



Shift2Rail Anti-Fraud Strategy 2017-2020

ACTION PLAN- First Bi-annual Review 2020 (BA1), including progress and proposals for improvement

This action plan designed to implement the Anti-Fraud Strategy of the S2R JU covers the period from October 2017 till end of 2020. The target dates are geared to the level of priority. When implementing the actions, the S2R JU will take as much as possible advantage of synergies through cooperating with other Union institutions and bodies, starting with other JUs and overall H2020 family as well as its parent DG. As regards the H2020 family, a new Common Anti-Fraud Strategy in the Research Family has been adopted on 21 March 2019 with an updated Anti-Fraud Action Plan for the Research Family (RAFS) of 2019 in order to implement the new [European Commission Common Anti-Fraud Strategy](#) (CAFS) that was adopted in April 2019¹. DG MOVE/ENER has also revised its Anti-Fraud Strategy which is currently in inter-service consultation.

The actions will cover the stages of the anti-fraud cycle²: prevention, detection, investigation and corrective measures.

The period covered by the Anti-Fraud Strategy of the S2R JU is ending in 2020. Therefore a new Anti-Fraud Strategy covering the period January 2021 till December 2024 will be prepared by Q1 2021.

As mentioned below into the section nr2 “Ensure a high level of reactivity”, this new strategy will integrate the following elements: new S2R JU Internal Control Framework, the S2R JU Risk Assessment 2020, the Common Anti-Fraud Strategy in the Research Family (RAFS), the Anti-Fraud Action Plan for the Research Family and DG MOVE/ENER Anti-Fraud Strategy. Thus in line with the legal framework for the new Horizon Europe

¹ https://ec.europa.eu/anti-fraud/policy/preventing-fraud_en

² Same stages included in the revised CAFS

research and innovation framework programme (https://ec.europa.eu/info/horizon-europe-next-research-and-innovation-framework-programme_en) as well as the future rules and regulations of the S2R JU successor - the proposed European Partnership for Rail (<https://shift2rail.org/shift2rail-successor/>).

Operational objective	Priority	Unit in charge	Deadline	Status (06/2020)	Indicator
1. Maintain a culture of integrity and Build capacities through training and guidance for S2R JU staff	Ensure an ethical and anti-fraud 'tone at the top': ensure management regularly conveys messages on ethics and fraud prevention to staff	S2R JU ED and Management	Constant monitoring – regular communication in weekly team meetings, amongst which key information messages following participation to FAIR committee (LO)	Continuous activity; FAIR meetings attended.	Number of messages conveyed by management to staff on ethics and fraud prevention
	After a fraud case is closed, set up a debriefing with S2R JU staff on best practices concerning prevention, detection and recovery	S2R JU ED and Management	Ad hoc, when required	No case in reporting period. On April 2020 the CAS requested the FAIR members to report on their OLAF closed cases and to update the previous data. S2R JU (LO) confirmed no S2R JU OLAF closed cases during the implementation of Horizon 2020 Programme.	Number of debriefing sessions with S2R JU staff on best practices after a fraud case is closed
	Continue to raise awareness and	S2R JU ED and	Ad hoc, when required	New financial rules	Q4: In the AWP 2021 - A

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	systematic focus on ethics at governance bodies of the S2R JU	Management		<p>entered into force on 01/01/2020 which extend the conflict of interest rules to S2R JU governing board members and states that S2R JU bodies should present a strategy to avoid conflicts of interest as part of the S2R JU annual work plan (Q4). In addition, as per the new Financial rules, the annual declaration of conflict of interest of GB members must be published in the S2R web site. They will be published in Q4 as soon as all GB members will provide.</p> <p>Instructions regarding observers in the call evaluation (Q1) - (Ares(2020)522247)</p>	<p>strategy for the organisational management and internal control systems including their anti-fraud strategy as last updated and an indication of measures to prevent recurrence of cases of conflict of interest, irregularities and fraud, in particular where weaknesses have led to critical recommendations</p>

