

## Procedure for the Collection and Publication of Declaration of Commitment and Interests and Curriculum Vitae – Issue 2

|                    |                                    |
|--------------------|------------------------------------|
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## 1 Legal basis

- Regulation (EC) No. 1339/2008 of the European Parliament and of the council of 16 December 2008 establishing a European Training foundation (recast) article 11
  - *“Public interest and independence – The members of the Governing Board and the Director shall act in the public interest and independently of any external influence. To this end they shall make a written declaration of commitment and a written declaration of interests every year.”*
  - ETF Director and ETF managers commit to act in the public interest and independently of any external influence.
- The ETF Governing Board Decision ref. GB/09/DEC/017 on the ‘Rules of Procedure of the Governing Board’: article 1, comma 6 and Annex 1 Part 1 on Functions and powers of Governing Board members
- European Parliament resolution of 3 April 2014 on discharge in respect of the implementation of the European Union agencies for the financial year 2012: performance, financial management and control (2013/2256(DEC)), point 76:
  - *“The European Parliament (...) reiterates its view that a high level of transparency is a key element to mitigate risks of conflicts of interest; calls, therefore, on the agencies (...) to make available on their websites (...) their policy and/or arrangements on the prevention and management of conflict of interest and their implementing rules as well as the lists of their management boards’ members, management staff and external and in-house experts, together with their respective declarations of interests and curriculum vitae”*

## 2 Purpose

The purpose of collecting and publishing Declarations of Commitment and Interests (subsequently indicated as Declarations) and Curriculum Vitae's (CV's) of Governing Board (GB) members, the ETF Director and ETF managers is to ensure that these persons commit to act in the public interest and independently of any external influence.

The Declaration is signed/provided annually whereas the CV is provided upon appointment, and then only updated when the person considers relevant changes occurred in his/her professional or personal responsibilities.

## 3 Actors, roles and responsibilities

| Actors  | Roles and responsibilities  |
|---|---|
| <b>Director</b>   | Overall responsibility for the procedure  |
| <b>Governing Board Secretariat</b>                                    | Responsible for the overall management of the procedure   |
| <b>Director, ETF managers and Governing Board members<sup>1</sup></b> | Provide declarations and CV's to the GB Secretariat   |
| <b>Governing Board Chair</b>  | intervenes addressing the non-compliance of members and in case of reiteration their appointing authority |
| <b>Commission Desk Officer in parent DG</b>                           | Arranges for procedures within the DG in case of non-compliance.  |

<sup>1</sup> GB members considered for the purpose of this procedure are: Commission representatives and their alternates, Member States representatives and their alternates.

|   |                    |
|---|--------------------|
| <b>Member State<br/>Permanent<br/>Representation /<br/>Appointing Authorities</b> | Appoint GB members |
|---|--------------------|

## 4 Procedure<sup>2</sup>

| <b>Nr</b> | <b>Actor(s)</b>                             | <b>Description</b>   | <b>Timing</b> |
|-----------|---|--|---------------|
| 1)        | GB members                                  | During the November GB meeting of year N-1, members receive the Declaration for year N (Annex A) by the GB Secretariat, to be filled in and signed   |               |
| 2)        | GB Members                                  | For those members who did not return the declaration in the course of the GB November meeting (year N-1), the GB Secretariat sends a <b>request message</b> , with deadline of <b>31 January</b> . | 10 January    |
| 3)        | GB members / ETF managers<br>GB Secretariat | The concerned people provide (scanned) annual Declarations and updated CV's (where necessary) to GB Secretariat.   | 31 January    |
| 4)        | GB Secretariat                              | The GB Secretariat sends a <b>reminder</b> of the request message to those who did not reply, with deadline <b>15 February</b> .   | 1 February    |
| 5)        | GB members / ETF managers<br>GB Secretariat | The concerned people provide (scanned) annual Declarations and updated CV's (where necessary) to GB Secretariat.   | 15 February   |
| 6)        | GB Secretariat                              | Publishes annual Declarations and updated CV's on ETF website.<br>Files annual Declarations and CV's.  | 16 February   |

### Escalation steps in case of GB members not providing Declaration

| <b>Nr</b> | <b>Actor(s)</b>                   | <b>Description</b>   | <b>Timing</b> |
|-----------|-----------------------------------|--|---------------|
| 7)        | GB Secretariat                    | In case of non-compliance after reminder, informs the Commission Desk Officer and Chair of the GB and provides them with template letter for signature.  | 16 February   |
| 8)        | Commission Desk Officer, GB Chair | Arranges for letter to be dispatched from the GB Chair, giving deadlines of end March  | 2 weeks       |
| 9)        | Commission Desk Officer, GB Chair | In cases of continued non-compliance, arranges for letter to be sent by GB Chair to Permanent Representation and/or Appointing Authority on termination of membership of non-compliant GB member and appointment of new member | 2 weeks       |

<sup>2</sup> For the **newly appointed GB members**, the GB Secretariat sends a message including the welcome letter and a blank Declaration form (Annex A) related to the year of appointment. The members are required to fill in and sign the Declaration and return it to the GB Secretariat together with their CV within one month from the date of the request.

