



Decision of the Director 003/2010
Effective from 1 July 2010

Decision of the Director
Concerning CEPOL Code of Conduct

Adopted by the Director

On 25 June 2010

THE DIRECTOR

Having regard to the Treaty establishing the European Community, and in particular Article 218(2) thereof,

Having regard to the Treaty on the European Union, and in particular Articles 28(1) and 41(1) thereof,


Having regard to the approval from the CEPOL Governing Board received on 9 December 2009.

Whereas:

It is desirable to confirm the Code of Conduct governing the principles of good administrative behaviour which the agents and other servants of the Agency should respect.

HAS DECIDED AS FOLLOWS:

1. The CEPOL Code of Conduct shall be applied with effect from 1 July 2010;
2. The Code of Conduct shall be distributed to all staff;
3. New staff members shall receive training within 1 week of their entry on duty;
4. All staff members shall receive training on the Code of Conduct);
5. Staff shall show their understanding of the Code by signing the acknowledgement and declaration of understanding form attached. (annex1;
6. Copy of all signed forms shall be kept on each staff members' personnel file;
7. Specific information sessions will be organised for all existing staff prior to signing to ensure common understanding of the Code of Conduct;
8. The Head of Administration shall be in charge of all training with this regard;

Signed: 
Dr. Ferenc Banfi, Director CEPOL

Date: 28. 06. 2010

Article 1.....	4
Introduction.....	4
Article 2.....	4
Purpose.....	4
Article 3.....	4
General Provisions.....	4
Article 4.....	4
Scope.....	4
CHAPTER 2.....	5
APPLICABILITY.....	5
Article 5.....	5
General Conduct.....	5
Article 6.....	5
Lawfulness.....	5
Article 7.....	5
Anti-Discrimination.....	5
Article 8.....	6
Impartiality and Independence.....	6
Article 9.....	6
Conflict of Interest.....	6
Article 10.....	6
Declaration of Interest.....	6
Article 11.....	7
Confidentiality and Discretion.....	7
Article 12.....	7
Gifts and Invitations.....	7
Article 12.....	8
Entry into force.....	8
ACKNOWLEDGEMENT OF RECEIPT.....	9

CHAPTER 1

Article 1 Introduction

CEPOL staff members are public servants, working on behalf of EU citizens. CEPOL staff members shall conduct themselves at the highest personal and professional level at all times.

Article 2 Purpose

The aim of this code is:

- To guide all CEPOL staff on issues of conduct
- Foster the highest personal standards of integrity, honesty and independence
- Ensure impartiality and discretion from all staff members
- Develop public confidence in the transparency of all their dealings with CEPOL.

Article 3 General Provisions

In their relations with the public, any agent and other servant of the Agency shall respect the principles which are laid down in this Decision and which constitute the Code of Conduct, hereafter referred to as 'the Code'.

Article 4 Scope

The Code shall apply to all staff members to whom the Staff Regulations and the Conditions of Employment of Other Servants apply.

Provisions in this policy also apply to other persons working for CEPOL such as persons employed under private contracts (interimaires), National Seconded Experts, Experts such as Module Advisors and Educational Experts and all other relevant persons.

The 'public' refers to all natural persons regardless of whether they reside or have their registered office in a Member State or not.

The Code contains the general principles of good administrative behaviour which apply to all relations of the Agency's agent and other servants with the public, unless they are governed by specific provisions.

The principles set out in the Code do not apply to the relations between CEPOL and its staff members. Those relations are governed by the Staff Regulations.

CHAPTER 2

APPLICABILITY

Article 5

General Conduct

Staff members are required to discharge their duties in the general interest of the community and neither seeks nor takes instructions from any government or from any other body. Staff shall conduct themselves at the highest personal and professional levels at all times. Staff shall not act in a manner which is likely to bring discredit to CEPOL, other staff members or the EU in general. They shall comply with the principles, norms and commitments of CEPOL.

When taking decisions, staff shall take into consideration the relevant factors and give each of them its proper weight in the decision, whilst excluding any irrelevant element from consideration.

Article 6

Lawfulness

The agent or other servant of the Agency shall act according to law and apply the rules and procedures laid down in Community legislation.

All staff are expected to abide by the laws of the Host State and show respect to its local customs and traditions.

Article 7

Anti-Discrimination

Staff shall ensure that the principle of equality of treatment is respected at all times. If any difference in treatment is made, it must be justified by objective relevant features of that particular case. When taking decisions, the staff member shall ensure that the measures taken are proportional to the aim pursued.

