

# Management of the MSCA Special Needs in H2020 legacy grants and Horizon Europe grants

**Guidelines for MSCA beneficiaries** 

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#### 1. Introduction

This document serves as a guidance for MSCA beneficiaries for the management of the special needs requests submitted in the framework of the running **Horizon 2020** or **Horizon Europe** MSCA grant agreements.

The Marie Skłodowska-Curie Actions (MSCA) pay particular attention to physical accessibility and inclusion of researchers. The MSCA foresee financial support for the **additional costs** entailed by recruited or seconded researchers/staff members with disabilities whose long-term physical, mental, intellectual or sensory impairments<sup>1</sup> are such that their participation in MSCA would not be possible without extra financial support.

Beneficiaries of ongoing MSCA grants can apply for a dedicated special needs support in any of the following actions:

#### H2020:

- Innovative Training Networks (ITN)
- Individual Fellowships (IF)
- Widening fellowships (WF)
- Research and Innovation Staff Exchange (RISE)
- Co-funding of regional, national and international programmes (COFUND)

#### Horizon Europe:

- Doctoral Networks (DN)
- Postdoctoral Fellowships (PF)
- ERA fellowships (WIDERA)
- Staff Exchanges (SE)
- Co-funding of regional, national and international programmes (COFUND)

The special needs support will contribute to the additional costs that researchers/staff members with disabilities face due to the increased costs of their mobility in the main action, listed above. The support is intended for the acquisition of special needs items or services (e.g. assistance by third persons, adaptation of work environment<sup>2</sup>, additional travel/transportation costs) to allow the recruited researcher or seconded staff member to participate in the main MSCA action. Additional costs borne by the recruited researcher or seconded staff member that are already covered by another source, such as national social security or health insurance, are not eligible under this support.

See Article 1 of the UN Convention on the Rights of Persons with Disabilities <a href="https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html">https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html</a>

See Article 5 of the Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation

#### 2. Request from the beneficiary

The support will be granted based on the **request submitted by the coordinator/beneficiary of the MSCA grant** to the granting authority. Any beneficiary of a running Horizon 2020<sup>3</sup> or Horizon Europe<sup>4</sup> MSCA grant with a recruited researcher or (for RISE/SE) seconded staff member<sup>5</sup> who has special needs can submit a request at any time during the implementation of the MSCA grant. The request should contain a description of the special needs, the type of support and the budget requested.

**Note:** The requested special needs support is limited to a **maximum of EUR 60,000 per recruited researcher/staff member.** If the amount needed to cover the special needs of the concerned researcher/staff member is higher than EUR 60,000, the remainder shall be covered from other sources.

The MSCA beneficiary shall submit the request, based on the template provided below under the Annex I, to the Project Officer via Formal Notification system of the Portal.

The request shall be submitted for each researcher/staff member with special needs. If there is more than one researcher/staff member with special needs recruited/seconded by the beneficiary in the framework of the same MSCA grant agreement, a separate request needs to be submitted for each of the concerned researchers/staff members.

**In order to be eligible** for the special needs support, a beneficiary must comply with the **following cumulative criteria**:

- At the time of the special needs request, it must be a beneficiary in an ongoing Horizon 2020 MSCA or Horizon Europe MSCA grant.
- It has recruited/seconded the researcher(s)/staff member(s) with special needs.

**Note:** A beneficiary is not eligible for the special needs support if it does not comply with both abovementioned criteria.

"European Researchers' Night" (NIGHT) and "MSCA and Citizens" (CITIZENS) beneficiaries are not eligible to request special needs support for their researchers.

In the case of RISE/SE, the special needs allowance can be requested only by the beneficiaries, i.e. the **entities established in Member States (MS) or Associated Countries (AC)**, for:

- all their outgoing staff members with special needs and
- hosted researchers with special needs from associated partners established in Non-Associated Third Countries (TC) eligible for funding, listed in the Horizon Europe Programme Guide<sup>6</sup>.

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<sup>&</sup>lt;sup>3</sup> For Horizon 2020: ITN, IF, WF, RISE or COFUND actions. See also section 1 of this guide.

<sup>&</sup>lt;sup>4</sup> For Horizon Europe: DN, PF, WIDERA, SE, COFUND actions. See also section 1 of this guide.