## 5 Performance indicators

| Quality Indicator | Percentage of received declarations with respect to the list of concerned actors (100% by end March) |
|-------------------|--|
|-------------------|--|

The GB Secretariat constantly monitors the compliance, notably by maintaining updated:

- the list of concerned actors and
- the information on requests and subsequent reception of the Declarations/CV's.

## 6 Risks

| Potential Risks   | Mitigating actions   |
|---|--|
| GB members / ETF managers have conflict of interest                             | <ul style="list-style-type: none"> <li>• Publication on ETF website of Declarations of commitment and interests and curriculum vitae of GB members and alternates and ETF managers</li> </ul>  |
| Concerned actors fail to provide the Declaration of commitment and interests/CV | <ul style="list-style-type: none"> <li>• GB members and alternates are informed upon their appointment of their obligation to provide annually their declaration of commitment and interests and their CV</li> <li>• In case of delay of providing the Declaration/CV notwithstanding the reminder by the GB Secretariat, the next reminder will be sent by the Chair of the Governing Board.</li> <li>• Ultimate escalation: the GB Chair sends a request for appointment of a replacement to the Permanent Representation and/or Appointing Authority</li> </ul> |
| Requests for compliance may put at risk quorum <sup>3</sup>                     | <ul style="list-style-type: none"> <li>• Ensuring systematic preventive action by the GB Secretariat, Director and Commission early in the year</li> <li>• Ensuring that the GB Secretariat messages systematically reaffirm the importance and rationale for this request from the Recast regulation/EP resolution</li> </ul>   |
| EP does not grant discharge   | <ul style="list-style-type: none"> <li>• Ensuring systematic preventive action by the GB Secretariat, Director and Commission early in the year</li> <li>• Ensuring that the GB Secretariat messages systematically reaffirm the importance and rationale for this request from the Recast regulation/EP resolution</li> <li>• Demonstrating ETF/Commission responsible and systematic management of the above procedure</li> </ul>  |

## 7 Data protection

- See Privacy statement on the Procedure regarding Declaration of Commitments and Interests and CVs

## 8 Abbreviations

| Abbreviation, term | Description-definition      |
|--------------------|-----------------------------|
| DIR                | Directorate                 |
| GB                 | Governing Board of the ETF. |
| GB Secretariat     | Governing Board Secretariat |

<sup>3</sup> Two-thirds majority of its members, see article 2.1 and article 9.1 of Rules of procedure

## 9 Annex

- Template Declaration of commitment and interests

## Annex: Declaration of commitment and interests

### Declaration of Commitment and Interests - Year NNNN

Having regard to Article 11 of the Regulation (EC) N. 1339/2008 of 16 December 2008 establishing a European Training Foundation (ETF), recast;

Having regard to ETF activities in **current year** as outlined in the Work Programme for the year **NNNN**;

I (Name, Surname), undersigned, as *[Member of the ETF Governing Board/ Alternate member of the ETF Governing Board/ Director of the ETF / Senior Manager of the ETF/ Middle Manager of the ETF]*, declare:

- to commit myself to pursue the public interests in the management of the duties related to the above mentioned position;
- to act independently from any external influence with regards to:

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

No, I DO NOT HAVE any direct interest  
 Yes, I DO HAVE a direct interest (if so, please specify)

2. Indirect financial interest (e.g. grants, sponsorships, other kind of benefits, etc.)

No, I DO NOT HAVE any indirect financial interest  
 Yes, I DO HAVE an indirect financial interest (if so, please specify)

3. Financial interest deriving from the professional activities of the undersigned or his/her close family members

No, I DO NOT HAVE any financial interest deriving from professional activities  
 Yes, I DO HAVE a financial interest deriving from professional activities (if so, please specify)

4. Any role or affiliation that the undersigned has in organisations/bodies/clubs with an interest in the work of the ETF

No, I DO NOT HAVE any membership role or affiliation  
 Yes, I DO HAVE a membership role or affiliation (if so, please specify)

5. Other interests that the undersigned considers relevant

No, I DO NOT HAVE any other relevant interests  
 Yes, I DO HAVE other relevant interests (if so, please specify)

Place, date

Signature

Having regard to the European Parliament resolution of 3 April 2014 on discharge in respect of the implementation of the European Union agencies for the financial year 2012 (2013/2256(DEC)), point 76, which states "*The European Parliament (...) reiterates its view that a high level of transparency is a key element to mitigate risks of conflicts of interest; calls, therefore, on the agencies (...) to make available on their websites (...) their policy and/or arrangements on the prevention and management of conflict of interest and their implementing rules as well as the lists of their management boards' members, management staff and external and in-house experts, together with their respective declarations of interests and curriculum vitae*"

I (Name, Surname), undersigned, as [Member of the ETF Governing Board/ Alternate member of the ETF Governing Board/ Director of the ETF / Senior Manager of the ETF/ Middle Manager of the ETF], declare:

to consent to the publication on the ETF website of this declaration and of my curriculum vitae ;

Place, date

Signature

Data protection disclaimer

The personal information that you provide in this form will be processed in line with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. In case that in the Declaration of Commitment and Interests you include information about other data subjects (i.e. your family), you are responsible to inform them about their rights according to the above mentioned Regulation.

For full details see the [Privacy Statement on the Declaration of Commitment and Interests](#).