



Schola Europaea

Office of the Secretary General

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Third call for expressions of interest to compile a list of specialist therapists¹ with a view to making them available to the legal representatives of pupils of the European Schools requesting therapy for their child (2020-2024).

1. Object of this call for expressions of interest

The European Schools are official educational establishments set up jointly by the governments of the Member States of the European Union and the European Communities. Each School has legal personality and has the status of a public institution in each of the Member States of the European Union.

There are currently thirteen European Schools (Alicante, Brussels I, II, III and IV, Frankfurt am Main, Mol, Bergen, Karlsruhe, Munich, Varese, Luxembourg I and II), in six countries (Belgium, Netherlands, Germany, Italy, , Spain and Luxembourg), with a total of approximately 27,650 pupils on roll.

The mission of the European Schools is to provide a multilingual and multicultural education for nursery, primary and secondary level children. The Schools are intended primarily for children of the staff of the European institutions, who have priority for admission purposes.

Some pupils have special needs which require special therapy sessions to be arranged.

To facilitate provision for such pupils and their integration into the school community, the Office of the Secretary-General of the European Schools (OSGES) invites expressions of interest in order to compile a list of therapists who, at the request of pupils' legal representatives, can provide their services on the premises of the European Schools and in collaboration with the educational team.

The list of therapists includes the following professions: speech therapist, psychomotor therapist, psychologist, physiotherapist, occupational therapist, orthoptist and behavioural therapist. It is possible for therapists to register on different lists provided that they have the requisite duly recognised professional qualifications.

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The European Schools do not recruit paramedical auxiliary staff. Their role is: to make a suitable room available to the pupil and to the therapist whose services are being used; to agreeing a timetable with the therapist, according to classes' activities; to handling coordination, monitoring and follow-up through a group of experts called 'Support Advisory Group'.

The therapist services provided under this call for interest procedure, for pupils identified as having Special Educational Needs, will fall under the provisions listed in the Intensive support agreement, but will be borne by the pupils' legal representatives. The European School will continue to exercise its duty of care to the child during school hours. The therapist will be required to provide regular feedback to the pupil's legal representatives on the progress of their child and the therapies delivered. The therapist's work will be monitored by the child's legal representatives and there will be consultation on the subject with the European School's pedagogical team, albeit that the School does not exercise power of management or authority over the therapist.

The therapist will provide his/her services on the premises of the School attended by the pupil, according to the timetable established by common agreement between the School, the pupil's legal representatives and the therapist.

The choice of therapist will be made solely by the pupil's legal representatives, who will be expected to choose freely from the list made available for their child's School according to his/her needs.

The therapist will provide his/her services completely independently and will set freely with the pupil's legal representatives the cost of the said services, which will be defrayed entirely by the latter, excluding any contribution from the School, without prejudice to their entitlement to reimbursement of the expenditure incurred from the sickness insurance scheme or sickness fund of which they are members.

The supporting documents and invoices issued will be expected to comply with the legislation of the country in which the services are provided. For the requirements of selection of the therapist by the pupil's legal representative, candidates are requested to mention an indicative hourly rate for their services on the application form.

The respective rights and obligations of the therapist, of the pupil's legal representatives and of the School's management will be defined in an ad hoc agreement specially drawn up for the purposes of provision of services on the European Schools' premises by an external service provider. The signing of such an agreement is an essential prerequisite for provision of such services.

In addition to the therapy which he/she undertakes to provide, the therapist will also be required to attend the meetings of the Support Advisory Group charged with assessing the pupil's development and any other meetings organised by the School for which his/her presence might prove necessary. Attendance at those meetings will entitle the therapist to expenses payable by the School, at the hourly rates in force in the European Schools.

Further information about the Support Advisory Group, its composition and its role can be found in the documents 2012-05-D-14 'Policy on the provision of Educational Support in the European Schools' and 2012-05-D-15 'Provision of Educational Support in the European Schools – Procedural document' which can be consulted at the following address: <https://www.eursec.eu/en/European-Schools/studies/educational-support>.