<sup>&</sup>lt;sup>5</sup> Please note that in the rest of the document the RISE/SE seconded staff members are referred to as "staff members".

<sup>&</sup>lt;sup>6</sup> Horizon Europe Programme Guide

In other words, in case there is a staff with disability from such a TC who will be seconded to a beneficiary in the framework of a RISE/SE project, the beneficiary is eligible to apply for the special needs allowance for the concerned TC staff.

#### To consider the request, it shall contain the following information:

- The name of the researcher/staff member
- Type of special needs
- Justification for the additional items/services, including:
  - Appropriateness/relevance
  - Necessity to ensure that objectives of the MSCA project can be reached
  - How the requested items/services will facilitate the work of the researcher/staff member
  - Why the proposed solution is the most suitable (if applicable)
- Detailed description per requested item/service, including their cost.

The template of the request is included in Annex I of this document.

#### 3. Amount of the special needs

#### 3.1. Horizon 2020 MSCA grants<sup>7</sup>

For Horizon 2020 grants, the beneficiary must request the amount based on the **actual costs** necessary to cover the special needs of the researcher, up to a maximum of EUR 60,000 per researcher/staff member.

#### 3.2. Horizon Europe MSCA grants<sup>8</sup>

As stipulated in the Horizon Europe Unit Cost Decision<sup>9</sup>, due to the specific "Special Needs Allowance" unit cost category available for the Horizon Europe MSCA grants, the amounts for the special needs range between EUR 3,000 and EUR 60,000 per researcher/staff member, and there are **10 categories that can be requested by the beneficiary:** 

- ✓ EUR 3,000
- ✓ EUR 4,500
- ✓ EUR 6,000
- ✓ EUR 9,500
- ✓ EUR 13,000
- ✓ EUR 18,500
- ✓ EUR 27,500
- ✓ EUR 35,500
- ✓ EUR 47,500
- ✓ EUR 60,000

**The beneficiary cannot claim any other amount**. If the estimated actual cost of the special needs is not equal to one of the above rates, the beneficiary must request the **closest lower rate** per researcher/staff member compared to the estimated actual costs.

<sup>&</sup>lt;sup>7</sup> For Horizon 2020: ITN, IF, WF, RISE or COFUND actions. See also section 1 of this guide.

<sup>&</sup>lt;sup>8</sup> For Horizon 2020: ITN, IF, WF, RISE or COFUND actions. See also section 1 of this guide.

<sup>&</sup>lt;sup>9</sup> unit-cost-decision\_he-msca\_en.pdf (europa.eu)

For example, if the estimated actual costs of the special needs support are EUR 15,000, the beneficiary must request the closest lower rate – i.e. EUR 13,000 and the remainder shall be covered from other sources (e.g. Institutional unit cost of the MSCA project).

Please note that there is no possibility to request a special needs amount below EUR 3,000 and in case of such a need, the costs should be covered by other sources, which may include own sources or the MSCA project Institutional cost categories.

#### 4. Assessment of the request

Once the request is submitted as a Formal Notification via the Portal, the request will be **evaluated by the granting authority** and, if necessary, **assistance by external experts** will be organised.

Once the assessment is finalised, the Project Officer will inform the **beneficiary about the results** of the assessment via the Portal.

The following results are possible:

- ✓ **The request is fully accepted** (e.g. all requested costs are eligible, justified and necessary for the project implementation).
- ✓ **The request is partially accepted** (e.g. some costs are not eligible/justified/necessary for the project implementation).
- ✓ **The request is not accepted** (e.g. researcher/staff member is not eligible, requested items/services are not linked to the MSCA researcher/staff member activities).

#### 5. Administrative procedure after assessment

#### 5.1. Horizon 2020 MSCA grants<sup>10</sup>

Under Horizon 2020, from 2019 until 2021, the special needs allowance was provided as a lump sum allowance paid through a separate grant as a linked Coordination and Support Action (CSA). As from 2022, the special needs allowance is supported via the main MSCA grant.

There is no specific unit cost category to include the additional costs related to the special needs of the researcher/staff member in the H2020 MSCA grants. Instead, the special needs costs are added to the unit cost for management and indirect costs (cost category B2).

