

Annex 2

Procedure related to the submission, screening and assessment of declarations of interests and summaries of CVs and validation for Governing Board and Advisory Groups members (full/alternate/observers)

Owner	Backup owner	Procedure reference	Date adopted
Network Manager	N/A	N/A	25 November 2014

Approval steps	Responsible	Date
Draft	Quality Team	11 November
Review	Director	11 November
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Revision date (1)	Detail of revision made (1)	Reason for revision (1)
23 September 2015	The GB/AG members, if case arises, should inform their family members that the Agency will be processing data about them. Further information is available on the Agency's website, cf. Annex A.	Alignment to EDPS' recommendations
Revision date (2)	Detail of revision made (2)	Reason for revision (2)

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Part 1: Description and aims of procedure

1.1 Overview and purpose

The purposes of this procedure are:

- To describe the process related to the submission, screening and assessment of the declaration of interests and summary of CVs of Governing Board members (full/alternate/observers) and Advisory Groups members (full/alternate/observers);
- To allocate roles and responsibilities in line with the Agency's policy on management of conflict of interest and in compliance with Regulation (EC) No 45/2001 on protection of personal data.

1.2 Concept and key terms

This procedure means to cover the whole process that goes from the submission of the declarations of interests and the summaries of the CVs by the Governing Board/Advisory Groups members (full/alternate/observers), the screening, assessment and validation of the assessment and recommendations performed within the Agency.

By **declaration of interests**, it is meant a statement where Governing Board/Advisory Groups members (full/alternate/observers) shall declare their and their close family circle's interests, affiliations, memberships and relations to organizations, companies and networks related to the area of work of EU-OSHA.

A template for the declaration of interest and a guidance document is annexed to this procedure (Annex A and B). This is complemented by a template of a **summary of CV**. The template and the guidance note are also annexed (Annex C and Annex D).

By **submission**, it is meant the act of submitting the declarations of interests and the summaries of CVs by the Governing Board or Advisory Groups members (full/alternate/observers) at the time of their appointment.

By **screening, assessment and validation**, it is meant the three-fold exercise carried out within the Agency:

- Screening: to ensure that the declarations and the CVs do not contain any factual error/omission);
- Assessment: to check the declarations and the CVs against the policy and to make a recommendation, if applicable;
- Validation: to confirm the assessment and the recommendation(s). The validation of the assessment is not systematic and is carried out only if any issue is spotted at the assessment phase.

For the **definition of conflict of interest, interest** (incl. direct, indirect and legitimate interest) and **management of conflict of interest**, cf. the Agency's policy (section 2).

1.3 Persons involved

The addressees of this procedure are:

- Governing Board members (full/alternate/observers);
- Advisory Group members (full/alternate/observers).

Within the Agency, the following functions have a role in the implementation of the procedure:

- Network secretariat;
- Heads of Unit;
- Conflict of interest committee (composed by the Heads of Unit or a member of the Network Secretariat and the Internal Control Coordinator);
- Chair and vice-Chairs of the Governing Board and Chairs of the Advisory Groups.

Their responsibilities are described in the table below.

Responsible		Description of responsibilities
For Governing Board	For Advisory Groups (not GB members)	
Network Secretariat	Heads of Unit	<ul style="list-style-type: none"> • Get new members acquainted with the policy and related responsibilities; • Collect declaration of interests and summaries of CVs; • Carry out the screening and assessment and defer the case to the conflict of interest committee where appropriate.
Conflict of interest committee		<ul style="list-style-type: none"> • Carry out the validation of the assessment and adopt a recommendation.
Governing Board Chair	Advisory Groups Chairs (Heads of Unit)	<ul style="list-style-type: none"> • Get informed; • Implement preventive/remedial actions foreseen by the Conflict of interest committee's recommendation.

1.4 When to apply the procedure

The procedure shall be applied upon appointment as Governing Board member (full/alternate/observers) and to Advisory Groups members (full/alternate/observers).

Part 2: Procedure

Step	Responsible		Description
	Governing Board	Advisory Groups (not GB members)	
1.	Network Secretariat	Heads of Unit	Upon appointment of a new member, inform about: <ul style="list-style-type: none"> the Agency's policy on conflict of interest the requirement to fill in and submit the declaration of interests and the summary of CV.
2	Board members (full/alternate/observers)	Advisory Groups members (full/alternate/observers)	Take note of the Agency's policy. Fill in the summary of CV and the declaration of interests templates as explained in the guidance notes.
3	Network Secretariat	Heads of Unit	Screen the declarations and the summaries of CVs. Assess the declarations and the summaries of CVs against the Agency's policy. Criteria for the assessment are: <ul style="list-style-type: none"> Likelihood of undue influence Seriousness of the potential harm or wrong Availability of mitigating measures <p>If there is no issue, the declaration and the summary of CV is published on the website.</p> <p>If any issue arises, the assessment and the proposed recommendation is referred to the Conflict of interest committee for validation.</p>
4	Conflict of interest committee		Take note of the assessment and the recommendation(s). Contact the member concerned and ask for his/her view.
5	Board members (full/alternate/observers)	Advisory Groups members (full/alternate/observers)	Receive the notification from the Agency and react within 10 working days.
6	Conflict of interest committee		Re-examine the case in view of any new element, if provided, within the following 10 working days. There are three possibilities: <ol style="list-style-type: none"> The assessment and the recommendation(s) are rejected. The case is settled and the member concerned is informed. The assessment and recommendation(s) are confirmed or amended as appropriate. The member concerned,

		<p>the Governing Board chair is informed and prepared for the implementation of the preventive/remedial actions.</p> <p>3) The assessment reveals fraudulently omitted or false information. The “breach of trust” procedure is activated.</p>
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Part 3: Context

3.1. Regulatory Framework

- EU-OSHA Internal Control Standard n.2 “Ethical and Organizational Values”;
- The Commission Guidelines on the prevention and management of conflict of interest in EU decentralised Agencies.

