European Union Agency for Law Enforcement Training

Five-Year Evaluation Report 2015-2020

Observations and Recommendations by the Management Board

Table of Contents

Observations and Recommendations by the Management Board

Foreword

Article 32 of the European Parliament and Council Regulation (EU) No 2015/2219[1] stipulates that:

'By 1 July 2021 and every five years thereafter, the Commission shall ensure that an evaluation assessing, in particular, the impact, effectiveness and efficiency of CEPOL and of its working practices is carried out. The Commission shall submit the evaluation report to the Management Board. The Management Board shall provide its observations on the evaluation report within one month from the date of receipt. The Commission shall then submit the final evaluation report, together with the Commission's conclusions, and the Management Board's observations in an Annex thereto, to the European Parliament, the Council and the Management Board. The findings of that evaluation report shall be made public'.

In order to support the Management Board to provide its observations on the evaluation report, a reporting panel was established by Decision of the Management Board 33/2021/MB.

The Management Board concurs with the evaluator's report and main recommendations. Yet some of the recommendations cannot be effectively addressed with the current limited human and financial resources allocated to CEPOL.

The Management Board reviewed the five-year evaluation for each of the areas covered and provides the following observations and recommendations.

Area evaluated: Effectiveness

(extend outreach of target audience through a cascading effect)

Observations

The assessment of CEPOL's effectiveness was positive as the evaluation found that CEPOL's key programming documents consider and reflect the objectives of its legal basis and the priorities as set out in the 2015 EU Agenda on Security. Moreover, the introduction of the EU-Strategic Training Needs Assessment methodology, developed to identify gaps in knowledge, skills and competencies and training needs, has strongly improved the prioritisation of training needs.

Yet the study recommends that CEPOL should aim to reinforce the outreach and impact of the Agency. This could be achieved, for instance, by integrating cascading (i.e. multiplying the outreach as a result from the training of trainers and peer-to-peer transfer of knowledge) more systematically into all activities, stepping up the train-the-trainer programme, with a special focus on law enforcement senior managers, and continuing to develop and strengthen its online offer. This would help CEPOL to better address its target audience, as broadened in the legal basis in force since 2016, now including prosecutors, customs officials, and other persons involved in law enforcement (e.g. forensic lab personnel).

MB reflections

The Management Board, while acknowledging that cascading remains a national responsibility, encourages CEPOL to do the utmost in its capacity to further extend outreach of the target audience.

---

[1] OJ L 319, 4.12.2015.p.1

MB recommendations

1. CEPOL shall further expand the train-the-trainer programme, and a special focus on law enforcement senior managers.

2. CEPOL shall investigate the options for professional certification that could be offered in the context of train-the-trainer programme versus applicable standards on the market (e.g. ISO 29993:2017 Trainer Certification)

3. CNUs supported by CEPOL shall develop a national cascading system to be systematically integrated into the training activities and monitored in terms of outreach to the broaden target audience, with due regard to the specificities at national level.

4. CEPOL should further continue the successful implementation of online qualification services.

Area evaluated: Effectiveness (participant's profile)

Observations

The evaluator identified that participants selected for CEPOL's residential training do not always have a suitable profile in terms of level of expertise and seniority. However, stakeholders reported that CEPOL Activity Managers are now reviewing more carefully participant applications.

MB reflections

Management Board takes note that the issue is being addressed and encourages both CNUs and CEPOL' Activity Managers to continue the practice of conducting selection of participant in strict compliance with the set criteria.

Area evaluated: Efficiency (MB decision process, planning and monitoring procedures)

Observations

The Management Board takes note that in terms of efficiency, the evaluation found that the benefits stemming from participating in CEPOL's activities outweighed the costs for Member States, and that CEPOL's resources were managed well.

The evaluation also concluded that there were some inefficiencies related to the Management Board's decision-making process, CEPOL's planning processes and monitoring procedures. Board meetings are attended by large numbers of delegates per Member State, not always properly representing the full spectrum of the law enforcement bodies and their inputs. Several stakeholders observed that, while most Management Board decisions are related to content and strategy, the agenda of Board meetings is cramped with administrative items, leaving relatively little room for strategic discussion.

It was recommended that Member State representatives further strengthen coordination within their countries, with a view to gather and address the needs of the entire law enforcement community. In particular, the evaluation highlighted the importance of the role of CEPOL's Management Board, as a body which should reflect and relay all inputs and demands beyond the academic world, notably from the operational level in their Member States, to be fed into the Board's strategic decisions. In this context, attention should also be paid to gender representation within the Management Board,

as also highlighted by the European Parliament, which – in the context of the 2019 discharge procedure – urged CEPOL to ensure gender balance when nominating their members.

MB reflections

The Management Board agrees with the recommendation that the Board meetings should focus more on strategic discussion and less on administrative matters. At the same time, the MB would like to emphasise the importance of the Operational and EU Strategic Needs Assessment as an essential tool to reflect the operational demands and bring up needs of the field, hence the commitment of Member States in participating to these assessments is crucial.