The amount by which the management and indirect costs category will be increased is calculated as follows:

<sup>&</sup>lt;sup>10</sup> For Horizon 2020: ITN, IF, WF, RISE or COFUND actions. See also section 1 of this guide.

#### Total amount of authorised special needs allowance for the action

The number of person-months starting from the approval of the request for the special needs allowance until the end of the action duration ('remaining person months').

To reflect the additional costs incurred, your grant agreement will be formally amended to **increase the amount of the management unit cost** and, if needed, to increase your total grant amount.

If your project uses all originally requested researcher-months, the granting authority will **amend the grant to increase the total amount**. If your current project budget is sufficient to cover these additional special needs costs, we will simply **process an amendment to increase your management costs**.

In both cases, as this is a manual amendment, the increase of the management unit cost will not be reflected in the Financial Statement generated at the time of reporting, but will instead be treated as a complementary payment after the payment of the balance.

To process the complementary payment, REA might request a **confirmation** from the beneficiary about that the agreed amount was actually paid for the benefit of the researcher/staff member. You will receive the template after the concerned amendment is approved.

## **5.2.** Horizon Europe MSCA grants<sup>11</sup>

There is a specific unit cost category to include the additional costs related to the special needs of the researcher in the Horizon Europe MSCA grants, called "Special Needs Allowance".

In order to reflect the additional costs incurred, once the amount is agreed by the granting authority and you are informed, you will be requested to **encode** the Special Needs Allowance in the Mobility Tab in the Continuous reporting of your project.

If your project uses all the requested researcher-months, the granting authority will initiate the amendment to increase the grant amount and you will have to approve it on your side. The amendment will be approved towards the end of the project, the special needs allowance will be generated automatically in the Financial Statement and the **balance due will be included in your payment of the balance**.

If your current project budget is sufficient to cover these additional special needs costs, it is still generated in your Financial Statement under the category "Special Needs Allowance" and the **balance due will be included in your payment of the balance automatically**.

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<sup>&</sup>lt;sup>11</sup> For Horizon Europe: DN, PF, WIDERA, SE, COFUND actions. See also section 1 of this guide.

# **Summary of the procedure**

	H2020	Horizon Europe	
Communication from the beneficiary to the PO	As soon as possible after the recruitment/secondment of the researcher/staff member with the special needs		
Mobility declaration	Not applicable	Encode the Special Needs Allowance in the Mobility Tab in the Continuous reporting of your project	
Amendment 1: EU initiated	EU internal type 65 – "Changes via general manual amendment clause"	Not applicable	
Amendment 2: EU initiated (only if needed)	32b "Change of the maximum grant amount"	43b "Change of the maximum grant amount"	
Amendment initiation timing	Approximately 4-5 months before the project end.  The amendment to increase your grant amount will be initiated by the granting authority towards the end of your project. The reason is that there may be sufficient budget available within the project to cover these additional special needs costs and therefore the increase of your grant amount might not be needed. It is not uncommon for researchers/staff members to terminate their fellowships early, resulting in researcher-months unspent and funds unused in the grant. In this case, it will not be necessary to increase the grant amount. Additionally, there may be other researchers from your project <sup>12</sup> who might also need to submit special needs requests. Therefore, to reduce the administrative burden for you to process different amendments at various stages of your grant, we strongly recommend that you process all necessary changes related to the increase of the budget due to the special needs in a single amendment towards the end of the project, when the exact amount of the additional cost needed is known and is final. The amendment to increase the maximum grant amount will not modify the payment schedule or the number of reporting periods.		
Amendment approval	The amendment must be approved by both parties before your project is formally finished.		
Payment	Complementary payment after the payment of the balance	Together with the payment of the balance	

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<sup>&</sup>lt;sup>12</sup> Applicable for MSCA with more than one researcher/staff member: ITN/DN, RISE/SE, COFUND actions.

#### 6. Annex I – Request from the beneficiary - template

(max 2 pages)

**The name of the researcher** (for ITN/DN, IF/PF, WF/WIDERA, COFUND) or staff member (RISE, SE) for whom the special needs request is submitted.