3.2. Links to relevant procedures and policies

- EU-OSHA policy on management of conflict of interest;
- Procedure related to the management of the breach of trust by Governing Board and Advisory Groups members (full/alternate/observers).

Part 4: Monitoring and compliance

This procedure shall be monitored in conjunction with the implementation of the Agency’s policy on management of conflict of interest. An annual account of its implementation shall be included in the Annual Activity Report.

Annex A: Guidance note on Declaration of Interests

Each member should declare which his or her interest are is in relation to the Agency. The declarations would have to be updated every five years. When receiving the declarations EU-OSHA will make them available on the Agency website.

In the following the Agency tries to provide some guidance for the understanding of the different elements of the form.

Direct interests are interests of personal benefit that are susceptible to generate a benefit (or loss) for the concerned individual and that are likely to exert a direct influence over the individual's behaviour in performing his/her role in relation to EU-OSHA.

Direct interests may, inter alia, include:

- Employment as a free-lance consultant by the Agency;
- Employment, consultancy or strategic advisory role for an OSH company or holding shares or investment funds in an OSH-sector company;
- Work carried out for an organisation operating in the field of work of EU-OSHA during the last 10 years, whether or not such work was regularly or occasionally remunerated.

Indirect interests are other interests that may exert some influence over the individual's behaviour.

Indirect financial interests, may, inter alia include:

- Receiving public funds (grants) from an OSH research center or firm;
- Intellectual interests of non-pecuniary nature or material benefit, arising from professional activities or affiliation with national and international organizations operating in fields related to the area of work of EU-OSHA.

Interests deriving from the professional activities of the member's close family members may be any interest that the close family circle of a Board member can derive from his/her position.

These may, inter alia, include:

- Son/Daughter of a Board member employed at the Agency or at a company to which the Agency has sub-contracted work to.

By close family circle is understood:

- Stable partner
- Children
- Parents

It is the responsibility of each member to inform his/her family members that EU-OSHA will be processing data about them in the context of the Agency's policy on management of conflict of interests and that such policy and related procedures are available on the Agency's website.

Membership role or affiliation in organisations/bodies/clubs with an interest in the work of EU-OSHA may, inter alia, cover:

- Relevant formalised networks working on particular OSH issues

Annex B: Template – declaration of interests

DECLARATION OF INTEREST

Information on direct or indirect interests of relevance in the fields of work conducted by EU-OSHA:

Name _____

Position

Member (full/alternate/observer) of the Governing Board

Member of the Bureau

Member (full/alternate/observer) of an Advisory Group (please specify: _____)

1. Direct interest (financial benefits arising from, for example, employment, contracted work, investments, fees etc.):

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.....

2. Indirect financial interests (grants, sponsorships, or other kind of benefits):

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.....

3. Interests deriving from the professional activities of the member or his/her close family members:

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4. Any Membership role or affiliation that you have in organisations/bodies/clubs with an interest in the work of EU-OSHA:



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.....

5. Other interests or facts that the undersigned considers pertinent:

.....
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.....
.....

I declare on my word of honour that the information provided above is true and complete.

Done at _____ **on** _____

Signature _____

Annex C: Guidance note on CVs

In this note, the Agency would like to provide some guidance on the extent of details to provide in the CV in the form of FAQs.

1. What information shall I provide?

You shall provide information regarding your present and past professional activities that are in relation with the areas of work of the Agency. In particular, you shall inform about:

- *the start and end date (if applicable) of your professional experience,*
- *the name of the organisation for which you have been employed,*
- *your job title within the organisation. Should this not be self-explanatory, you can provide a brief explanation about your tasks.*

2. What time brackets shall my CV cover?

Your CV should cover information related to your employment within the last 10 years.

3. How are my personal data processed?

Your personal data are processed in compliance with Regulation (EC) No 45/2001 on protection of personal data. For further information, see the specific privacy statement (Annex 1 to the EU-OSHA policy on management of conflict of interest).

Annex D: CV - template

Summary CV of EU-OSHA Governing Board and Advisory Groups members, alternates and observers

First name, LAST NAME _____

Position

- Member (full/alternate/observer) of the Governing Board
 Member of the Bureau
 Member (full/alternate/observer) of an Advisory Group (please specify: _____)

Work experience over the last 10 years (start with current position):

Date	Employer	Position	Comments

Name, signature and date: _____



Procedure for submission, screening, assessment and validation of declarations of interests and summaries of CVs