2. Procedure

2.1. Submission of applications

Candidates responding to this call for expression of interest who were not candidate for the previous call for expression of interest covering the period 2016-2020 (document **2016-03-D-24**) are requested to submit their application as of 5 May 2020 using the online form and in accordance with the instructions given on the OSGES' website.

The therapists whose application has been validated during the previous call for expression of interest covering the period 2016-2020 (document **2016-03-D-24**) and who are thus already registered on the lists of therapists put at the disposal of the pupils' legal representatives will not see their application for the current call automatically extended **unless** they explicitly confirm their interest by means of the online form between 5 May and 30 June 2020.

1) **Extension** of the enrolment (between 5 May and 30 June 2020)

During the **confirmation** process, these therapists will have the possibility to modify their personal data with the exception of those related to their professional title (country and professional registration number) and the list of Schools where they wish to work. As the exclusion criteria have changed compared to the previous call, the therapists will be asked to declare again that they fulfil the criteria (see point 2.3). After confirmation, the application to the present appeal will not be subject to a new validation and the therapist will automatically be enrolled on the new lists put at the disposal of the pupils' legal representatives. If one therapist is enrolled for several types of therapy, confirmation will have to be given **for each type of therapy**.

2) **Cancellation** of enrolment

Candidates who do not wish to extend their enrolment for the period 2020-2024 are not obliged to communicate their decision. In the absence of confirmation (see point 1 mentioned above), their enrolment will be canceled as of 1 July 2020 and their personal data will be deleted.

3) **New enrolment** of a therapist **enrolled at the previous appeal** (as of 2 July 2020)

The therapists enrolled under the previous appeal who wish to apply for the present appeal but wish to modify their personal data regarding their professional title (country and professional registration number) and/or the list of Schools where they wish to work will have to re-enter their personal data and their application will be submitted again for the validation.

The same applies for therapists who have applied for the previous appeal but whose application is still pending at the date of 30 June 2020.

On the application form, candidates must attest that they fulfil the eligibility criteria, details of which are given in point 2.2, and that they are not in one of the exclusion situations referred to in point 2.3. The online application form can be found at the following address (available from 5 May 2020): <http://schola-europaea.eu/cei/index3.php>

The OSGES reserves the right to reject applications which do not contain all the required information.

Personal data collected under this call will be processed in compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter referred to as 'GDPR'). They will be processed for the sole purpose of compiling lists of therapists who may provide services for pupils of the European Schools and will be communicated to those pupils' legal representatives only in so far as this is necessary for organisation of the therapy. The data collected will not be kept beyond the period of validity of the lists compiled under this call (four years). Candidates will be able to modify and rectify data or withdraw their application via the online form. Further details are available in the privacy statement accessible via the application form.

The receipt of information from candidates will not commit either the European Schools or the OSGES. The OSGES will not sign either a contract or an agreement with candidates who responded to this call.

2.2. Eligibility criteria

For candidates to be eligible, it is imperative for them to fulfil the following criteria:

a) have the professional qualifications giving access to the profession and be authorised to practise the profession in the country where the School in which they wish to provide their services is situated. Residence in the country in which the therapist wishes to practice his/her profession is not an absolute requirement. However, it is imperative for his/her profession to be duly recognised and accredited by the competent authorities of his/her country of origin and by the country in which he/she wishes to practise his/her profession.

The European Schools are situated in the following countries:

- Italy
- Belgium
- Germany
- Luxembourg
- Netherlands
- Spain

b) have a minimum of two years' professional experience in the area of expertise relevant to his/her specialisation;

c) have language skills corresponding to the needs of pupils of the European Schools. Candidates must be able to provide evidence that they have a thorough knowledge of the language which they use professionally. A candidate provides evidence of his/her thorough knowledge of a language if he/she was awarded in that language the professional qualifications giving access to the profession or if he/she produces a language certificate enabling his/her thorough knowledge of the language to be attested;

d) not to have been convicted of any offence incompatible with the provision of services in a school environment, in contact with children. In accordance with the European Schools' child protection policy, a therapist invited to provide services to meet a pupil's needs will be required, prior to doing so, to produce a certificate of no criminal record, a certificate of good conduct or an equivalent attestation.

The call is open to natural persons, without restriction as to nationality.

