



Shift2Rail Anti-Fraud Strategy 2017-2021

ACTION PLAN- First Bi-annual Review 2021 (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 until end of 2021. 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 Research and Innovation (R&I) family as well as its parent DG. As regards the R&I 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 also adopted its new Anti-Fraud Strategy 2021-2027 and Anti-Fraud Action Plan for 2020-2021 during October 2020.

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 was originally foreseen to end in 2020. However, following the proposal of the Commission of 23 Feb 2021 to establish a new rail research and innovation partnership under Horizon Europe for the period 2021 – 2031, it is expected that the current S2R Regulation will be repealed by year-end and a new partnership launched. In these specific circumstances, the current S2R Anti-Fraud Strategy is extended until the end of 2021, with the objective of adopting a new strategy once the future partnership has started.

¹ https://ec.europa.eu/anti-fraud/policy/preventing-fraud/european-commission-anti-fraud-strategy_en

² Same stages included in the revised CAFS

As mentioned below in section no. 2 “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 2021, the Common Anti-Fraud Strategy in the Research Family (RAFS), the Anti-Fraud Action Plan for the Research Family and DG MOVE Anti-Fraud Strategy. Thus in line with the legal framework for the new Horizon Europe 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	Indicator	Status (06/2021)
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.	Number of messages conveyed by management to staff on ethics and fraud prevention.	Chief Legal Officer (LO) in cooperation with the Internal Control Coordinator (ICC) presented in the respective S2R team meetings key information messages following from participation to FAIR committee meetings. ED stressed the importance of compliance to the highest standards in 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	Number of debriefing sessions with S2R JU staff on best practices after a fraud case is closed.	No case occurred in the reporting period.

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	Continue to raise awareness and systematic focus on ethics at governance bodies of the S2R JU.	S2R JU ED and Management	Ad hoc, when required	Number of ethics awareness raising actions targeted at the governance bodies of the S2R JU.	GB Members were reminded of the importance of fraud prevention and of adhering to the ethics-related rules in the GB meeting held in March 2021. Specific stress was put on the requirement to publish the Conflict of Interest (Col) Declarations on the S2R website. It was reminded that the Members not providing Col declaration may be considered in Col, hence excluded from voting on certain matters.
	Implement indicators regarding Fraud into Annual Activity reporting.	S2R JU ED and Management	Each year once when applicable, Q2	Indicators mentioned in the AAR.	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 2020 includes reporting on anti-

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					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	Ad hoc, when required	Publication of the links on the S2R JU Website.	Links to OLAF homepage as well as to the 2019 EC Common Anti-Fraud Strategy are published on the S2R JU Website. The current Bi-annual Review of the action plan will be published on the S2R web site as soon as it is adopted.
	Conduct a yearly annual staff survey to assess staff awareness on ethics and fraud.	HR/ICC	2021	Staff survey conducted and results processed.	A specific survey on ethics and fraud was not conducted in the reporting period. Survey to be potentially organized in Q2 2022.
	Carry out Fraud Risk Assessment as part of the annual risk assessment exercise.	ICC	Q4 2021	Fraud risks defined and reflected in the risk register as appropriate.	The 2021 risk assessment exercise is performed in Q4 and will include assessment of fraud risks.
	Training Provide a training session to all S2R JU staff on fraud prevention.	HoAF	2021	Number of staff members that attended the S2R JU	Training organised according to needs (newcomers).

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				training on fraud prevention.	Ad-hoc circulation of relevant information on the subject matter, e.g. via e-mails. A printout of OLAF materials on fraud prevention, such as the “Compendium of Anonymised Cases”, is available to all staff members in the JU premises (in the lobby).
	Training on fraud awareness/red flags throughout the project lifecycle.	ICC	2021	Number of staff members that participate in training.	No specific training on fraud red flags throughout the project lifecycle was held in the reporting period. Training to be potentially organized in Q2 2022 after adoption of the new JU Anti-fraud Strategy.
	Provide training on ethics and integrity.	HoAF	2021	Number of staff members that attended the S2R JU training on ethics and integrity.	Each newcomer follows a training on Ethics and Integrity at entry into service. Ad-hoc circulation of relevant information on

