

Rules of Procedure for the Sector Working Group for the Sector “Education, employment and social policy”¹

TITLE I GENERAL PROVISIONS

Article 1 *Subject matter*

- (1) These Rules of Procedure regulate the operation of the Sector Working Group (SWG) for the Sector “Education, employment and social policy” of the Government of the Republic of Macedonia as constituted by on 65th Government session held on 31.03.2015 and amended on 78th Government session held on 08.06.2015.
- (2) The Sector Working Group is inter-ministerial co-operation forum with a mandate for implementing expert-level tasks related to the formulation and implementation of national sector policies, including those relevant for EU integration as well as the use of donor assistance in general and the European Union’s IPA programme in particular.
- (3) SWG will contribute to the work of higher level co-ordination bodies of the Government of the Republic of Macedonia by preparing proposals and implementing decisions of
 - a) The Government
 - b) The Working Committee for European Integration and its Sub-Committee
 - c) The Association Committee between the Republic of Macedonia and the European Union – and its Sub-Committees
 - d) The National Investment Committee
 - e) The IPA Monitoring Committee

TITLE II COMPOSITION OF THE SECTOR WORKING GROUP

Article 2 *Areas of responsibility and membership of SWG*

- (1) The Sector Working Group covered by the rules of procedure carries out its responsibilities with respect to a set of inter-related policy areas. The areas of responsibility of SWG will be the same for the entire mandate of the SWG.

¹ These Rules of procedure were adopted on 16.11.2015 and amended on 25.08.2017

Listed in Article 1 paragraph (2).

- (2) In this Sector, two of the government ministries represented on the SWG shall be appointed as Main Co-ordinators (sector lead ministries).
- (3) In consultation with the donor community, a lead donor shall be designated.
- (4) The policy areas covered by each SWG, the identification of Main Co-ordinators, the list of national ministries and other agencies taking part in the SWG as well as the lead donors are contained in Annex 1.
- (5) With respect to the policy areas under the SWG, as well as the representation of national ministries and agencies, Annex 1 may be modified by a relevant decision of the Government.
- (6) The designation of lead donors in the sector may be modified in agreement with the donor community.
- (7) The SWG will also regularly co-operate with the Sector Working Groups of the Government charged with the formulation and implementation of policies for EU integration, with special regard to the National Programme for the Adoption of the Acquis (NPAA Working Groups). The correspondence between Sector Working Groups and NPAA Working Groups is presented in Annex 2.

Article 3 Personnel

- (1) The Sector Working Group is composed of two co-chairpersons, two secretaries from the lead ministries and members. The co-chairpersons are appointed by the Minister heading the respective Lead Ministry of the SWG.

The secretaries are appointed by the co-chairpersons of the respective Lead Ministry of the SWG.

- (2) The members of the Sector Working Group are appointed on proposal from the ministries and non-ministerial institutions in Annex 1. These members are to be drawn from the units within the relevant LMs which are responsible for sector policy formulation and the management of donor programmes.
- (3) In addition, the Sector Working Group consists of independent representatives of non-ministerial institutions (such as economic, social, academic and civil society organisations) relevant to its work. The list of

organisations in each Sector shall be listed in Annex 3

- (4) When applicable, the co-chairperson shall have the authority to invite other relevant stakeholders if deemed necessary to facilitate the work of the Sector Working Group.
- (5) As needed, in consultation with the members of the Working Group the co-chairperson will invite – on an ad hoc or permanent basis – experts with necessary technical expertise to perform technical tasks related to the SWG work, such as the strategic relevance assessment of infrastructure projects for the National Investment Committee.
- (6) If the co-chairpersons of the Sector Working Group deem it necessary to amend the membership of the SWG, with the purpose to perform its tasks and responsibilities in more effective and efficient manner, he/she can recommend alterations of the SWG to the Ministers stipulated as the Main Coordinators, following a consultation with the Sector Working Group.

