

Decision of the Management Board 07/2017/MB

**laying down rules on the selection and the appointment of the Executive
Director of CEPOL**

Adopted by the Management Board

on 10 May 2017

Effective 11 May 2017

THE MANAGEMENT BOARD,

Having regard to Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 establishing the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA¹, and in particular Articles 9(l) and 23 thereof,

Having regard to the Staff Regulations of Officials of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS'), laid down by Regulation (EEC, Euratom, ECSC) No 259/68 of the Council², and in particular to Article 2(a) of the CEOS,

Having regard to the Rules of Procedure of the Management Board adopted on 24 May 2016³, and in particular Articles 5 and 7 thereof,

Having regard to the agreement of the European Commission pursuant to Article 110 (2) of the Staff Regulations (Commission Decision (2017) 2812 final of 24.04.2017),

After consulting the Staff Committee,

Whereas:

- 1) By virtue of Article 9(l) of Regulation (EU) 2015/2219, the task to adopt internal rules on the selection of the Executive Director is conferred upon the Management Board of the Agency.
- 2) Article 9(l) further specifies that the above-mentioned rules shall contain rules on the composition of the selection committee ensuring independence and impartiality.
- 3) Article 23 of Regulation (EU) 2015/2219 describing the selection and appointment of the Executive Director, lays down specific roles for the Management Board, the Commission, the selection committee and the Chairperson of the Management Board.
- 4) The appointment procedure should take place following an open and transparent selection procedure.
- 5) It is important to ensure that the selection procedure is not vitiated by conflict of interest,

¹ OJ L 319, 4.12.2015, p.1.

² OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 (OJ L 287, 29.10.2013, p.15).

³ Decision 05/2016 of the Management Board on the rules of procedure of the Management Board of the European Agency for Law Enforcement Training (CEPOL) and repealing Decision 08/2016/MB of the Governing Board of the European Police College, adopted on 27 October 2016.

HAS DECIDED AS FOLLOWS:

Article 1 - Establishment of a selection committee

1. A selection committee shall be set up by the Management Board.
2. To ensure the smooth running of the selection committee each member of the selection committee shall have an alternate member. The alternate member shall represent the member in his or her absence or in the case the member of the selection committee has declared a potential or actual conflict of interest⁴ creating a risk of impairing his/her independence, objectivity and impartiality. The Chairperson of the Management Board shall decide whether such a conflict of interest exists or not.
3. The selection committee shall be composed of five members, one of which shall be designated by the Commission and the other four members shall be designated by the Member States.
4. The Management Board shall invite the Members States to propose one candidate for the position of the member of the selection committee and one candidate for the position of alternate member for the selection committee, at least one month prior to the publication of the vacancy notice for the post of the Executive Director.
5. The members of the Management Board shall receive from the Member States the list of candidates for constituting the selection committee and shall indicate up to four candidates each. The four candidates with the highest preference rate shall constitute the selection committee. The subsequent four candidates in terms of preference shall be their alternate members.
6. The appointment of the member and the alternate member designated by the Commission shall take place at least one month prior to the publication of the vacancy notice for the post of the Executive Director.
7. Members of the selection committee shall elect the Chairperson of the selection committee

Article 2 - Tasks of the selection committee

1. The selection committee shall draw up a list of candidates whose profiles match best the requirements for the function of Executive Director of CEPOL as laid down in the vacancy notice in accordance with paragraphs 2 to 6.

⁴ The notion 'conflict of interest' is to be interpreted by reference to the decision 32/2014 of the Governing Board of the European Police College adopting the European Police College's policy on prevention and management of potential conflict of interest.

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2. The selection committee shall prepare a set of questions reflecting the criteria as defined in the vacancy notice and prepare an assessment grid for the interview.
3. The Commission shall forward a list of candidates to the selection committee, indicating the candidates who fulfil the eligibility criteria as laid down in the vacancy notice, as well as the other candidates who have applied for the post of the Executive Director of CEPOL and who do not fulfil the eligibility criteria. Only candidates identified as meeting the eligibility criteria shall take part in the further selection process. Upon receipt of the applications, the members of the selection committee shall declare any potential conflict of interest in respect of the candidates.
4. On the basis of the list of applications submitted by the Commission, the selection committee shall carry out a pre-selection on the basis of the Curriculum Vitae and motivation letter and identify candidates for further interview.
5. Candidates pre-selected in accordance with paragraph 4 shall undergo testing by an assessment centre run by an external consultant before their interview with the selection committee.
6. On the basis of the results of the assessment and the interview, the selection committee shall draw up the shortlist referred to in paragraph 1. That shortlist shall contain at least the names of three candidates.

Article 3 - Support to the work of the selection committee

1. The selection committee shall be supported in its work by a secretariat provided by CEPOL.
2. The secretariat shall be composed of at least one staff member from the Human Resources sector of CEPOL assisted by an additional staff member from the Governance team of CEPOL.

Article 4 - Tasks of the Management Board

The Management Board shall appoint the Executive Director from among the candidates whose names are listed in the shortlist referred to in Article 2(1). All candidates listed in the shortlist shall be called for an interview with the Management Board.

Article 5- Deliberations and voting

1. The Management Board shall take its decision to appoint the Executive Director taking into account the results of the assessment and the outcome of the interviews.

2. Upon receipt of the shortlist referred to in Article 2(1), the members of the Management Board shall declare any potential or actual conflict of interest in respect of one or more shortlisted candidates. Where a potential or actual

conflict of interest creating a risk of impairing the independence, objectivity and impartiality of the member of the Management Board exists, the alternate member shall be requested to take part in the deliberations and the voting.

3. The voting shall take place by secret ballot. The candidate that receives a two-thirds majority of the votes shall be elected. Where none of the candidates receives a two-thirds majority in the first ballot, a second ballot shall be held, and the candidate(s) with the lowest number of votes in that second ballot shall be excluded. When only two candidates are left, ballots shall run until one candidate receives an absolute majority.

Article 6- Concluding the employment contract

For the purposes of concluding a contract with the successful candidate, CEPOL shall be represented by the Chairperson of the Management Board.

Article 7- Day of taking effect

This Decision shall take effect the day following its adoption.

Done at Malta, on 10 May 2017.

For the Management Board

<Signature on file>

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Mrs Frederike Everts MPA

Chair of the Management Board