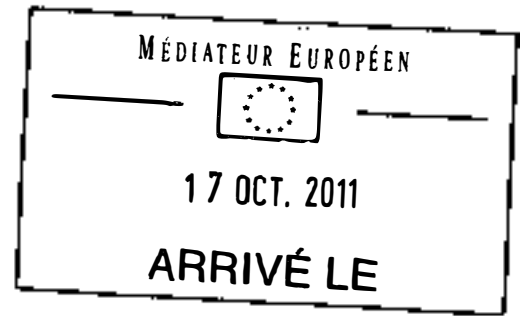




European Ombudsman
1 avenue du Président Robert Schuman
CS 30403
F – 67001 Strasbourg Cedex
FRANCE

13 October 2011

Our Ref: 11/0434/FB

Dear Mr Diamandouros, *Dear Sir,*

On behalf of CEPOL, the EU agency responsible for the training of law enforcement officers across Europe, I would like to convey my sincerest regards to you and your colleagues at the European Ombudsman.

As a follow-up to the letter sent to you on the 31st of May (our ref: 11/0236/DS), it is my pleasure to update you on the progress made.

Guidance on whistleblowing

Following your recommendations from 31 May 2011, CEPOL has informed its staff members on whistleblowing (Decision of the Director 019/2011/DIR, Reporting Suspected Improprieties, adopted by the Director 16 October 2011, effective from 16 October 2011 onwards).

I would like to take this opportunity to thank you for your interest in CEPOL and I am looking forward to working more closely together in the future.

Yours sincerely,



Dr Ferenc Bánk
CEPOL Director



**Decision of the Director 019/2011/DIR
Effective from 16 October 2011**

Decision of the Director 019/2011/DIR

Reporting Suspected Improprieties

Adopted by the Director

on 16 October 2011



THE DIRECTOR

Having regard to Articles 22a and 22b of the Staff Regulations setting out the requirements for reporting suspected improprieties

HAS DECIDED AS FOLLOWS:

Article 1

Becoming aware

A staff member may become aware of facts that lead to a presumption of

- possible illegal activity, including fraud or corruption, that are detrimental to the interests of the Communities,
- or of conduct relating to the discharge of professional duties which may constitute a serious failure to comply with the obligations under Title II of the Staff Regulations.

Staff members have a duty to report such facts or concerns.

The same requirement applies also in the event of serious failure to comply with a similar obligation on the part of a member of

- the Governing Board
- Committee or
- Working Group or similar
- Panel Member or
- Expert working in an capacity on behalf of CEPOL
- Consultant, Contractor or Interim Staff Member or
- Any other person in the service of or carrying out work for the Agency.

Article 3

Reporting action

Any such facts or concerns should be reported without delay and in writing.

The facts or concerns should be reported in writing to one's Head of Unit or where this is not possible, in writing to the Director.

If the staff member considers that it is useful he/she is free to further disclose in writing the suspected impropriety to the Secretary General of the Commission, President of the

Decision of the Director 019/2011/DIR
Reporting Suspected Improprieties
Effective: 16 October 2011



Commission, or of the Court of Auditors or of the Council or of the European Parliament or to the European Ombudsman or to the European Anti-Fraud Office (OLAF).

Prior to any further disclosure a staff member should allow the Agency

- 30 working days to take action from the date of the receipt of the report or
- the time period set by OLAF or
- in complex cases the time period notified to the staff member by the Agency in writing within which its action will be taken.

These time periods do not apply in cases where the reporting staff member can demonstrate that they are unreasonable given all the circumstances of the case.

Article 3

Transmission of reported impropriety

The Head of Department or the Director receiving the report shall arrange for suitable action without delay and taking account of the normal 30 working days in which action must be taken. For more complex cases the Head of Department or the Director shall establish a reasonable time period for action given the circumstances of the case. The time period shall be notified in writing to the reporting staff member.

Article 4

No consequential action

The reporting staff member shall not suffer any prejudicial effects, provided that he/she acted reasonably and honestly.

Article 5

6. Relevant documents

Articles 1 to 4 do not apply to documents, deeds, reports, notes or information in any form whatsoever held for the purposes of, or created or disclosed to the person who raised the concerns in the course of, proceedings in legal cases, whether pending or closed.

Article 6



Entry into Force

This Decision shall enter into force on the date of signature.

Done at Bramshill, 16 October 2011


Dr Ferenc Bánfi
Director of CEPOL