TITLE III AREAS OF OPERATION AND COMPETENCES OF THE SECTOR WORKING GROUP

Article 4

Competences related to the formulation and implementation of national policies

- (1) SWG is the principal expert-level co-ordination body for the preparation of national policy documents as well as cross-sectoral and sectoral strategies and development programmes (together: planning documents). Other co-ordination bodies for such purposes shall be established only, in duly justified cases, when the SWG cannot fulfil the tasks related to such strategies and development programmes.
- (2) In this capacity, SWG will:
 - a. Elaborate proposals for the content of sector and cross-sector policies, strategies, and development programmes relevant to the policy areas within its responsibility;
 - b. Ensure monitoring and assessment of the progress made in implementing the Employment and Social Reform Programme 2020 (ESRP), preparation and examination of the reports on implementation and progress achieved as well as performance of other tasks pertaining to the monitoring and reporting on progress in the sector;
 - c. Ensure the preparation of the drafts of the relevant planning documents;

- d. Contribute to the identification, formulation and prioritisation of development objectives, measures and projects implementing the national policies and strategies in the sector;
- e. Support the work of the bodies in charge of the implementation of the said policies, strategies, and programmes in an advisory capacity;
- f. Act, under participation of partner organisations – i.e. social partners, sub-national authorities and representative civil society organisations – as monitoring committees of the strategies plans and programmes concerning the sector.

Article 5

Competences related to the use of foreign assistance to the Republic of Macedonia

- (1) In order to ensure a full integration and synergy between national policies of the Government and the use of foreign assistance by donors and creditors to the Republic of Macedonia, Sector Working Group will perform inter-ministerial co-ordination tasks for programming, monitoring and evaluation foreign assistance, similarly to its duties listed in Article 4 with respect to national strategies.
- (2) Without prejudice to the particular rules applicable to different donor programmes and instruments, the tasks of SWG with respect to foreign assistance will include:
 - a) The preparation of multi-annual as well as annual strategic planning documents relevant for programming – including, but not limited to, Sector Planning Documents, Operational Programmes or Action Documents in the context of programming IPA II;
 - b) Providing transparency and wide participation of relevant partners and stakeholders through all stages of the programming process;
 - c) Examining possibilities for national co-financing of proposed donor programmes and projects;
 - d) Support the bodies in charge of the implementation of donor programmes and projects in an advisory capacity;
 - e) Supporting – at the request of the SEA or the IPA Monitoring Committee and, as necessary, with participation of partner organisations – the monitoring of donor programmes and projects, reviewing evaluation reports and proposing measures for removing problems and implementation of evaluators' recommendations;
 - f) Identifying possible deficiencies, problems and risks in programming of donor programmes and projects, proposing measures to be taken for their solving to responsible institutions;

- g) Improving of cooperation and exchange of work experiences, preparing recommendations and opinions with regards to programming of IPA II and other development assistance;
- h) Coordination and alignment of donor support and strategies in the context of programming;

Article 6

Specific competences related to the work of the National Investment Committee

- (1) With specific regard to the work of the National Investment Committee, SWG will perform all tasks foreseen in the Methodology for identification, preparation and selection for financing of sectoral infrastructure investment projects as adopted by the Government of the Republic of Macedonia.
- (2) With respect to strategic relevance criteria for the prioritisation of development programmes and projects – including infrastructure under the competence of the National Investment Committee as referred to in paragraph (1) subparagraph a) – in the event that relevant strategic documents are updated and objectives therein change, Members of the Sector Working Group will inform the co-chairperson about the said changes.
- (3) If deemed necessary by the co-chairperson following the update of strategic documents, a session of the Sector Working Group should review the strategic relevance criteria to ensure alignment with the new objectives.

Article 7

Tasks related to European Integration

- (1) Where needed, at the request of SEA or the relevant NPAA Working Group, Sector Working Groups will support the preparation and monitoring of the National Programme of the Adoption of the Acquis, or other tasks related to Macedonia's integration into the EU.
- (2) In particular, SWGs will ensure at all times that their proposals regarding the formulation of sector policies and development programmes, as well as the use of donor assistance are in line with the relevant integration policies of the Government of Macedonia.

TITLE IV RIGHTS AND RESPONSIBILITIES OF THE CO-CHAIRPERSON AND MEMBERS OF THE SECTOR WORKING GROUP

Article 8

The Co-chairpersons of the Sector Working Group

(1) The two co-chairpersons of the Sector Working Group (hereinafter co-chairperson) are responsible for the work of the Sector Working Group. The co-Chairpersons:

- a) represent and manage the work of the Working Group;
- b) call and chair the meetings of the Working Group in their ministries;
- c) steer the operations of the Sector Working Group and its members in accordance with the areas of operations and competences stipulated under Article 5 and 6;
- d) have the competence to individually communicate with the institutions/non-ministerial institutions participating in the Sector Working Group;
- e) ensure coordination between institutions and non-ministerial institutions participating in the Sector Working Group;
- f) cooperate and guide the prioritisation process with stakeholders;
- g) are accountable to the Government, NIPAC and National Investment Committee).

