

FINANCE

NOTE TO THE MANAGEMENT BOARD

Management Board decision concerning the establishment and operations of the Scientific Committee, Scientific Panels and of their Working Groups

Scope of the proposed decision

The proposed decision focuses on an enhanced expert compensation scheme from Jan. 2020 onwards with emphasis on increasing the number of days compensated to the experts linked to preparatory work. The measure is deemed to positively impacts EFSA's attractiveness, quality and performance and responds to the implementation of the recently adopted Regulation 1381/2019 on transparency and sustainability of the risk assessment model in the EU.

Background

The EFSA model as stated in its Founding Regulation, as also the case for other EU scientific agencies (EMA, ECHA), is dependent on its capacity to pool expertise from Member States. In particular, national scientific organisations contribute to EFSA's work by allowing their experts to work in EFSA as experts in its Scientific Panels and working groups. In some cases, the contribution by experts amounts up to 50 working days per year, is done by experts on a voluntary basis during their free time or annual leave. Against the fragility of the current system and the opportunity offered by the new Transparency Regulation, EFSA wishes to redress these expert contributions to allow access to the best available experts in the Member States and attract a sufficient number of experts to allow the Authority to implement its work programme in support of EU public health portfolio.

The EFSA experts' community

Whereas EFSA model was able to attract for years experts in the panels and working groups, a decrease in number of candidates to be members of scientific panels was observed as well as a limited availability of the organisations which EFSA is cooperating with to put expertise at disposal of EFSA. The limited number of experts in the working groups is also a risk factor on the future ability of EFSA to deliver.

EFSA Survey of institutions employing EFSA Panel Members

Back in 2016, EFSA surveyed its partner institutions with a view to identify the key elements that would make the cooperation of mutual benefit and sustainable. The outcome of the survey¹ suggests that maintaining expertise availability comes at a cost for both EFSA and the organisation of origin of the expert. The aspects that potentially affect the availability of experts include the

¹ [Survey of institutions employing EFSA Panel Members, May 2017, Deluyker et al.](#)



expert time available to devote to EFSA, the travelling time, and the employer support. Experts are often full-time employees of public organisations, particularly national risk assessment bodies, universities and other organisations conducting research.

The overriding concern of the institutes is the time and effort required to be an EFSA Panel member. This may impact achieving the other tasks that need to be accomplished in the institute. The lack of full reimbursement by EFSA makes it difficult to find resources to address these other tasks, as does time for traveling to meetings. This later, along with preparatory work, is excluded from EFSA's indemnity payment which is based on attendance to meetings only. Hence, the quality of the meeting and the overall efficiency of the process would be enhanced by recognising proper preparation time to the scientific meetings.

The overriding request is for EFSA or the European Institutions in general, to provide proper compensation to reimburse experts' time devoted to EFSA hence maintaining a pool of expertise and nurturing future capacity.

The Transparency Regulation: A focus on the sustainability of EFSA's operations

The Transparency Regulation addresses these aspects and states (recital 16) that *"the fitness check of the GFL identified certain shortcomings in the long-term capability of the Authority to maintain its high-level expertise. The system has thus to be strengthened and Member States should take a more active role to ensure that a sufficient pool of experts is available to meet the needs of the Union risk assessment system"*.

According to recital 17 of the Transparency Regulation, the Management Board should *"endeavour to ensure, to the largest extent possible, that experts appointed as members of the Scientific Panels are scientists who are also actively conducting research, and publishing their research findings in peer-reviewed scientific journals, provided that they comply with the strict criteria of excellence and independence. Proper financial compensation of the experts should be ensured. Further measures should also be put in place to ensure that scientific experts have the means to act independently"*.

Sustainability & Performance go Pari Passu

Sustainability addresses the availability of sufficient expertise, Performance addresses the engagement and competency dimensions. These two dimensions go Pari Passu to ensure overall efficiency of the risk assessment processes. The competency-based approach envisioned in EFSA strategy 2020 helps EFSA drive the workforce development (staff & expert) focus on skills, by looking at the broader set of competencies needed to fulfil its mission. This helps to manage human resources (staff & expert), improve workforce planning by allocating the right mix of competencies relevant for the development of both EFSA and its workforce (staff & expert) and cater to the correct learning & development needs.