**Type of special needs** in relation to the activities to be carried out in the frame of the MSCA action.

**Justification for the additional items/services** requested for the special needs caused by the disability (mobility/physical impairments, vision impairments, etc.). The justification should address:

- Appropriateness/relevance for the implementation of the individual research project funded through MSCA grant (hereunder named as 'project'),
- **Necessity** to ensure that objectives of the MSCA project can be reached.
- How the requested items/services will facilitate the work of the researcher/staff member in the MSCA project.
- If applicable, the beneficiary should explain **why the proposed solution is the most suitable** for the implementation of the MSCA project. A comparison with other possible solutions may also be added, if considered appropriate.

**Detailed description per requested item/service including their cost**. The illustrative table 1 is included in the template (the applicants can add/remove the columns/rows as necessary). Indirect costs should not be included in the requested amount as these are covered in the Management and Overheads Institutional costs.

Table 1: Estimated Cost Breakdown<sup>13</sup> (example)

	Requested amount
Item 1 (e.g. specific application)	
Item 2 (e.g. specific equipment)	
Service 1 (e.g. accompanying person, delivery	
cost, etc.)	
Etc.	
Total	

Annex 2 and Annex 3 shall be included together with the request, otherwise the request will be considered ineligible.

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<sup>&</sup>lt;sup>13</sup> Please note that deductible VAT is not eligible cost

## 7. Annex II – Confirmation from the beneficiary - template

- ✓ The beneficiary confirms that the **disability**, for which the special needs allowance request is made, **is officially recognised by the relevant national authority/ies.**
- √ The beneficiary confirms that the requested item(s)/service(s) are not reimbursed by another source.

#### 8. Annex III - Consent Form for researcher/staff member - template<sup>14</sup>

Consent form for researchers/staff members funded by the Marie Skłodowska-Curie actions and eligible for the Special Needs allowance.

Important notice: Please note that the consent form shall be *blue-ink* signed by the MSCA researcher with the special needs.

I hereby give my explicit, free and unambiguous consent to the European Research Executive Agency (REA) and the European Commission to process personal data relevant to my physical, mental, intellectual or sensory impairments (i.e. data concerning my health)<sup>4</sup> solely for the purpose to assess the completeness, appropriateness and relevance of the special needs allowance request based on the information received from the beneficiary and to determine whether I am eligible for this allowance or not.

I confirm that I have no objection that the administrative documents that I have transmitted to the beneficiary (containing health-related data regarding my physical, mental, intellectual or sensory impairments) will be processed by REA or the European Commission during the assessment of the special needs request as described in the data protection notice that I have received and read carefully.

By signing this document I give my consent for the processing these personal data for the specific purpose described herein and in the data protection notice under grant management.

I understand that I can freely withdraw my consent at any time by sending an email to:

For COFUND: REA-MSCA-H2020-COFUND@ec.europa.eu

For ITN/DN: **REA-A1-SNLS@ec.europa.eu** 

For IF/PF/WF/WIDERA: REA-MSCA-PF@ec.europa.eu

For RISE, SE: **REA-MSCA-HE-SE@ec.europa.eu** 

I confirm that I have read carefully the data protection notice and agree on how the personal data will be processed as described herein.

First name of the researcher/staff member:

Surname of the researcher/staff member:

Date:

Signature (blue-ink) of the researcher/staff member:

<sup>&</sup>lt;sup>14</sup> Once you inform your Project Officer that you have recruited/seconded a researcher/staff member with the special needs, your Project Officer will send you a Data Protection Notice together with the template of the request and the template of the Consent form.

#### 9. Annex IV - Data Protection Notice - template

## Data Protection Notice Request for special needs

In accordance with the Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data<sup>15</sup> ('the Regulation'), the European Research Executive Agency ('the Agency' or 'REA') collects your personal information only to the extent necessary to fulfil a precise purpose related to our tasks.

#### 1. Why do we collect your personal data?

REA needs to assess the completeness, appropriateness and relevance of the special needs allowance request based on the information received from the beneficiary to determine whether you are eligible for this allowance or not and to determine the total of the lump sum. Also they may be processed in the frame of checks, reviews and audits.

