Environmental Farming Scheme

Group Facilitation Guidance

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# Introduction

The Environmental Farming Scheme (EFS) Group Facilitation (GF) measure is to promote co-ordinated activity among EFS agreement holders to enhance environmental outcomes.

Certain environmental actions are more effective where more than one farmer or land manager is participating, for example within environmentally designated sites such as Natura 2000 and Areas of Special Scientific Interest (ASSIs), priority habitats, and sensitive water catchments.

Group Facilitators are required to co-ordinate and support co-operative actions among EFS agreement holders.

Funding will be awarded to Group Facilitators through a competitive application process.

Key selection criteria will include the environmental benefit of the proposed project assessed against EFS objectives, and value for money.

# What facilitators will do?

Facilitators may carry out the following activities:

* Identify farmers and / or land-managers as potential EFS participants.
* Secure the participation of the farmers and / or land manager in the EFS.
* Gather evidence, including habitat mapping where appropriate, to produce site specific remedial management plans (ssRMPs) for EFS agreements.
* Produce individual holding-scale EFS plans / ssRMPs.
* Consult agencies and / or apply for consents where needed.
* Train and mentor the group members / EFS agreement holders, as appropriate.
* Oversee project delivery, including reporting and monitoring.
* Raise environmental awareness among the public and stakeholders.

# Who can apply?

An individual or organisation from the farming, environmental or other land management sectors or service providers with environmental land management experience and suitable facilitation skills can apply to become an EFS Group Facilitator.

Applicants should have demonstrable expertise in at least one of the following:

* Agriculture;
* Water management; or
* Ecology.

This expertise must be relevant to the aims and outcome of the proposed project.

If facilitators are producing ssRMPs they must meet the qualifications and experience requirements for EFS planners.

1. **Setting up a group**

A group must consist of at least two individuals or organisations. The facilitator must put in place a contractual agreement for the project.

The agreement must include:

* The name of the project
* Membership
* Rules of procedure
* The aims and objectives of the project
* Proposed management of the land under EFS agreement
* Proposed frequency of meetings
* Proposed mentoring and training
* Proposed monitoring and evaluation
* Management responsibilities and structure

# What will facilitators be paid for

The EFS Group Facilitator will receive payment for any direct costs of the project. This includes:

* Recruitment of participants to the project
* Setting up and running costs of the group
* Costs of studies for the area concerned, feasibility studies and the development plan for the project
* Training and mentoring required to implement the project including study tours
* Monitoring and evaluation

Simplified costs in the form of a flat rate payment will be paid for:

* Daily rate for the Facilitator
* Travel and subsistence
* Accommodation

# Ineligible costs

* Costs for any environmental work already being undertaken by an existing group within the project area applied for.
* Only equipment critical for the success of the project will be eligible. Office equipment is included in the daily rate.
* Website and social media that are not new or specific to the EFS Group under the Group Facilitator.
* The time taken, if a facilitator is appointed by an organisation, to manage the facilitator.
* The time taken by a facilitator to submit applications for other funding.
* Support payment rates for EFS measures or associated non-productive investments. These will be paid directly to the EFS agreement holder i.e. the land owner / farmer.

# Eligibility

The facilitation project must:

* Involve at least two individuals or organisations.
* Have a contractual agreement in place for the project between all parties involved.
* Have land that will be managed to deliver EFS priorities under the Higher or Wider levels.
* Be of an appropriate spatial scale for the environmental work being carried out.

# How to apply

EFS Group Facilitator applicants must complete an application form.

The application form must be submitted electronically along with any supporting documentation.

# Selection Criteria

A call for applications will be issued, detailing specific themes and / or areas where Group Facilitation project proposals are sought.

Selection of areas for the EFS Group Facilitation projects may include prioritisation of the environmentally designated sites – Natura 2000, ASSIs, priority habitats, sensitive water catchments and priority species.

All applications will be considered by a selection panel consisting of at least three members.

The EFS Group Facilitation measure is a competitive process and applications will be assessed against a scoring framework which will include:

* The applicant’s experience and ability to deliver what is proposed.
* Environmental benefit of the proposed project, assessed against EFS objectives and value for money

Applications with the highest scores will be invited to agree a contract for the project with DAERA.