Staff or other servants of the Agency shall in particular avoid any unjustified discrimination based on nationality, sex, racial or ethnic origin, religion or belief, disability, age, or sexual orientation.

Article 8

Impartiality and Independence

Staff shall be impartial and independent; ensuring that they abstain from arbitrary action which may adversely affect members of the public, as well as any preferential treatment on any grounds what so ever. Staff members shall refrain from any action that might cast doubt on their ability to be impartial.

Staff shall not engage in any activity which is incompatible with the proper performance of their duties or which may have an adverse effect on their integrity, independence and impartiality.

The staff member shall not be guided by any outside influences including political influences, or personal interest. They shall not hold another elected office in any form, but they may be active members of political parties.

Article 9

Conflict of Interest

Any potential conflicts of interests must be declared by the staff member. A conflict of interest may be an interest of personal benefit to the individual, likely to influence or give the appearance of influencing his/her behaviour. Particular attention is drawn to staff members participating in recruitment panels, tenders and procurement procedures. Staff are reminded to declare any potential conflicts of interests. Any declarations of conflict will be reviewed by the Head of Administration or Head of Programmes as appropriate before proceeding further; a decision on continuation will be made there after.

In order to avoid potential conflicts of interests, staff members are:

- not to engage in any other professional activity, whether paid or unpaid without first notifying the Agency
- to ensure that honorary posts do not lead to the any risk of conflict of interest
- to make a declaration of all their financial interests, including any stake held by their partners as defined in Article 10
- to declare the professional activities of their partners

Article 10

Declaration of Interest

Staff members must declare any financial interest or asset which might create a conflict of interest in the performance of their duties. CEPOL staff members shall not be actively associated with the management of any business, nor may they hold financial interests in any business, if there is a possibility that they would benefit from such association or

Code of Conduct

financial interest by reason of their official position with CEPOL. Any staff member who on occasions deals with his/her official capacity with any business in which they hold a financial interest shall at once disclose the measure of that interest to the Appointing Authority.

Staff members shall not engage in any paid occupation or employment outside CEPOL without prior approval of the Appointing Authority.

Article 11

Confidentiality and Discretion

CEPOL is a public body of the European Union. It has been entrusted with information and data from individuals and external bodies. As such, staff members and those governed by this Code, who come into contact with confidential information must treat it with the utmost discretion and confidentiality.

CEPOL faces potentially conflicting obligations with regard to public access to documents.¹ There is therefore a need for transparency and respect of confidentiality of information that the Agency holds. Access to information is balanced by rules of professional secrecy for CEPOL staff and the obligation to respect European and international laws on the protection of data. Staff shall at no time beside their official obligations use, disseminate or publish information known to them, during or after termination of their employment.

Staff must obtain written permission concerning receiving payment for publications, speeches or lectures which are not directly related to their work at CEPOL. Payments for publications, speeches and lectures directly relating to CEPOL activities are strictly prohibited. Staff wishing to make any publication in relation to CEPOL must inform the Appointing Authority in writing, in accordance with *Articles 17 and 17a* of the Staff Regulations.

Article 12

Gifts and Invitations

All staff members should seek permission before accepting any honour, decoration, favour, gift or payment of any kind except for services rendered prior to appointment with CEPOL or during a period of special leave for military or other national service.

All gifts with a total value over Twenty Five Euros must be declared, and written permission obtained from the Director. Only the Appointing Authority may give authorisation for a staff member to keep a gift.

¹ Decision Of The Governing Board 17/2006/Gb Adopting Rules For Access To Documents Of The European Police College
Code of Conduct
Decision of the Director 03/2010

In principle, invitations are to be treated as gifts, since an invitation might influence behaviour and values – whether monetary or otherwise. It may also give an impression that CEPOL is partial or being influenced or open to influence. Invitations to meals or refreshments extended by members or representatives of the Member States may be accepted. Invitations from external parties and in particular, from suppliers of goods and services to CEPOL may not be accepted without prior permission from the Appointing Authority.

Article 12

Entry into force

These rules shall enter into force on the day following that of their adoption. They shall be applicable from 1 July 2010. Staff will be requested to sign acknowledgement and receipt of this Code as from that date. Acknowledgement of Receipt is detailed in Annex 1.

Annex 1

ACKNOWLEDGEMENT OF RECEIPT

DECLARATION ON THE CEPOL CODE OF CONDUCT

I, the undersigned, declare that I understand and have taken note of the provisions in the CEPOL Code of Conduct.

Name

Forenames

Personnel No

Date.....Signature

Original to Personnel File

Copy to signatory