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	Implement indicators regarding Fraud into Annual Activity reporting	S2R JU ED and Management	Each year once when applicable, Q2	Consolidated AAR 2019 adopted by Governing Board decision 05/2020 on 22 June 2020 which includes a dedicated chapter 4.7 on Anti-Fraud Implementation and Indicators	In accordance with Article 20 of the Statutes of the S2R JU annexed to Council Regulation (EU) No 642/2014 and with Article 23 of the Financial Rules of the S2R JU, the S2R JU consolidated AAR 2019 has reported on anti-fraud implementation and indicators (chapter 4.7)
	Include links to OLAF homepage and anti-fraud documentation on S2R JU Web page under the tab "functioning of the JU"	HoAF	Q4 2017	Action completed.	Publication of the links on the S2R JU Website, which include the updated link to the 2019 EC Common Anti-Fraud Strategy
	Conduct a yearly annual staff survey to assess staff awareness on ethics and fraud	HR/ICC	Each year starting in 2020	Staff survey conducted and finalized in Q1 & Q2 2020	All staff invited to participate to the survey and randomly selected staff members took part in focus group. The results were presented during a team meeting and follow-up actions ongoing.
	Carry out Fraud Risk Assessment as part of the annual risk assessment exercise	ICC	Q3 2020	The risk assessment 2020 is expected to be finalised in Q4	Fraud risks defined and reflected in risk register as appropriate.

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	Training Provide a training session to all S2R JU staff on fraud prevention	HoAF	New training on ethics and integrity (also covering fraud prevention info session to staff) organised in Q3 2019	Training organised on a regular basis according to needs (newcomers). Cf. also next field regarding training on ethics and integrity.	Number of staff members that attended the S2R JU training on fraud prevention
	Training on fraud awareness/red flags throughout the project lifecycle	ICC	Follow up with RTD – Q2/3 2020	To be considered for 2020/21	Number staff members that participate in training.
	Provide training on ethics and integrity	HoAF	New training on ethics and integrity organised in Q3 2019	A model decision for agencies/JU will be prepared by DGHR on administrative inquiries and disciplinary procedures. Not yet ready for adoption. Each newcomer follows a training on Ethics and Integrity at entry to service	Number of staff members that attended the S2R JU training on ethics and integrity

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	HR issues: - Whistleblowing - Anti harassment	HR/HoAF	Mediation training for managers 2019	<p>2 Trainings on prevention of psychological and sexual harassment provided in 2019 (Q1 and Q2) Reminder sent to all staff on Harassment prevention sent on 22/04/2020 (Ares(2020)2174846) Mediation training for managers planned for Q2 2020 (April) but due to COVID19 crisis, mediation training postponed to Q4 2020 Establishment of Confidential Counsellors during 2019. (leaflet, manual of procedures, appointment of anti-</p>	<ul style="list-style-type: none"> - Anti-harassment: GB Decision 09/2017 adopted in Q4 2017³ - Whistleblowing: GB decision 20/2018 adopted in Q4 2018⁴ - Number of staff or managers trained.

³ https://shift2rail.org/wp-content/uploads/2017/12/Decision-9_2017-on-prevention-of-harassment.pdf

⁴ https://shift2rail.org/wp-content/uploads/2018/12/Decision-GB-20_2018_Whistleblowing.pdf

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				harassment coordinator); information provided to S2R staff regularly (Ares(2019)3500910), including the 2019 Annual Report of the JUs Confidential Counsellors' (CC) Network.	
	Guidance Communicate practical guidance to S2R JU staff on red flags, whistleblowing, how to react and how to report fraud and ensure this guidance is easily accessible (Availability of prospects in lobby, welcome pack and shared on the S2R JU website and by e-mail	HoAF and Management	New documentation available following the ethics and integrity training organised in Q3 2019.	No new training organised.	Presence of practical guidance for S2R JU staff on red flags, how to react when they come across a potential case, how to report fraud and Possible administrative and financial sanctions and number of staff participating in OLAF & DP Workshops
	Draw up concise guidance for S2R JU staff on possible administrative and financial penalties that can be taken in cases of misconduct, irregularities and fraud	HoAF and Management	New training on ethics and integrity organised in Q3 2019	To be planned for 2020 / refresher could be organized Q1 2021	

