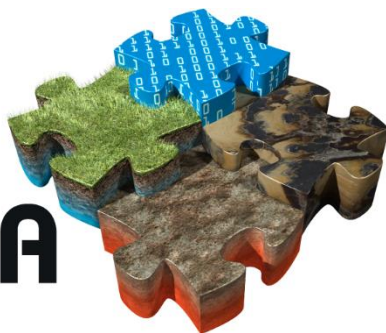


# GeoERA



Establishing the European Geological Surveys Research Area to deliver a Geological Service for Europe

## **JOINT CALL DOCUMENT NO.8A**

## **CODE OF CONDUCT AND DECLARATION**

## **Stage Two - Project Proposals**

Joint Call on applied geoscience in the fields of:

- Geo-energy
- Groundwater
- Raw materials
- Information platform

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## 1 Scope

This form describes Code and Conduct in relation to performing GeoERA Stage Two evaluation. Each referee must complete a Form 8a: Code of Conduct and Declaration (i.e. it must be signed) and return it to [GeoERA@nwo.nl](mailto:GeoERA@nwo.nl) prior to undertaking their evaluation. GeoERA will not grant access to proposals until a signed Form 8a has been received.

## 2 Performing the Evaluation

The independent expert works independently, in a personal capacity and not on behalf of any organisation.

The independent expert must:

- evaluate each proposal in a confidential and fair way, in accordance with Document 8: Evaluation and selection of GeoERA proposals.
- assist the Netherlands Organisation of Scientific Research (NWO) to the best of their abilities, professional skills, knowledge and applying the highest ethical and moral standards
- follow any instructions and time-schedules given by NWO and deliver consistently high quality work.

The independent expert may not delegate another person to carry out the work or be replaced by any other person. Therefore, if for any reason, they are unable to evaluate a proposal/project, they **MUST** inform NWO immediately.

If a legal entity involved in a proposal approaches the independent expert during the evaluation, the independent expert must immediately inform NWO.

## 3 Impartiality

The independent expert must perform their work impartially. To this end, the independent expert is required to:

- inform NWO of any conflicts of interest arising in the course of their work including any proposal competing with the proposal where the independent expert may have a conflict of interest;
- confirm there is no conflict of interest for each proposal they are evaluating by signing this declaration.



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DEFINITION OF THE CONFLICT OF INTEREST: for a given proposal, a conflict of interest exists if an independent expert:

- was involved in the preparation of the proposal
- stands to benefit directly or indirectly if the proposal is accepted
- has a close family or personal relationship with any person representing an applicant legal entity
- is a director, trustee or partner or is in any way involved in the management of an applicant legal entity
- is employed or contracted by one of the applicant legal entities or any named subcontractors
- is already involved in GeoERA.

In the following situations NWO will decide whether a conflict of interest exists, taking account of the objective circumstances, available information and related risks when an independent expert:

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

CONSEQUENCES OF CONFLICTS OF INTEREST:

- If a conflict of interest is reported by the independent expert or established by NWO, the independent expert must not evaluate the proposal concerned, or take part in any discussions related to the proposal.
- If a conflict becomes apparent at any stage of the evaluation, the independent expert must immediately inform NWO. If a conflict is confirmed, the independent expert must stop evaluating the proposal concerned. Any comments and scores already given by the independent expert will be discounted. If necessary, the independent expert will be replaced.

If it is revealed during an evaluation that an independent expert has knowingly concealed a conflict of interest, the independent expert will be immediately excluded. Any consensus group in which they have participated will be declared null. The consensus group meeting will be reconvened and the proposal(s) concerned will be re-evaluated.

## 4 Confidentiality

NWO and the independent expert must treat confidentially any information and documents, in any form (i.e. paper or electronic), disclosed in writing or orally in relation to the evaluation.

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



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

In particular, the independent expert:

- **MUST NOT DISCUSS** any proposal with others, including other independent experts or GeoERA staff not directly involved in evaluating the proposal, except during the formal discussion at the meetings moderated by NWO
- **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 appointment without prior written approval of NWO
  - their advice to NWO on any proposal, to the applicants or to any other person (including colleagues, students, etc.)
  - the names of other independent experts participating in the evaluation. The European Commission may be informed of the independent expert's names, and they may publish a list of names (as may NWO), however the proposals and projects assigned to each independent expert will not be disclosed.
- **MUST NOT COMMUNICATE** with applicants on any proposal:
  - during the evaluation, except in a review meeting organised by NWO as part of the evaluation process;
  - after the evaluation.

If the proposals are made available electronically to the independent expert who then works from their own or other suitable premises, they 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.

If the evaluation takes place in premises controlled by NWO, independent expert:

- must not remove from the premises proposals, copies or notes on evaluation, either on paper or in electronic form
- 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.

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

- must respect the overall rules for confidentiality for obtaining such information
- must not contact applicants
- must not contact third parties without prior written approval of NWO.

These confidentiality obligations are binding on the independent expert during the evaluation and for five years starting from the date of the last payment made to the independent expert unless:



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

## 5 Personal Data

All personal data processed in connection with the evaluation process, must be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council (18 December 2000) on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

Independent experts have the right of recourse to the European Data Protection Supervisor.

They may also, on written request, gain access to their personal data (and correct it) by contacting the GeoERA secretariat.

## 6 Conditions of Evaluation

All results of the evaluation are the property of GeoERA, except where industrial or intellectual property rights exist.

GeoERA shall not, for any reason, be liable for damage sustained during the evaluation. In addition, the provisions of Form 8a: Code of Conduct and Declaration do not constitute an employment agreement and GeoERA is not liable to provide compensation in the event of injury or illness.



I, the undersigned, confirm that I have read, understood and accept Form 8a: Code of Conduct and Declaration.

**Call Title: GeoERA Stage Two Call**

I declare that I am not (to my knowledge), directly or indirectly involved in any proposal in this Call, other than the conflicts of interest declared below:

Proposal number	Conflict of interest

If I later discover any additional conflicts of interest I will update this declaration and contact the GeoERA secretariat ([geoera@tno.nl](mailto:geoera@tno.nl)) immediately.

I accept responsibility for maintaining the confidentiality of all documents or electronic files used in the evaluation process and for erasing or destroying all documents and files upon completing my evaluation.

I will not disclose details of the proposal(s) or project(s), the evaluation process or its outcomes, or other independent expert's identities without written approval from GeoERA.

I agree to the use of my personal data for the purpose of the evaluation and according to the provisions set out in Form 8a: Code of Conduct and Declaration.

Signed:

Name:

Date: