



EUROPEAN COMMISSION

ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL

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European Social Innovation Competition

Second Edition – 2013/2014

The Job Challenge

Terms and Conditions

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The European Social Innovation Competition (hereinafter referred to as "the Competition") is organised by the European Commission (hereinafter referred to as "the Commission") with the support of Nesta, Euclid Network and of the consortium Ascent Communications (hereinafter all referred to as "the Contractors"). The department of the Commission in charge of the Competition is the Directorate General Enterprise and Industry.

The Competition website where entries must be submitted is the following:

<http://ec.europa.eu/enterprise/social-innovation-competition>.

The Competition is funded under the European Union budget. The legal basis for this Competition is the Competitiveness and Innovation Framework Programme (see http://ec.europa.eu/cip/documents/cip-legal-base/index_en.htm). The Competition is limited to activities located in the 28 EU Member States, and those countries that established an agreement to participate in the Competitiveness and Innovation Framework Programme (see for latest list: http://ec.europa.eu/cip/faq/index_en.htm#0901262484312773).

Please read these terms and conditions carefully before submitting an entry. By submitting an entry, you accept these terms and conditions and agree to comply with them.

1. Objective of the competition

The Competition aims at raising awareness of social innovation's potential to foster growth, entrepreneurship and provide solutions for today's challenges. It will engage businesses (including start-ups), social economy and citizens in Europe in a huge range of sectors, thereby creating new connections and job opportunities. It will also include a strong mentoring component that will benefit not only the winners but also the contestants having submitted the best ideas. This mentoring component aims at turning the best ideas into tangible and sustainable projects. The award ceremony of the Competition is expected to take place in May 2014.

More specifically, this Competition is entitled "*The Job Challenge*" and will support the **best social innovation solutions to help people move towards work or create new types of work**. Further background and examples are available on the Competition website. All types of ideas and solutions are welcome, even if they are not mature yet. As stated above, one of the objectives of the Competition is to help the best ideas to reach the stage of prototyping and/or implementation.

The Competition has been conceived in a way which does not limit it to the award of prizes. It offers many other benefits to the best contestants, in terms of free publicity given to their ideas, of mentoring and of connecting to a wide range of social innovation experts, organisations, investors and networks from various countries in Europe and beyond. Eventually an entry might not win the prize but draw interest from a third party and receive support from other sources.

2. Timelines

Entries for the first phase of the Competition must be received on the Competition website **by 11 December 2013, at 12:00:00 the latest (noon, Central European Time)**.

Late entries will not be accepted. The Commission is not responsible for entries which are lost, damaged or late due to computer, network or telecommunications failure.

In **January-February 2014**, entries will be assessed and the best 30 entries will qualify for the second phase (30 is the indicative maximum number). The selected contestants will be called 'semi-finalists'. The other contestants will be informed that their entry has not passed the first phase.

In **early March 2014**, the semi-finalists will be invited for a mentoring session of several days where they will receive coaching by international business, communication and finance professionals, social entrepreneurs and public sector organisations. The travel and accommodation costs for their participation (in principle two persons per entry) will be covered by the Commission. The fact not to participate in the mentoring session will not prevent semi-finalists to compete for the second phase. Their participation is however highly recommended.

Right after the mentoring session in **March 2014**, the second phase of the Competition will start. Once this second phase has started and with the view of ensuring equal treatment between contestants, no contact will be allowed between, on the one hand, the 'semi-finalists' and, on the other hand, Competition organisers, jury members and mentors. On the basis of the inputs received during the mentoring session, the semi-finalists will be asked to rework their idea and to submit a 'detailed plan'. Practical modalities will be further specified and communicated to them, once the first phase is closed. Detailed plans are expected to be submitted **by the end of March 2014**. The exact deadline will be communicated on due time.

In **April 2014**, from the detailed plans submitted by the semi-finalists, the Commission will select the best 10 entries (10 is the indicative maximum number). The selected contestants will be called 'finalists' and will be invited to the award ceremony. The travel and accommodation costs for their participation in the ceremony (in principle two persons per entry) will be covered by the Commission. The other semi-finalists will be informed that their entry has not passed the second phase. They will nonetheless be encouraged to join the ceremony, although it is not foreseen that the Commission covers their travel and accommodation costs.

Around **mid-May 2014**, the 3 winners of the prizes (3 is the indicative maximum number) will be announced at the award ceremony amongst the 10 finalists who have been invited. Following the ceremony, the Commission will initiate the transfer of the prize money once the legal identification form and the bank identification form have been filled in, signed and returned with the necessary supporting documents to the Commission.

In **June or July 2013**, the winners and the other finalists will be invited for an additional mentoring session to mature their proposal. The travel and accommodation costs for their participation (in principle two persons per entry) will be covered by the Commission. If budget allows, the other semi-finalists who did not pass the second phase may also be invited to join this additional mentoring session but this will only be confirmed once the second phase is closed.

Apart from the deadline applicable to the first phase of the Competition (**11 December 2013, 12:00:00, noon, Central European Time**), other timelines remain indicative at this stage and will be confirmed thereafter, with sufficient notice to allow travel organisation by the selected contestants.

3. Prize

The Commission plans to award a maximum of 3 prizes to the best ideas according to the judging criteria set out below. The amount of each of the 3 prizes is 30 000 euros. There will not be any ranking among the winners. Prize money will be paid after the award ceremony by bank transfer, provided the winners have submitted the above-mentioned forms and the required evidence as regards their eligibility (refer to section 4). Furthermore the award decision remains subject to the availability of budgetary appropriations.

Winners of the Competition are expected to use the prize money to implement their ideas and make it benefit their project and its target group, but no strict condition is set as regards the use of the funds. Winners are responsible for payment of taxes and charges applicable when using the prize money.

At all stages, entries will be assessed by a jury of indicatively 12 members appointed by, but independent from the Commission, composed of various profiles and backgrounds and originating from various countries. The jury will make recommendations to the Commission, which will take the final decision on the lists of semi-finalists, finalists and winners of the Competition.

The organisation of the Competition is also supported by the Contractors, which notably includes facilitating jury's meetings and organising the mentoring sessions.

4. General conditions – Eligibility

The Competition is open to everyone (individuals, organisations or groups) established or resident in EU Member States and in countries having established an agreement to participate in the Competitiveness and Innovation Programme (see for latest list: http://ec.europa.eu/cip/faq/index_en.htm#0901262484312773). Ideas and proposals from all sources, sectors and all types of organisations including for-profit, non-for-profit, or private companies are welcome. Applications involving several organisations and/or from various countries are possible. The participation of public administrations in the Competition is however not foreseen.

Entries must be original ideas from contestants. They may propose new or improved ways to implement, combine, or adapt to a different context or target group existing solutions, but they cannot be exact copies of those.

Contestants may submit more than one entry and be named as a partner in more than one entry. All costs of entering the Competition must be borne by contestants, unless otherwise duly stated in official communication by the Commission.

Entries must be received on the Competition website **by 11 December 2013, at 12:00:00 the latest (noon, Central European Time)**. Entries received after this deadline will be considered ineligible and will be automatically rejected.

Entries must be submitted on the Competition website in one of the official languages of the European Union. They are expected preferably in English.

Members and staff of the Commission and of its offices/agencies, staff of the Contractors and individuals working on the Competition are not eligible to submit an entry.

The Commission will use the contact details provided in the entry form to contact the contestants about the Competition. The Commission is not responsible for inaccuracies in the details which have been submitted by the contestants.

The contestants undertake to take all the necessary measures to prevent any risk of conflict of interests which could affect the impartial and objective performance of the Competition. Such conflict of interests could arise in particular as a result of economic interest, political or national affinity, family or emotional reasons, or any other shared interest.

The contestants shall undertake to take whatever steps are necessary to rectify this situation at once. The Commission reserves the right to check that the measures taken are appropriate and may demand that the contestants take additional measures, if necessary, within a certain time. Any situation constituting or likely to lead to a conflict of interests during the Competition must be brought to the attention of the Commission, in writing, without delay.

Entries must not invade publicity rights or privacy of any person, living or deceased, or otherwise infringe upon any individual's personal or proprietary rights. Entries and supporting visual material must be suitable for publication in a public forum and must not contain nudity, profanity or threats of

violence. Entries must not serve advertising purposes for products and services (commercial and non-commercial) of particular businesses or economic interests or be inappropriate in any other way.

Contestants will be excluded from the Competition if they are in any of the following situations:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they or persons having powers of representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
- (c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of the European Investment Bank and international organisations;
- (d) they are not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Responsible Authorising Officer or those of the country where the action is to be performed;
- (e) they or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such an illegal activity is detrimental to the Union's financial interests;
- (f) they are currently subject to an administrative penalty referred to in Article 109(1) of the Financial Regulations.

Winners of the Competition will not be granted the prize if, in the course of the Competition, they:

- (a) are subject to a conflict of interest;
- (b) are guilty of misrepresentation in supplying the information required by the Commission as a condition of participation in the Competition or fail to supply this information;
- (c) find themselves in one of the situations of exclusion, referred above.

The same exclusion criteria apply to affiliated entities.

Administrative and financial penalties may be imposed on applicants, or affiliated entities where applicable, who are guilty of misrepresentation.

Before winners of the Competition can receive their prize, the Commission will check their eligibility by asking them to sign a declaration of honour that they are not in a position described above. In case of doubts, additional evidence may be required by the Commission.

By entering the Competition and registering their entry on the Competition website, contestants certify that they meet these eligibility criteria and that all information they submitted is true, accurate and complete. They agree to abide by and be bound by the Competition rules and the decisions of the Commission, which are final in all matters relating to this Competition.

Furthermore, the Competition will be run in the most open and transparent manner. For that purpose, the Commission may post the summary of each and every entry – exactly as it has been submitted by contestants in the entry form – on the Competition website, on the Europa website or on dedicated social media accounts for the Competition. In addition the Commission will carry out promotional activities and publish results of the Competition. By entering the Competition, contestants agree with this policy and consent to the use of their name, of the summary of their proposal, and of additional photographs/recordings/visual material/web links which have been attached to their entry.

If an entry is submitted by a group of individuals or organisations, the person completing the entry form is responsible for compliance with these terms & conditions by other group members.

5. Judging criteria

The successful entries will be the ones that best meet the criteria outlined below. Additional information may be provided in the frequently asked questions section (FAQs) and in the entry form template, which are posted on the Competition website.

Judging criteria for the Competition will be the following three:

- **degree of innovation** assessed as the innovativeness in a given context of the proposed idea; of the approach and solution to a socio-economic or environmental issue; of the proposed product, service, process, technology implied by this solution; or of the business, implementation, organisation or marketing models underpinning this solution – *innovations can be understood as genuinely new ideas as much as new or improved ways to implement, combine, or adapt to a different context or target group existing solutions*;
- **potential impact** assessed as the potential of the idea to help people move towards work or create new types of work;
- **potential for sustainability and scale** assessed as the likeliness that projects can be sustained and have significant, long-lasting and increasing impact and as their capacity to be inspirational for others in Europe – *e.g. to be applied/transferred/adapted to another area of the same country, to another or more EU Member State(s), to another issue and to another population category*.

For the first phase of the Competition (i.e. for the selection of semi-finalists based on initial entries), the following weights will apply to the judging criteria:

- *degree of innovation – 50%*;
- *potential impact – 30%*;
- *potential for sustainability and scale – 20%*.

For the second phase of the Competition (i.e. to select the finalists/winners amongst the semi-finalists, on the basis of 'detailed plans'), the three judging criteria will have equal weight (*one third each*).

The Commission has sole and absolute discretion to determine which submissions, in any, merit to be selected for the next phase and to be awarded a prize.

The Commission reserves the right to refuse any entry; to suspend or terminate the Competition and to amend the present terms and conditions at any time without prior notice.

The Commission will inform the public of any such a change on the Competition website. Changes will take effect from the date they are posted on the Competition website. Contestants are meant to visit the Competition website regularly in order to get the most up-to-date information.

6. How to enter the competition

Entries are to be submitted to the above-referenced Competition website.

For the first phase of the Competition a short form will have to be filled in and submitted on line by contestants. For the second phase, the requirements will be further elaborated. Practical modalities about the detailed plans expected from the semi-finalists will be communicated to them on due time.

Contestants for the first phase will also be asked to provide a brief summary of their idea that may be posted on the Competition website, on the Europa website or on dedicated social media accounts for the Competition, in line with the communication policy stated above.

Subject to the possibilities offered by the Competition website and by the dedicated social media accounts, the contestants may be encouraged to support their entry with any visual material, recordings, additional documents that they deem relevant. Allowed formats for the submission of such files on the Competition website will be specified.

7. Ownership/Use of the entries

Ownership of the idea and of its implementation results, including industrial and intellectual property rights, and of the reports and other documents relating to it, shall be vested in the contestant.

Without prejudice to the previous paragraph, the contestants grant the Commission the right to display, reproduce by any technical procedure, translate or communicate the idea and its results by any medium, including on the Europa website, provided it does not thereby breach its confidentiality obligations or existing industrial and intellectual property rights. The contestants grant the Contractors the same right, within their legal and contractual obligations.

Any communication or publication by Competition winners, including at a conference or seminar, shall indicate that the project has received funding from the European Union.

By submitting an entry, contestants declare that they have obtained, or will obtain, all authorisations, consents and permissions necessary to submit their entry, carry out their proposal and comply with these terms and conditions and, to the best of their knowledge, that their entry will not infringe any intellectual property or other third party rights or breach any contractual obligation.

The Commission assumes no responsibility for disputes between persons claiming copyrights on any sort in relation to an entry submitted for the Competition.

Where industrial and intellectual property rights, including rights of third parties, exist prior to the Competition ("pre-existing intellectual property rights"), contestants shall establish a list which shall specify all rights of ownership and use in the pre-existing intellectual property rights and may be asked to disclose it to the Commission – should they be proposed as winners – at the latest prior to the commencement of implementation of their proposal.

Prize winners shall ensure that they have all rights to use any pre-existing intellectual property rights in implementation of their proposal.

8. Equal opportunity

The European Union promotes equality between women and men and shall aim in all its activities to eliminate gender inequalities. Women are particularly encouraged to enter the Competition.

9. Personal data

Entries will be processed by computer. All personal data (such as names, addresses and other details) will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the European Union institutions and bodies and on the free movement of such data.

Details about contestants and replies to the questions in the registration form are necessary in order to assess their entries and contact them about the Competition. Data will be processed solely for the purposes of the performance, management and monitoring of the Competition by the Directorate General for Enterprise and Industry acting as data controller without prejudice to possible transmission to the bodies charged with monitoring or inspection task in application of European Union law.

Contestants will have the right to access their personal data and the right to rectify any such data. Should the contestants have any queries concerning the processing of their personal data, they will address them to the entity acting as data controller and will have right of recourse at any time to the European Data Protection Supervisor.

Contractors supporting the Commission for the organisation of the Competition are bound to strict legal obligations as regards the processing of data of third parties.

10. Liability

Contestants shall have sole responsibility for complying with any legal obligations incumbent on them.

The Commission shall not be held liable for any damage caused or sustained by any of the participants, including any damage caused to third parties as a consequence of or during the implementation of the activities related to the Competition. Consequently, the Commission will not entertain any request for indemnity or reimbursement accompanying any such claim.

Except in cases of force majeure, contestants shall make good any damage sustained by the Commission as a result of the execution or faulty execution of their project.

Contestants shall bear sole liability vis-à-vis third parties, including for damage of any kind sustained by them while the project is being implemented.

11. Checks and audits

The participants accept that, if they are awarded a prize, the Commission, OLAF and the Court of Auditors may carry out checks and audits in relation to the contest and the received prize.

Competition winners shall keep at the Commission's disposal all original documents, especially accounting and tax records, or, in exceptional and duly justified cases, certified copies of original documents relating to the Competition for a period of five years.

Competition winners undertake to allow Commission staff and outside personnel authorised by the Commission the appropriate right of access to sites and premises where the action is carried out.

The Court of Auditors shall have the same rights as the Commission, notably right of access, as regards checks and audits.

12. Recovery

If any amount is unduly paid to the Competition winner or if recovery is justified under these terms and conditions, the Competition winner undertakes to repay the Commission the sum in question on whatever terms and by whatever date it may specify.

If the Competition winner fails to pay by the date set by the Commission, the sum due shall bear interest at the rate indicated in standard grant agreement under European Union law. Interest on late payment shall cover the period between the date set for payment, exclusive, and the date when the Commission receives full payment of the amount owed, inclusive.

Any partial payment shall first be entered against charges and interest on late payment and then against the principal.

If payment has not been made by the due date, sums owed to the Commission may be recovered by offsetting them against any sums owed to the Competition winner, in cases where the Competition winner also has a claim on the European Union, after informing him accordingly by registered letter with acknowledgement of receipt or equivalent. In exceptional circumstances, justified by the necessity to safeguard the financial interests of the European Union, the Commission may recover by offsetting before the due date of the payment. The Competition winner's prior consent shall not be required.

Bank charges occasioned by the recovery of the sums owed to the Commission shall be borne solely by the Competition winner.

The Competition winner understands that, under Article 299 of the Treaty on the functioning of the European Union, the Commission may adopt an enforceable decision formally establishing an amount as receivable from persons other than States. An action may be brought against such decision before the General Court of the European Union.

13. Penalties

By virtue of Article 212 of Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and with due regard to the principle of proportionality, a participant which has committed irregularities or fraud, has made false declarations shall be liable to:

(a) administrative penalties consisting of exclusion from all contracts, grants and contests financed by the Union budget for a maximum of five years from the date on which the infringement is established and confirmed following a contradictory procedure with the beneficiary; and/or

(b) financial penalties of 2% to 10% of the value of the prize.

In the event of another infringement within five years following the establishment of the first infringement, the period of exclusion under point (a) may be extended to 10 years and the range of the rate referred to in point (b) may be increased to 4% to 20%.

14. Law applicable and competent court

The Competition is governed by these terms and conditions, the European Union law applicable and, on a subsidiary basis, by the law of Belgium relating to prizes.

The contestants may bring legal proceedings regarding decisions by the Commission concerning the application of the provisions of these terms and conditions, and the arrangements for implementing it, before the General Court of the European Union and, in the event of appeal, the Court of Justice.

15. Questions and answers

A list of frequently asked questions (FAQs) and their answers will be published on the Competition website and thereby made available to all.