2.3. Exclusion criteria

In accordance with Article 66 of the Financial Regulation of the European Schools and with Article 136 of the Financial Regulation applicable to the general budget of the Union, candidates will be excluded from participation in this call for expressions of interest procedure if:

(a) he/she is bankrupt, subject to insolvency or winding-up procedures, his/her assets are being administered by a liquidator or by a court, he/she is in an arrangement with creditors, his/her business activities are suspended or he/she is in any analogous situation arising from a similar procedure provided for under EU or national laws or regulations;

(b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;

(c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:

(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract or an agreement;

(ii) entering into agreement with other persons with the aim of distorting competition;

(iii) violating intellectual property rights;

(iv) attempting to influence the decision-making process of the contracting authority during the award procedure;

(v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;

(d) it has been established by a final judgement that the person is guilty of the following:

(i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;

(ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 and Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, and conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the applicable law;

(iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;

(iv) money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;

(v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;

(vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;

- (e) it has shown significant deficiencies in complying with the main obligations in the performance of a contract or an agreement financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF) or the Court of Auditors;
- (f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;
- (g) it has been established by a final judgment or final administrative decision that the person has created an entity under a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business.
- (h) (only for legal persons) it has been established by a final judgment or final administrative decision that the person has been created with the intent provided for in point (g).
- (i) for the situations referred to in points (c) to (h) above the person is subject to:
 - (i) facts established in the context of audits or investigations carried out by the European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office (OLAF) or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
 - (ii) non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
 - (iii) facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks;
 - (iv) information transmitted by Member States implementing Union funds;
 - (v) decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law; or
 - (vi) decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

A Declaration on the honor related to the above-mentioned Eligibility and Exclusion criteria will have to be approved during the online enrolment procedure.

2.4. Compiling of the lists

Candidates who meet the eligibility criteria laid down in point 2.2.a. will be placed on the lists resulting from this call for expressions of interest, after their application has been validated. The validation process is carried out at least four times per year.

The criterion referred to in point 2.2.d (conduct beyond reproach) will be checked by the School prior to the provision of any services on its premises. The other criteria may be checked at any time by the Schools or the OSGES.

A list will be compiled by European School, having regard to the preferences expressed by candidates when they submitted their applications. The duly compiled lists will be made available to pupils' legal representatives and will be updated at least four times a year. Applications may be submitted at any time between 5 May 2020 up to 30 June 2024. The lists will be valid for the 2020-2021, 2021-2022, 2022-2023 and 2023-2024 school years.

The OSGES reserves the right to remove from the lists any therapists who might have been placed thereon on the basis of erroneous or misleading information or in respect of whom it

might emerge that they do not/no longer fulfil the eligibility conditions.

Candidates placed on the lists will be required to inform the OSGES immediately of any change by virtue of which they might no longer be able to fulfil the eligibility criteria.

3. Invitation of therapists

Therapists will be contacted directly by the pupil's legal representatives. Sessions will be conducted on the premises of the School attended by the pupil according to his/her needs and the therapist's availability.

From the legal angle, a tripartite agreement will be signed between the different parties concerned, i.e. the therapist, the pupil's legal representatives and the Director of the School, as far as the making available of a room is concerned. The model tripartite agreement can be consulted on each School's website.

Reimbursement of travel and subsistence expenses is precluded. Therapists are supposed to reside a reasonable distance away from the School where they might be expected to provide services, in such a way that they are not impeded from providing services. To that end, on the online application form, candidates are requested to name the specific Schools in which they are expressing an interest within the meaning of this call.

4. Absence of conflict of interest and obligation of confidentiality

In order to ensure therapists' independence in the performance of the duties assigned to them, they will be required to certify that there is no conflict of interest between the activities, proposals, reports or cases entrusted to them and their past, present or future positions.

In addition, for each service provided, therapists selected will be required to show appropriate ethical rigour and will in particular be required to respect the confidentiality of the information and the documents of which they will have had knowledge.

5. Contact at the Office of the Secretary-General of the European Schools

For the attention of Mr. Beckmann, Deputy Secretary-General of the European Schools, e-mail: es-call-for-interest@eursc.eu, tel. +32 (0)2 8952604.