On participation of other law enforcement bodies in the MB meetings, the MB highlights that police usually represents the majority within the law-enforcement community, therefore the representation level mirrors the real situation. The same applies to the matter of gender representations that reflects the national gender balance within MS, therefore both aspects are beyond CEPOL's outreach.

MB recommendation

5. The MB shall further streamline the meeting agenda to focus on strategic matters.

Area evaluated: Efficiency (staff turnover)

Observations

While the evaluator assessed that CEPOL's internal structure appears to operate efficiently, it was noted that CEPOL's staff turnover might have affected the Agency's overall efficiency during the 2015 to 2020 period. The turnover of staff has resulted in a shift in corporate culture and challenges in attracting appropriately qualified staff.

MB reflection

The Management Board takes note of the finding and highlights that the relocation of CEPOL from UK to Hungary had a strong impact on staff turnover due to lower salary coefficient combined with under graded positions for key functions in the establishment plan.

MB recommendation

6. The MB hereby takes this opportunity to flag these aspects for the stakeholders in the decision-making fora, and recommends that the grading of posts in CEPOL should be aligned with those in other JHA Agencies.

Area evaluated: Efficiency (quality assurance mechanism for outsourced training activities)

Observations

The evaluator noted that CEPOL now operates under a hybrid business model, which combines the traditional grant approach, consisting in tendered topics among the eligible Framework Partners, and the 'new' CEPOL Knowledge Centre method, consisting in a cluster of experts specialised in a topic. This mixed method is meant to streamline and simplify the grants management and has been put in place after the Management Board rejected the complete abolition of the grant system. CEPOL was generally capable of absorbing the EU funding it received.

According to the evaluators' finding, the yearly development cycle for CEPOL's training activities is deemed to be too short, jeopardising quality. Prior to CEPOL's development of training, the Management Board is required to make decisions about topics, guidelines are drafted, and

Framework Partners undergo selection procedures. Once these processes are complete, according to some stakeholders, there is little time left for quality content development, as the yearly cycle has come to an end. Consequently, Framework Partners with no 'off-the-shelf' training solutions that could be offered during this limited timeframe are discouraged from applying to organise a course. The result is that the number of grant applications from Framework Partners is constantly decreasing.

Among its key finding, the evaluator notes that the training activities that have been outsourced to CEPOL's Framework Partners for development and delivery are less exposed to CEPOL's quality assurance mechanism. This results in training activities of variable quality. CEPOL has a quality assurance mechanism in place to control its training activities from development to delivery, which was found to be effective in guaranteeing high-quality content and trainers when CEPOL is responsible for both developing and delivering training. Training activities outsourced to Framework Partners, while still appreciated by participants, are sometimes of variable quality, as they have not always been systematically screened by the CEPOL's quality assurance mechanism.

MB reflection

The Management Board shares the opinion that CEPOL has proven to be successful in implementing the funds it received, however considers that using the term 'absorption of EU funds' is not appropriate in the context of EU Agencies.

Management Board recognises the establishment of CEPOL Knowledge Centre as an efficient model of implementation of training activities, where the Agency has taken on board the central administration of the budget. However, the additional necessary human resources are missing to deploy this model on a full scale, for all training activities.

MB recommendation

7. CEPOL should do the utmost in its capacity to gradually extend the CEPOL Knowledge Centre model to other training activities, within the limits of available resources.

Area evaluated: Efficiency (Cybercrime Academy)

Observations

According to the evaluator, the CEPOL's Cybercrime Academy is perceived to be an important step taken by the Agency to address emerging needs but should be further improved, especially with regards to the training offers addressing specific technical skills, such as cryptocurrency, access to (big) data and encrypted data, which can hardly be covered by single Member States alone.

MB reflections

The Management Board shares the apprehension of the evaluator that training offer should focus on topics that cannot be addressed at national level, especially on evolving new technologies such as Artificial Intelligence, big data analysis and data encryption, as evidenced by the training needs assessments conducted by CEPOL. At the same time, MB considers that Cybercrime Academy should also envisage a train-the-trainer component, aiming for qualified trainers.

MB recommendation

8. CEPOL should be enabled to further invest into its cybercrime training offer, to cover for relevant topics to be better addressed at the European level.

9. MB considers in reference to recommendation n°2 that cyber related train-of-trainers activities should be best supported by certification of the trainings.

Area evaluated: Relevance

Observations

The evaluation confirmed that CEPOL's objectives are relevant to the EU needs and challenges defined by key strategic documents and CEPOL's training offer is relevant to the needs of EU Member States.

The evaluator also mentions that there were mixed findings in relation to CEPOL's ability to adapt its training offer to scientific, technological and socio-political developments.

MB reflections

Management Board considers that second remark could have been better substantiated to enable further analysis. Nevertheless, MB agrees that the training offer should be flexible to adapt to new developments, and to this end CEPOL conducts regular strategic and operational training needs assessments.