By adopting the EFSA competency-based approach, management can ensure that the capabilities we have are in line with EFSA priorities and relevant to each person role level. This is the case at staff level and needs also to be implemented at expert level.



Culturally the performance assessment of expert was never formally performed as the core business was considering the financial compensation of expert not proportionate to the work performed. The potential risk being a reduced expert pool by adding the “performance assessment constraint” to the already perceived “weakness” of EFSA attraction package. This consideration would not be a concern anymore with the introduction of a new EFSA attraction package including an increase of the financial compensation schemes for expert.

The enhanced compensation of experts would give to EFSA the legitimacy to implement the performance assessment of experts.

Proposed decision

Therefore, in line with the Transparency Regulation and the above-mentioned background elements, it is proposed, from January 2020 onwards, to:

- Increase the indemnity for meeting participation from the current € 385 to € 450 per meeting day to redress for the inflation. The last revision of the indemnity indeed dates back 2010 when it was increased from € 300 to € 385,
- Recognise to each expert one day of preparatory work for each day of meeting attendance at the same € 450 indemnity and applied it in the same proportion to tele-meetings,
- Recognise the roles of chair and rapporteur.

The above proposal aims at maintaining available and possibly expanding the required pool of expertise, at adapting to the price index, as well as tackling the resource difficulties reported by the institutes.

This proposal complies with the Commission decision² on conditions for granting a special allowance. This decision foresees that the amount paid to experts must be proportionate to the tasks and set in light of objective criteria, such as the number of meetings to be attended. Importantly the decision also clearly states that the amount paid may include preparatory work. Experts’ contributions are entitled to a payment of up to EUR 450 for each full working day spent.

² https://ec.europa.eu/transparency/regexpert/PDF/C_2014_2220_F1_COMMISSION_DECISION_EN_V3_P1_761284.pdf



Budget impact versus Financial impact assessment of Transparency Regulation

The estimated financial impact of the Transparency Regulation³ indeed foresees a new indemnity regime for panel experts and working groups.

Operational budget (in EUR M)	2020	2021	2022	2023
SO3 : Improve governance, strengthen MS's involvement & address the long term scientific capacity of EFSA				
➤ MB with MS's and observers	0.05	0.08	0.12	0.12
➤ Panels & WG's indemnity	4.42	7.74	11.06	11.06
➤ Preparatory work sharing with MS's	5.12	8.96	12.80	12.80
Total	9.59	16.78	23.98	23.98

The new indemnity regime is budgeted at € 4.42 million for 2020, increasing in 2021 and 2022.

Increasing the indemnity at € 450 and recognising one day preparatory work per meeting day, entails a budget of € 4.8 million, close to the financial impact estimate. It is key to underline that the proposed decision do not tackle the additional budgets foreseen for the preparatory work sharing with the MSs, from EUR 5.1 million in 2020 to EUR 12.8 million in 2022. This part is covered by the increase scientific cooperation

The proposed decision does not elaborate on a second phase that would eventually design a new way of engaging with MS/AF/Art.36 org. and a possible new approach on capacity building to be developed during 2020. The focus of this second phase shall not be only on the expert compensation increase but most importantly shall develop cooperation with MS's as foreseen by the Transparency Regulation, hence further ensuring the sustainability of EFSA operations.

Implementation

Upon decision, a dedicated communication package to experts/employers, outlining the narrative and objectives of the new regime, stating benefits as obligations on experts, including the introduction of a performance based assessment for experts shall be disseminated. This communication shall be accompanied by the launch, beginning of 2020 of an expert engagement survey aiming at further engaging with the expert community.

³ <https://ec.europa.eu/transparency/regdoc/rep/1/2018/EN/COM-2018-179-F1-EN-MAIN-PART-1.PDF>