(2) In cases where one of the co-chairpersons is prevented from executing his/her function, the other co-chairperson of the Sector Working Group assumes the chairperson's responsibilities as stated in article 9 of these Rules of Procedure.

Article 9

Members of the Working Group

(1) The members of the Working Group:

- a) participate in the work on issues which are on the agenda of the Sector Working Group's meeting;
- b) present initiatives, provide suggestions, opinions and proposals on issues within the scope of operations and competences of the Sector Working Group;
- c) familiarise the Sector Working Group with the priorities and positions of the institutions they represent;
- d) ensure impartial assessment and scoring of infrastructure projects - in particular, not perform favouritism towards projects emanating from the member's own ministry;

- e) conduct the duties within the competence of the Sector Working Group in a scrupulous, legal, and transparent manner, and implement the Rules of Procedure of the Sector Working Group.

- (2) Members are obliged to attend the Sector Working Group meetings.
- (3) Members may be absent from a meeting due to valid reasons, in which case they are obliged to notify the co-chairperson or the secretary of the Sector Working Group.
- (4) Members who are prevented from attending the meetings of the Working Groups for a longer period of time due to valid reasons are obliged to notify his/her superior, and request to nominate a replacement in the period of absence.

Article 10
Working sub – groups

- (1) The Sectoral Working Group may create working sub-groups on temporary or permanent basis to examine particular issues.
- (2) The working sub-groups shall report back to the SWG.

TITLE V
MANNER OF OPERATION

Article 11
Sector Working Group meetings

- (1) The Sector Working Group operates on meetings to which all members of the group and/or only certain members responsible for a specific area are invited to take part.
- (2) The Sector Working Group meets at least once per quarter.
- (3) The Sector Working Group meetings are called by one of the co-chairpersons, who also moderates them.

- (4) The Sector Working Group meetings can also be called on proposal of a member of the Sector Working Group. The proposal is sent to the co-chairpersons who decide upon the necessity to call a meeting.
- (5) The invitation to take part in a meeting of the Working Group should include an agenda, indicated location and time for the meeting, accompanying materials if any, and these items are disseminated in an electronic format.

Article 12

Proceedings of the Sector Working Group meetings

- (1) The Sector Working Group convenes upon invitation by one of the co-chairpersons. The invitation accompanied with a draft agenda is sent in writing by the secretary to all members, 10 days before the meeting.
- (2) Sector Working Group meetings are opened by the co-chairperson, followed by agenda setting and adoption of the minutes from the previous meeting.
- (3) The Sector Working Group adopts conclusions after completion of the debate on each point of the agenda by simple majority of members present.

Article 13

Minutes

- (1) The Sector Working Group secretary prepares the minutes of the Sector Working Group meetings.
- (2) The minutes of the meetings shall contain: time and location of the meeting, members present on the meeting, agenda, discussions, conclusions and other relevant information related to the meeting.
- (3) The prepared minutes are distributed by the secretary to all members of the Sector Working Group within five working days, who have the right to provide their remarks.
- (4) The minutes are adopted on the following meeting. The adopted minutes are signed by the co-chairperson and the secretary.
- (5) The adopted minutes are distributed to all Working Group members.

Article 14
Written procedure

- (1) The co-chairperson may obtain the SWG's opinion by written procedure on urgent issues and when an additional meeting is not needed.
- (2) When implementing the written procedure for decision taking, the co-chairperson: must send all necessary documents on the issue in question to the SWG members together with the draft of the decision. Every member should return his/her response (or written statement) back within 10 working days from the date of issuing the documentation. In the event that there are no negative statements, or there is no response, the proposal is to be considered as agreed.
- (3) The co-chairperson shall inform the members of the SWG of the outcome of a written procedure without delay, after the expiry of the time-limit.