Letters will be issued with contract offers to successful applicants (subject to available budget). Work should only start when the contract offer has been accepted and that acceptance has been acknowledged by DAERA.

# What happens next

For successful applicants, a letter along with two copies of the contract offer will be issued to the Facilitator. This will become the agreement document between DAERA and the Facilitator.

On receipt of this the Facilitator must sign and return one copy of the contract offer within 28 calendar days from the date of issue. The final date for return of the signed Agreement document will be specified in the accompany letter.

If the signed Agreement Document has not been returned, a reminder letter will be issued 14 days from the date of issue stating the original final date for return.

If the signed Agreement Document is not returned within 28 calendar days from the date of issue the application will be cancelled.

DAERA will acknowledge receipt of the Agreement Document. Once this has been received the Facilitator can start supporting the group to deliver the EFS project as specified in the Agreement Document.

# What if an application is unsuccessful

Unsuccessful applicants will receive a letter stating that the application was unsuccessful and the reasons why. Applicants will have the right to ask the panel to review their application and decision. The procedure for requesting a review of the Panel decision will be explained in the letter.

# Monitoring and recording species data

This section only applies where monitoring and recording of species data forms part of the Group project and agreement.

**Species data**

Organisations and individuals that are already registered as data contributors to the National Biodiversity Network Gateway should submit their species records via the normal route.

Those that are not registered as data contributors to the National Biodiversity Network Gateway should submit their species records via:

* iRecord
* or through their local record centre

Both these approaches provide verification and quality assurance procedures before the data is uploaded to the National Biodiversity Network Gateway.

Submission of these records must be made prior to any EFS Group Facilitation claim submission.

# Contracts

DAERA is intending to award a small number of contracts for pilot projects in May 2017.

Additional contracts may be awarded in later years, subject to review and success of the pilot.

The length of EFS Group Facilitation contracts will depend on the project. Contracts will be for up to five years and will contain a review clause.

The contract will require the Facilitator to undertake the activities listed in the application, in return for payment of the costs associated with each activity.

A request for a variation to the Contract / Agreement Document may be submitted to DAERA, where it is necessary to amend the schedule of activities, in justified cases.

The Facilitator must submit an annual report at the end of each calendar year. The report should detail how the project is progressing and of any future changes required to future years of the contract. DAERA may agree to remove or reduce costs and activities throughout the contract.

# Claims

To receive payments, a claim form must be submitted on a quarterly basis providing evidence in support of every item claimed and that the expenditure outlined in the contract has been incurred.

This includes timesheets detailing time spent on each item.

For Group activities with the group or attendees at a public event, an activity evaluation form must be submitted along with the claim.

Original invoices must provide the following details:

* Supplier name and address, and VAT registration number if appropriate
* Name and address as claimant
* Description of services provided or goods supplied, separately costed
* Date on which the services or goods were supplied
* Total amount due for payment with the VAT element clearly detailed
* Date paid
* Method of payment used

A fully receipted original invoice must also back it up with other evidence of payment such as:

* The original cleared cheque
* The original bank or credit card statement
* The original bank giro credit slip
* An accountant’s report
* A certified extract from the business account

Timesheets must provide the following information:

* Date the work was carried out
* The hours worked
* The type of work involved

The annual report must reference the quarterly claims and where relevant, identify what has been done differently as a result of the project and the difference it is having on the ground. The report must be signed off by at least two members of the group to verify the contents.

# Verification and Compliance with the contract

The Facilitator will be required to submit quarterly claims of expenditure incurred in the course of the project. DAERA will perform administrative checks on these claims against the activities in the contract and the milestones.

The Facilitator will draw on these quarterly returns to provide DAERA with an annual report. The report should detail how the project is progressing, the compliance with the Facilitation agreement and the milestones contained within it.

DAERA will inspect at least 5% of projects annually.

If a project is selected for inspection the Facilitators will need to provide evidence to DAERA of compliance in the following areas:

* any changes in circumstances that affect the eligibility criteria
* the work on fostering co-operation within the group
* the work on securing or providing for the transfer of knowledge and expertise
* what the group is doing differently as a result of the facilitation and the difference this is making on the ground to the EFS priorities outlined in the contract
* the work to support members of the group to apply for individual but complementary EFS agreements
* compliance with the facilitation agreement

Facilitators will need to provide evidence of any sessions, training or knowledge transfer activities with the project participants including:

* length of the session
* the date(s)
* the issues covered
* the time spent on preparation
* details of costs
* the names of the participants who received the training / other knowledge transfer
* signed and dated statements from at least two participants of a group session, and the individual if a one-to-one meeting, confirming the date that each session took place and details of the value to them in fostering co-operation.

