation that allows a significant proportion of the Programme to be implemented by use of open, competitive calls for proposals.

### **Question 7: Equality Impact**

The Scottish stakeholders, also, place the highest priority on equality. However this section of the consultation refers, in essence, to the requirements of section 75 of the Northern Ireland Act 1988. Therefore, in practical terms, Scottish stakeholders may be regarded as being little other than observers of this element of the consultation. From this perspective the EQIA provides an interesting and informative insight into Section 75 and its implications. The points within the EQIA about the differential impacts due to geography and demography seem sound.

### **Question 8 Environmental and sustainable development impacts**

It is noted that a screening exercise will take place to determine the necessity for a Strategic Environmental Assessment and that the competent authorities in the north and south will review this screening exercise. As this Programme covers three jurisdictions and the environmental and sustainable development impact is of equal importance in Western Scotland we would expect that the competent environmental authority/ies in Scotland will be invited to review the screening exercise, too.

### **Question 9: Other comments**

Scottish colleges in the eligible area – and the adjoining NUTS III areas - are keen to work with partners in the other jurisdictions to impact significantly in both priorities of the Programme. Colleges in the eligible Scottish area have enormous experience and expertise across a range of settings and contexts that allows them to be confident in their ability to build meaningful partnerships, for project development and delivery of relevant outcomes, with third level institutions and other stakeholders in other sectors in the eligible areas in all three jurisdictions. To that end, WoSCoP and individual colleges welcome the introduction of funding for Preparatory Projects and, as indicated in our response to question 3, recommend their continuation throughout the lifetime of the Programme.

The Programme's proposed priorities, as currently presented, afford broad scope for novel approaches and innovative projects and partnerships to support building a sustainable and prosperous cross-border region in the three jurisdictions. It is of major concern that the proposed implementation arrangements do not seem to have been designed to meet a new programme with an expanded geography and constituency but are largely a reaction to experience acquired during the Interreg IIIA programme for Northern Ireland and the Border Region of Ireland. WoSCoP's view is that the proposed implementation arrangements not only pay scant regard to the new operational context but are also administratively cumbersome and costly. The proposed model of implementation carries the risk of log-jamming disproportionate resources in programme administration and implementation structures and thereby reducing resources to projects. The unproved perception of larger projects being of more strategic value and the apparent preference to skew funding towards these could dramatically and visibly restrict opportunities for locally developed grassroots projects and, as a consequence, disenfranchise legitimate stakeholders with the statutory agencies, partnership bodies and enterprise agencies. Furthermore given the demography and geography of the eligible area there is no reason to subscribe to the mythology that smaller-scale projects are, by definition, of insignificant value.

The portfolio of academic, community, commercial and international provision across the Scottish colleges in the eligible area and the adjoining NUTS III areas is such that the sector is well-equipped in terms of knowledge, experience and competence to impact in almost all thematic areas indicated in the Draft Operational Programme. However, given the strong maritime colouring of the Programme, attention is drawn to the fact that there is no internationally recognised centre for maritime education based within the eligible areas of the three jurisdictions. With this in mind it is recommended that the eligibility criteria are flexed to allow the closest such institution – Glasgow College of Nautical Studies – to contribute to and impact in the Programme. Such a step would bring additional and highly relevant expertise

***Continuation of response to question 9: Other comments***

to developing a sustainable and prosperous maritime cross-border region. Flexing of the Programme's basic rules is an approach that is already championed in the Draft Operational Programme to define the types of projects to be supported and to determine the use of the 20% of Programme funding that may be deployed outwith the eligible area (paragraphs 3.33 to 3.36). Consequently, one assumes that there is scope for flexibility in other areas, too.

The principal sector support agencies for Scottish colleges – the Scottish Funding Council, the Association of Scotland's Colleges, Scotland's Colleges International, the Colleges' Open Learning Exchange Group, the Scottish Further Education Unit and the West of Scotland Colleges' Partnership - are headquartered outwith the eligible area. This is also the case for sector support agencies for the statutory enterprise agencies and local authorities in Scotland. The Draft Operational Programme makes much of the benefits of strategic projects and the functions of sector support agencies mean that they are particularly well-placed to make a significant contribution to enhancing the strategic impact of the Programme in the eligible area. Consequently, WoSCoP recommends that, even when located outwith the eligible area, sector support agencies across the three jurisdictions are encouraged to work together and with other stakeholders in the eligible areas to develop projects that will impact strategically within the Programme area and that such projects are eligible for funding from the Programme because the benefits will be delivered and manifest in the eligible areas. In fact, if the Lead Partner approach is adopted, then the potential of these agencies to undertake such a role in the Programme should be fully explored.

This Programme is one of a number of EU funding programmes that may be used to support co-operation across the two Member States and the three jurisdictions. Therefore it is appropriate for the role of a Scottish Contact Point to be considered strategically, as was proposed within the Scottish Executive's Consultation document for the future of Structural Funds. This document proposes that the management arrangements for all of the EU funding programmes in Scotland will ensure that synergy between programmes will be optimised and that this will ensure that applicants receive the best possible guidance on the most appropriate funding route. WoSCoP has formally expressed concern at the inconsistency of approach being adopted by the Scottish Executive in the procedure by which the Scottish Contact Point will be determined.

WoSCoP suggests that, for this Programme, in kind contributions and overhead costs are recognised as legitimate elements of the eligible expenditure of approved projects. This simple, and legislatively permissible, step will extend the range of organisations who can participate in the Programme.

During a recent meeting with the SEUPB and governmental representatives from the three jurisdictions, WoSCoP sought clarification on the national law which would govern contracts issued to projects. This remains an important technical issue.