Article 15
Dissemination and exchange of materials, information and data

- (1) The dissemination and exchange of materials, information and data among the Working Group members is conducted via electronic and/or regular mail.
- (2) Electronic manner of communication is considered official.
- (3) The Working Group members are obliged to provide the materials requested by the Working Group president within the deadline set by him/her but not later than 5 days before the meeting.
- (4) A Sector Working Group member who is prevented to meet the deadline from paragraph 3 of this article, shall immediately inform the co-chairperson of the reasons.

TITLE VI
STAKEHOLDER ENGAGEMENT

Article 16
Cooperation with stakeholders

- (1) The Sector Working Group decides on cooperation with stakeholders.

(2) Stakeholders, in accordance with these Rules of Procedure, are associations and foundations, NGOs, and other non-ministerial agencies which perform public authority, as well as other legal and physical entities which may be affected by the work of the SWG, such as the formulation and implementation of sector policies and strategies, or the prioritisation and implementation of infrastructure projects.

(3) Stakeholder cooperation is accomplished through information-sharing, consultation, participation and partnership.

(4) The provisions for stakeholder cooperation in these Rules of Procedure do not limit the application of existing standards and methods for stakeholder engagement.

Article 17

Information sharing and stakeholder consultation

(1) The co-chairperson of the Working Group can include stakeholder representatives, as external members of the Sector Working Group.

(2) When necessary, the co-chairperson of the Sector Working Group, can invite stakeholder representatives from paragraph 1 of this article to attend the Sector Working Group meetings.

(3) Stakeholder representatives from paragraph 1 of this article shall ensure greater representation of the different stakeholder groups' interests, in addition to those of citizens.

(4) The stakeholders' representatives from paragraph 1 of this article cannot publish or use the working documents derived from the Sector Working Group – and which are still not made public by the Sector Working Group – for purposes and aims other than ones associated with the Sector Working Group.

Article 18

Exchange of information on stakeholder engagement

(1) The co-chairperson shall notify the National Investment Committee and the NIC TS on a regular basis of conducted measures and activities for stakeholder engagement, as well as the results from their engagement. This can also include the distribution of minutes to NIC.

(2) The secretary of the Sector Working Group shall keep records of the conducted measures and activities for stakeholder engagement, as well as of the results from their engagement, and puts the records at co-chairpersons', NIPAC's and National Investment Committee's disposal.

TITLE VII
FINAL PROVISION

Article 19
Entry into force

- (1) These Rules of Procedure shall enter into force on the day of their adoption
- (2) The Rules of Procedure can be amended by the SWG after written proposals by any of the members followed by discussions and consensus by the SWG.

Annex 1
Membership of the Sector Working Group

- Lead Ministry: Ministry of Education and Science and Ministry of Labour and Social Policy
- Lead Donor:

Coordinator	Basic working group	Other members (if necessary)	Donors and IFI
<ul style="list-style-type: none"> • NIPAC and DPMGRM competent for European Affairs • DPMGRM competent for economic issues • Minister of Education and Science • Minister of Labour and Social Policy 	<ul style="list-style-type: none"> • Minister of Education and Science • Minister of Labour and Social Policy • Office of the PMGRM • MF/CFCD and NAO • NIPAC and DPMGRM competent for European Affairs • DPMGRM competent for economic issues 	<ul style="list-style-type: none"> • Minister of Information Society and Administration • Minister of Health • Minister without portfolio competent for the Roma Decade • DPMGRM competent for implementation of OFA • Representatives of the civil sector, academia, representative social partners • Managerial staff of other bodies and agencies with competences in the sector (for e.g. The Employment service agency, Agency for Youth and Sports, the National Agency for European educational programs and mobility, etc.) depending on the areas/priorities covered with the relevant programming documents 	<ul style="list-style-type: none"> • EU • Switzerland • France • Germany • World Bank • European Bank for Reconstruction and Development • Credit Bank for Reconstruction - KfW • European Investment Bank • Development Bank of the Council of Europe

Annex 2

Correspondence between Sector Working Groups and NPAA Working Groups

Education, employment, social policies

- Chapter 2: Freedom of movement for workers
- Chapter 19: Social policy and employment
- Chapter 26: Education and culture
- Chapter 28: Public health

Annex 3
Non-governmental organisations and partners invited to each SWG

<< INSERT NAMES OF ORGANISATIONS BY SECTOR >>