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2. Ensure a high level of reactivity	Prevention/Detection /Investigation/Corrective measures Appoint a 'person of confidence' competent and available to guide S2R JU staff in the area of fraud (and advertise this)	S2R JU ED and Management	Q2 2018 - new S2R Legal Officer has been appointed as "person of confidence"	Action completed.	ED letter of Nomination of contact person with OLAF
	Ensure swift transmission of key information to OLAF and full cooperation during a possible investigation and make sure that precautionary, protective and recovery measures are initiated as soon as possible	S2R JU ED and Management	Ad hoc, when required	No case in reporting period	Time elapsed between OLAF requests for information and date when information is provided to OLAF
	New EC Anti-Fraud Strategy (CAFS) was adopted in April 2019 and a revised common anti-fraud strategy and action plan in the Research Family (RAFS) in March 2019. DG MOVE/ENER revised Anti-Fraud Strategy is still ongoing. Follow-up of potential	HoAF and Legal Officer	Q2-3 2020	DG MOVE/ENER revised anti-fraud strategy is still being finalised. Once updates available from DG MOVE / DG RTD, these will be reviewed as part of this action plan. Planned for Q 4 2020.	Ensure implementation of new CAFS as well as new recommendations included in the R&I and in DG MOVE/ENER Action Plans when revised. Assess the impact on the JU Anti-Fraud Strategy and

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	actions to be taken when applicable to S2R JU.				revise it if needed
3. Prevent data leakage	Ensure awareness of S2R JU staff on management and access of restricted, sensitive and personal data	Legal Officer	Q1 2019 –Information on the new EU Data Protection Regulation 2018/1725 has been communicated by S2R DPO to JU staff. A more in depth training will be organised by S2R DPO in Q1 2020.	The S2R DPO- attended in Q2 the 47th DPOs-EDPS meeting and informed S2R JU management on the main conclusions adopted. In 2019 (Q4) a completely revamped S2R JU central data protection register (https://shift2rail.org/dpr-register) was published which has been considered by the EDPS as “fully compliant ⁵ ”.The S2R DPO continued to inform relevant staff (i.e.: HR, IT, communication) on key issues related to	Number of awareness raising actions regarding access to data and organisation of DP Workshop with EDPS as well as adoption of DP related recommended processes and procedures.

⁵ See EDPS Report on remote inspection of publicly accessible registers under Article 31(5) of the Regulation: https://edps.europa.eu/data-protection/our-work/publications/dpo-news/report-remote-inspection-publicly-accessible_en

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				<p>the implementation of the Regulation 2018/1725 and to improve the information provided to data subjects (i.e.: revised S2R JU Data protection & legal notices).</p>	
	<p>Define and implement a process of access right management (Financial Systems)</p>	<p>HoAF with the support of LISO</p>	<p>Constant monitoring – Access rights to ABAC financial system is conditioned by the approval of the ED or the HoAF. Annual independent review of ABAC security periodic validation (with DG BUDGET) – done in May 2017. By analogy to apply the same to other systems.</p>	<p>Amendment n°1 to ED-19-06 formal decision on news LISO and SPOC (Ares(2019)7023010)</p> <p>In accordance with the DG BUDGET recommendations, the S2R JU performs an annual “periodic validation of access rights granted in ABAC”. In order to ensure an independent control, BBI JU agreed to verify the S2R JU’s access rights granted in accordance with the delegations and responsibilities entrusted to staff. The exercise was</p>	<p>Number of Access rights granted and periodic report on ABAC security. New SPOC function (main and back-up) communicated to RTD helpdesk service. ED formal decision on new LISO and SPOC has been adopted in Q3 2019.</p>

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				completed in June 2020 and confirmed the reliability of the S2R JU access rights management.	
	Ensure the effective implementation of physical security measures regarding storage of sensitive data	HoAF, DPO (LO), LISO, HR Officer, all S2R JU staff	<p>Q4 2019– List of processing operations requiring secure locked cupboards for hard copies established and published in the S2R JU central data protection register above mentioned as per the new EU Data Protection Regulation.</p> <p>Q1-Q4 2020 as soon as a revised S2R policy on destruction of confidential documents is adopted, message will be address to staff for awareness and ensure effective implementation.</p>	New procedure for the destruction of confidential documents has been adopted Replacement in Q.2 of yellow bags by a closed container of 240 litres for confidential and sensitive documents	Availability of secure locked cupboards for staff dealing with sensitive data and bags or bucks for destruction of large quantities of sensitive documents.