## 2. Who is responsible for this process?

The controller is REA represented by its director. For organisational reasons, the role of the data controller has been entrusted to Head of Unit REA-XXX (the name of the unit concerned will be inserted by REA).

The data controller may be contacted via functional mailbox: For COFUND: **REA-MSCA-H2020-COFUND@ec.europa.eu** 

For ITN/DN: **REA-A1-SNLS@ec.europa.eu** 

For IF/PF/WF/WIDERA: <u>REA-MSCA-PF@ec.europa.eu</u>
For RISE, SE: <u>REA-MSCA-HE-SE@ec.europa.eu</u>

#### 3. What is the legal basis to collect your data?

Article 5(1) (d) of the Regulation<sup>16</sup>:

<sup>&</sup>lt;sup>15</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295 of 21.11.2018, p.39).

<sup>&</sup>lt;sup>16</sup> **Council Regulation (EC) No 58/2003** of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes, OJ L 11, 16.1.2003; **REA Establishment act**: Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, the European Health and Digital Executive Agency, the European Research Executive Agency, the European Innovation Council and SMEs Executive Agency, the European Research Council Executive Agency, and the European Education and Culture Executive Agency and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU; and, **REA Delegation Act**: Commission Decision C(2021)952 of 12 February 2021 delegating powers to the European Research Executive Agency with a view to the performance of tasks linked to the implementation of Union programmes in the field of Research and Innovation, Research of the Fund for Coal and Steel and Information Provision and Promotion Measures concerning Agricultural Products comprising, in particular, implementation of appropriations entered in the general budget of the Union.

- (d) the data subject has given consent to the processing of his or her personal data for one or more specific purposes<sup>17</sup>.
- DECISION authorising the use of lump sum contributions and unit contributions for Marie Skłodowska-Curie actions under the Horizon Europe Programme<sup>18</sup>

#### 4. Which personal data are collected?

- The name of the researchers/members of the beneficiary's staff.
- Any personal data, which are included in the request for special needs.

#### 5. Who will have access to your personal data?

- a. Within the Agency
- Director
- Head of Unit
- Staff of the Unit in charge of the grant with a need to know basis (project officer/financial officer/legal officer)
  - b. Outside the Agency
- Authorised European Commission staff

#### 6. International transfers

REA will not transfer your personal data to third countries (outside EU/EEA) or international organisations.

In addition, data may be disclosed to **public authorities**, which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law and shall not be regarded as recipient (such as the European Court of Justice, OLAF, EPPO, etc.). The processing of those data by those public authorities shall comply with the applicable data protection rules according to the purpose of the processing.

#### 7. How long do we keep your personal data?

The period of storage: 5 years after the payment of the balance.

Is any further processing for historical, statistical or scientific purposes envisaged? No

#### 8. What are your rights?

You may have access to your personal data and may exercise your right of information / access / rectification / erasure / restriction / data portability / objection / withdrawal of consent by contacting the data controller at: [REA will insert the contact email address of the data controller].

Any request from a data subject to exercise a right will be dealt within one month from receipt of the request. This period may be extended pursuant to Article 14(3) of Regulation (EU) 2018/1725.

<sup>&</sup>lt;sup>17</sup> Since this constitutes a "special category of data" defined under Art 3 and Art 10 of the Regulation for which the data subject's consent is required.

<sup>&</sup>lt;sup>18</sup> unit-cost-decision\_he-msca\_en.pdf (europa.eu)

Your right to information, access, rectification, erasure, restriction or objection to processing, communication of a personal data breach or due to confidentiality of electronic communications may be restricted only under certain specific conditions as set out in the applicable <u>Restriction Decision</u> in accordance with Article 25 of Regulation (EU) 2018/1725.

#### 9. Contact Information

In case you have any questions about the collection/processing of your personal data, you may contact the data controller who is responsible for this processing activity by using the following email address: [REA will insert the contact email address of the data controller].

Further to the above, the following instances can be addressed to:

REA Data Protection Officer (DPO): <u>REA-DATA-PROTECTION-</u>OFFICER@ec.europa.eu

In case of conflict, complaints can be addressed to the European Data Protection Supervisor: <a href="mailto:EDPS@edps.europa.eu">EDPS@edps.europa.eu</a>.