



**EUROPE & SCOTLAND**  
European Social Fund  
Investing in a Smart, Sustainable and Inclusive Future



**EUROPE & SCOTLAND**  
European Regional Development Fund  
Investing in a Smart, Sustainable and Inclusive Future

## **EUROPEAN STRUCTURAL FUND 2014 – 2020 PROGRAMMES**

### **STRATEGIC INTERVENTION AND/OR OPERATION APPLICATION**

#### **APPEALS PROCESS**

##### **Introduction**

1. Decisions by the Managing Authority (MA) Approval Panel on Strategic Interventions or Operations will be communicated in writing to Lead Partners advising whether the application is successful or not. Where an application is unsuccessful, section 2.2.3.4 of the Management & Control System sets out that the Lead Partner will be advised of that in writing setting out the reasons for rejection and providing details of the appeals process. This document sets out that appeals process.

##### **Timescale for Appeal**

2. Should a Lead Partner wish to appeal, this must be lodged in writing within **10 working days** from the date the MA issues the notification of the decision to reject a Strategic Intervention or Operation.

3. Any appeal must be addressed to the Head of Division as set out below and submitted via email to [david.anderson@gov.scot](mailto:david.anderson@gov.scot)

Mr David Anderson  
Head of European Structural Funds & State Aid Division  
Scottish Government  
3<sup>rd</sup> Floor, 5 Atlantic Quay  
150 Broomielaw  
Glasgow G2 8LU

##### **Grounds for Appeal**

4. Only appeals where the Lead Partner can demonstrate that one or more of the points below has happened will be considered:

- that the MA has misunderstood a significant part of the application
- that the MA did not take notice of relevant information
- that the MA did not follow the published procedures for assessing the application.

##### **Appeal Process**

5. An appeal received via the email address above will be allocated to a Team Leader or similar who is independent from the growth theme under which the appeal

has been logged. This person will be known as the Appeal Officer. For instance, an Operation under the Sustainable Growth theme would be considered by someone other than the team leader for the Sustainable Growth team.

6. The Team Leader for the Growth theme that is the subject of the appeal will arrange for all information relevant to the Strategic Intervention or Operation to be made available to the Appeal Officer.

7. The Appeal Officer will arrange for the appeal and the information to be stored in eRDM and record a new entry on the appeals log. The appeals log records the date of receipt, Lead Partner making the appeal and a brief description of the appeal. The eRDM reference of the appeal itself will also be recorded on the appeals log.

8. The Appeal Officer will carry out such checks and investigation as they believe necessary to fully explore the appeal. The Appeal Office will issue their findings to the Lead Partner making the appeal within **10 working days** of receipt.

9. A brief summary of the findings will be recorded on the appeals log along with the date the findings were sent to the Lead Partner. The eRDM reference of the response will also be noted on the appeals log.

10. Should the Lead Partner not be satisfied with the findings, they may further appeal the decision to within **30 working days** of the date the findings were sent to the Lead Partner. This should also be submitted in writing to Head of Division and addressed to the Director for Economic Development at the address set out above. This further appeal should be submitted by email to both the following email addresses:

david.anderson@gov.scot  
mary.mcallan@gov.scot

11. The Head of Division will arrange for this final appeal to be saved to eRDM, and update the appeals log including the eRDM reference of the letter.

12. The Head of Division will forward the relevant materials to the Director for Economic Development. The Director will undertake a review of the appeal and reach a decision. **This decision is final.**

13. The Director for Economic Development will provide a written response to the appeal within **10 working days** of receipt. The appeals log will be updated with the decision date and the eRDM reference of the response letter.