If training has been procured from a sub-contractor, receipts for the cost of the training must be provided, including:

* the sub-contractor’s details
* evidence that the sub-contractor was selected in an open and fair way; and
* that they provided the best value for money.

The Facilitator must provide evidence of the amount of time they spend helping participants to interpret EFS guidance so that individual, but complementary EFS applications can be submitted by members of the group.

Each member of the group receiving this support must sign and date a record to confirm that this guidance was received and the Facilitator’s time was spent on it.

Where it is required that two/three members of the group verify the Facilitator’s activities, this must not be the same members every time.

The Facilitator must keep all necessary records relevant to the EFS Group Facilitation contract for seven years after the agreement has ended as they may be required for inspections either before or after payment.

# Payments

Payment will only be made once all administrative checks have been carried out on the claim to ensure that the work claimed is eligible, matches what is on the contract and that the claim has been completed correctly.

If a claim has been selected for inspection, the claim will only be paid once the inspection has been carried out and the inspection result is satisfactory.

Payments will be issued via BACS into the Facilitator’s bank account. All payments will be made in sterling.

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# Breaches and Penalties – Guidance for Facilitators

If you do not follow your contract terms and conditions we will call this a breach.

A breach may be identified through the checking of your application and claim, through inspection or following the checking of your documentation relating to your claim.

It is your responsibility to ensure that all contract conditions are met and that all the information in your application is accurate.

If you breach your contract conditions, including terminating your contract or not complying with the publicity requirements, we will recover payments made to you.

The items you claim are covered by Article 63 of Commission Regulation (EU) No 809/2014. Under this article, once we receive your claim we will establish:

1. the amount you are due based on what you have claimed; and
2. what you are due after an examination of the eligibility of the expenditure of your claim and support documentation.

If what you have claimed exceeds what you are due after the examination of your clam by more than 10%, an administrative penalty equal to the difference between the two amounts will be applied to the amount you are eligible to be paid.

For example, if you have an item in your contract for £450 and you submit your claim and invoice for £500, your eligible cost will be £450 with a penalty of £50 which means that you will receive a payment of £400.

If we seek to recover payment from you because you have breached your contract conditions, we will write to you to explain why we are seeking to recover, with the amount due plus Statutory Interest. Note that ‘Statutory Interest’, as set by HM Treasury plus the Bank of England base rate for business to business transactions is payable. This letter will also give advice on how to appeal your decision.

You will have 60 days from the date of this decision letter to either repay or to seek a review of the decision. If you do, neither by the 60 day deadline we will offset your debt from any future DAERA scheme, if applicable within three calendar years following the calendar year of the finding of the scheme breach.

# What if you get overpaid

It is the responsibility of the Facilitator to check all payments received from DAERA. If the Facilitator receives an overpayment or a payment to which they are not entitled to, the undue amount must be repaid as soon as the facilitator becomes aware of it.

In these instances the Facilitator should contact DAERA for guidance on how to proceed / repay overpayment.

# Publicity Requirements

Any applicant who receives funding in excess of €10,000 is required to publicise the funding. This will be checked during our inspections and failure to comply with this will result in breach of the agreement.

DAERA will provide the Facilitator with a poster that can be used to inform the public about the aim of the facilitation funding and its financial support from the European Union (EU). This poster must be displayed at a location that is visible to the public at one of the holdings of the group or at the Facilitator’s business address.

If applicable, the contribution of the EU funding must also be mentioned on the business website of the Facilitator and a hyperlink to the EU Commisison’s Rural Development page (<http://ec.europa.eu/agriculture/index_en.htm>)

Any press releases or marketing material such as leaflets, brochures associated with the project must acknowledge the EU as the funder. Publications must contain a clear reference to the EU’s participation and contain the EU logo (<http://ec.europa.eu/regional_policy/en/information/logos/>) and this text:

“The European Agricultural Fund for Rural Development: Europe investing in rural areas. This project has received European Union funding under the EFS Group Facilitation”