

## **Schedule 9 - Appeals Process National Cybersecurity Consortium**

### **Purpose**

This document lays out the appeals process for Funding Applicants that submit applications to the Cyber Security Innovation Network (CSIN) program. This document is valid for the first year of CSIN funding (2022-2023). It may be updated for subsequent years.

### **Objective**

NCC is committed to the integrity of its project selection process. For this reason, the selection process includes an appeal process for funding applicants. Funding applicants can ask that a funding decision be reviewed and possibly reconsidered where evidence suggests an error occurred during NCC's selection process that resulted in an unsuccessful application.

### **Approval and authority**

The NCC's Board approves this Process and any revisions or amendments to this Process.

Ultimate authority for operationalization of this Process resides with the NCC's Chief Executive Officer (CEO).

### **Definitions**

*Funding applicants:* Applicants to the CSIN funding program delivered by the NCC.

*Funding program:* the NCC's funding program involves three streams - research and development, training, and commercialization.

### **Appeals policy**

Decisions not to fund an application can be appealed only where there is evidence of an error in NCC's selection process. Appeals can be submitted only by the funding applicant named in the application. Errors are departures from NCC's policies and procedures, includes but not limited to the following examples:

- A conflict of interest was undeclared or unaddressed within the selection process
- NCC staff failed to provide the selection committee with required information
- The selection committee's decision to not recommend an award is based on a conclusion that is contrary to the information provided by the funding applicant in the project proposal

NCC will not accept appeals based on:

- decisions pertaining to funding applicant, subject matter or funding program eligibility;
- a difference in scholarly opinion between selection committee members and/or external reviewers;
- disagreement over the interpretation or analysis of facts by selection committee members and/or external reviewers;

- the contents of an external review, unless it contains unprofessional, discriminatory or biased comments from which the selection committee did not distance itself;
- the number of external reviews;
- the composition of the selection committee; or
- the amount awarded

## **Appeals Committee**

The Appeals Committee will be chosen by the Secretariat and consist of three members. The NCC Scientific Director, or a person designated by the Scientific Director, will chair the Appeals Committee. One member of the Scientific and Operation Advisory Committee, and one NCC Program Officer will constitute the other members of the committee. The Appeals Committee is responsible, as a whole, for reviewing each submitted appeal.

## **Reviewer agreement**

All Appeals Committee members will be required to sign the **reviewer agreement** which lays out policies regarding confidentiality and conflicts-of-interest. The conflict-of-interest and confidentiality policies in the reviewer agreement will follow the policy used by Federal research organizations. (<https://science.gc.ca/site/science/en/interagency-research-funding/policies-and-guidelines/conflict-interest-and-confidentiality>).

These policies are designed to ensure that each individual Eligible Project proposal appeal to NCC will be evaluated by a set of reviewers who will not benefit directly or indirectly from the decision on that appeal.

## **Appeals procedure and criteria**

Funding applicants seeking further information about the review of their application are encouraged to first communicate with NCC at the email address provided in the notification of decision. If the funding applicant wishes to pursue an appeal after initial discussion with program staff and has the necessary evidence of an error as outlined above, the funding applicant can submit a written appeal to NCC.

The appeal should be based on a compelling demonstration that an error occurred in the selection process. Funding applicants who have concerns about the project selection process not being followed with respect to their specific application, can submit a written appeal via email within thirty (30) days from the date the project selection decision was communicated to them. The grounds for such an appeal must be clearly articulated and the remedy sought but must be included in the appeal, in addition to any evidence available to support the claim. The Appeals Committee will adjudicate the appeal and the Selection Committee Chair will be invited to participate and to address any process related questions from the Appeals Committee. The Appeals Committee will consider the written appeal submitted by the Ultimate Recipient and the Eligible Project proposal in the context of the criteria and policies outlined in the Project Selection Strategy. The decision of the committee will be considered final and unappealable. Decisions regarding the appeal requests submitted (whether favorable or unfavorable) will be communicated in writing to the application signing authority within 30 days of receipt of the appeal. The applicant will receive written communication with the decision and a brief summary of the appeal committees' basis of decision.