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					<p>the subject matter, e.g. via e-mails. A printout of EC materials on ethics and integrity, such as the brochure “Code of Good Administrative Behaviour”, is available to all staff members in the JU premises (in the lobby).</p>
	<p>HR issues: - Whistleblowing - Anti-harassment</p>	HR/HoAF	2021	<p>Number of staff members or managers that attended trainings or information sessions. Number of messages conveyed to staff on whistleblowing and anti-harassment.</p>	<p>Ad-hoc circulation of relevant information on the subject matter, e.g. via e-mails and by references to the respective files in the shared drive. A printout of EC materials on psychological and sexual harassment, such as the brochure “Working in a respectful environment”, is available to all staff members in the JU premises (in the lobby). Contact information of Confidential Counsellors for cases of harassment are</p>

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					displayed in the JU premises. Guidance for whistleblowing is available to staff members via the respective GB Decision (no. 20/2018)
	<p>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).</p>	HoAF and Management	After relevant changes occur in the subject matter. Reminders to be communicated regularly.	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 on possible administrative and financial sanctions. Number of staff participating in OLAF & DP Workshops.	No specific workshop on the subject matter was held in the reporting period. Ad-hoc circulation of relevant information on the subject matter, e.g. via e-mails. A printout of OLAF materials on fraud prevention, such as the “Compendium of Anonymised Cases”, is available to all staff members in the JU premises (in the lobby). Training to be potentially organized in Q2 2022 after adoption of the new JU Anti-fraud Strategy.
	Provide concise guidance to S2R JU staff on possible administrative and financial penalties that can be taken in cases of misconduct, irregularities and fraud.				

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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	2018	ED Decision on nomination of contact person with OLAF.	Action completed in Q2 2018 - S2R Legal Officer was appointed as "person of confidence".
	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	Time elapsed between OLAF requests for information and date when information is provided to OLAF	No case occurred in the reporting period.
	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 Anti-Fraud Strategy 2020 and Anti-Fraud Action Plan for 2020-2021 adopted in October 2020.	HoAF and Chief Legal Officer	2021	Implementation in S2R action plan elements from new CAFS, R&I and DG MOVE Action Plans. Revision of the S2R JU Anti-Fraud Strategy, if needed.	It was assessed that the current action plan overall covers the anti-fraud elements promoted by CAFS, RAFS and DG MOVE. In addition, the new JU Anti-Fraud Strategy to be drawn up in Q4 2021 or in Q1 2022 will take into account new anti-fraud elements for Horizon Europe included in the relevant documents at EC-,

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					DG MOVE- and Research Family-level.
3. Prevent data leakage	Ensure awareness of S2R JU staff on management and access of restricted, sensitive and personal data.	Data Protection Officer	2021	Number of awareness raising actions regarding access to data and organisation of DP Workshop with EDPS and internally, as well as adoption of DP-related recommended processes and procedures.	The S2R DPO continued to ensure the update of the S2R JU central data protection register (https://shift2rail.org/dpre-gister), to inform relevant staff (i.e.: HR, IT, Communications) on key issues related to the implementation of the Regulation 2018/1725 (e.g.: EDPS newsletters) and to improve the information provided to data subjects (i.e.: revised S2R JU Data protection & legal notices). Most of the DPO tasks were related to the data protection mitigating measures to be adopted in order to migrate to Microsoft Office 365 as per the data protection impact

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					assessment (DPIA) jointly performed with other JUs. A printout of EC materials on data protection, such as the Regulation 2018/1725 itself, and additional information brochures, is available to all staff members in the JU premises (in the lobby). An in-depth training will be organised by S2R DPO in Q4 2021 with the legal assistance of an external contractor.
	Define and implement a process of access right management (Financial Systems).	HoAF with the support of LAM	Constant monitoring – Access rights to ABAC financial system is subject to the approval of the ED or the HoAF. Annual independent validation of compliance with security requirements for access rights in ABAC.	Number of Access rights granted and periodic report on ABAC security.	In accordance with the DG BUDGET recommendations, the S2R JU performs an annual validation of access rights granted in ABAC. In order to ensure an independent control, BBI JU agreed to verify whether in S2R JU, the access rights granted to staff members are in accordance with the

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			Similarly applied to other systems in cooperation with RTD.		delegations and responsibilities entrusted to them. The exercise was completed in June 2021 (Ares(2021)4262213) 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	Ongoing	Availability of secure locked cupboards for staff dealing with sensitive data and means for safe destruction of sensitive documents.	Shredder and a locked container for disposal of sensitive documents continued to be available to all staff members in the JU premises, as well as locked cupboards in the offices for secure storing of documents containing sensitive information.