MB recommendation

10. CEPOL should consider the further application of the existing model to satisfy emerging training needs.

Area evaluated: Coherence (strengthen cooperation with other JHA and CEPOL's role as a coordinator on training aspects)

Observations

The evaluation concludes that CEPOL's remit and activities appear to be coherent with and complementary to other relevant actors at the EU level. Yet, the extent of coordination is ad hoc, varies by Agency and by CEPOL's level of engagement with JHA agencies and EU institutions. This means that there is some room for improvement.

The evaluation highlights the importance for CEPOL to streamline its activities to focus on key priorities within the European Multidisciplinary Platform Against Criminal Threats, the Security Union Strategy and recent internal security strategies, while remaining open to assessing and catering for the specific training requests of Member States within this framework. In that regard, CEPOL should increase its cooperation with other Agencies in general, and with Europol in particular, in order to maximise synergies as widely as possible. In this context, CEPOL has accepted to take the lead in the coordination of the common horizontal strategic goal on "capacity building through training, networking and innovation" during the upcoming cycle 2022-2025 of the European Multidisciplinary Platform Against Criminal Threats. Likewise, it is recommended CEPOL should increase its coordinating role, also when contributing to implement all the internal security strategies, including the Counter Terrorism Agenda, adopted in December 2020, and both EU Strategies on Organised Crime and on Trafficking, adopted in early 2021.

Linked to this, it is recommended that CEPOL plays a central role in coordinating law enforcement training among all different stakeholders, and notably the other JHA agencies. Rather than being in competition with other EU training stakeholders, CEPOL should aim to become "the" EU hub for law enforcement training. While the Agency is not in a position to cater for all training needs itself, it has a unique role in mapping and monitoring the catalogue of existing law enforcement training offers

provided by all JHA agencies and other stakeholders and to act as a portal for law enforcement practitioners looking for suitable training opportunities at the EU level.

MB reflections

The MB does not fully share the opinion on the coordination matters, e.g referring to the existing working arrangements, but agrees that there is some room for improvement.

The Management Board supports the initiative that CEPOL becomes "the EU hub for law enforcement training". However, MB considers that the coordinator role cannot be effectively achieved in absence of adequate staffing level and moreover until this is catered for in the CEPOL's legal mandate which should be complementary to the legal mandates of other JHA Agencies.

Area evaluated: Added value (including training activities in third countries)

Observations

The evaluation concluded that, regarding the EU added value, all consulted stakeholder groups were of the view that CEPOL indeed provides added value with regard to training on specific crime areas compared to what is offered at the national level. CEPOL capacity building projects in third countries effectively contribute towards improving the stability in the EU neighbourhood and in building trust with neighbouring countries. Although training in third countries is a crowded market, CEPOL is praised for its commitment to provide training responding to the needs of partner third countries. As per mandate, CEPOL manages dedicated Union External Assistance funds to fulfil its objectives in third countries.

Finally, as regards the activities carried out by CEPOL in third countries, it is confirmed that these should continue, where possible, and in line with the EU's external policy. However, considering the resources available to the Agency, it is recommended they should not deflect attention from the core priorities referred to above, while ensuring that they meet concrete needs and have a real added value.

MB reflection

The Management Board agrees with evaluator's finding and recommendation on activities in third countries.

MB recommendation

11. CEPOL will continue implement training activities in third countries to the possible extent with due consideration to the available capacities of CEPOL and Member States.

Other aspects

The significant changes in the EU internal security landscape generate an increased demand for law enforcement training where the priorities are shifting towards topics such as cybercrime, migration, counterterrorism, artificial intelligence.

In multi-annual perspective, the outreach of CEPOL became more than double: number of participants has grown from ca. 18,000 in 2016 to ca. 40,000 in 2021 which reflects exploding demand and necessity for the training activities that the Agency delivers.

Six years after the entry into force of its new legal mandate[2] on 1 July 2016 and sixteen years since the inception of CEPOL as an EU Agency, CEPOL operates with 33 Temporary Agents in its establishment plan.

Due to insufficient resources, this demand could be only followed by increasing the online learning component, which did not entirely satisfy the need of the stakeholders. The number of tasks assigned to the Agency and its stakeholder expectations continue to grow, which CEPOL cannot satisfy due to the lack of available financial and human resources.

The present mandate brought about new coordination and analytical tasks for CEPOL, together with implementing capacity-building projects in third countries by managing dedicated Union External Assistance funds, however this was not accompanied with any additional training agents post.

The MB is of the opinion that genuinely addressing most deficiencies identified by the evaluation report and confirmed by the reflections of the Management Board, just as some of the recommendations (notably MB recommendations 3, 6, 7 and 8) emerging from the evaluation report, would require amendment of CEPOL's legal mandate and the related Legal and Financial Statement, to provide the agency with additional resources, justified by evidence-based, clear business needs.

Accordingly, MB recommends for the consideration of the European Commission to table a legislative proposal on amending CEPOL's current legal mandate and the related Legal and Financial Statement, in order to increase the Agency's impact and address the current recommendations.

---

[2] Regulation (EU) 2015/2219 of the EP and of the Council on the European Union Agency for Law Enforcement Training (CEPOL)