



Vademecum and welcome pack

for Heads
of Cabinet



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1. Your Commissioner

a. Ethics and Code of Conduct for the Members of the European Commission

Members of the Commission have to respect a number of ethical obligations linked to their mandate. As Head of Cabinet, you should support them in respecting and fulfilling these obligations on a daily basis.

The Cabinets are invited to designate a Member of the Cabinet to follow specifically ethical and transparency issues (please see the point on Transparency below). This member will serve as a contact point for the Secretariat-General and the relevant Directorates-General (for example to prepare and update the Member's declaration of interests, to ensure the publication of meetings with interest representatives and of mission costs, to deal with gifts given to the Member, with requests for access to documents or with requests for the patronage of events by the Member, the latter being also subject to a number of conditions).

The obligations of Members of the Commission are enshrined in Article 17 of the Treaty on European Union and Article 245 of the Treaty on the Functioning of the European Union.

The Code of Conduct for the Members of the Commission¹ develops these principles and obligations of the Treaties in more detail. It recalls the obligation to respect the principles of independence, collegiality, loyalty and discretion as well as the principles of political responsibility and accountability. The Code specifies the duty to avoid any form of conflict of interest and not to engage in any other occupation during the term of office, whether gainful or not. Furthermore, it recalls the principles of integrity and dignity. In view of the current societal discussions, it is important to know that both principles include the obligation to refrain from any form of harassment.

The Code contains explicit provisions on, notably, the following areas:

- the recognition of the political role of the Commission and its Members and their political accountability;
- a definition of 'conflict of interest' and a procedure to deal with actual, potential or perceived conflicts of interests;
- a declaration of interests of Members which includes financial interests where they could give rise to a conflict of interest and in any case investments above €10,000; under certain conditions also the financial interests of a Member's spouse, partner and minor children; memberships of associations, political parties, trade unions, non-governmental organisations or other bodies which influence public decision-making;
- not engaging in any other occupation or to hold any public office during the mandate except for the possibility to hold, under certain conditions, honorary

¹ Official Journal of the European Union C 65 of 21.02.2018, p.7.

unpaid posts in foundations or similar bodies and educational or research institutions;

- the conditions guiding Members' participation in national and European politics;
- the participation of Members in election campaigns, with a distinction between elections at European and Member State (national, regional or local) level;
- not accepting gifts with a value of more than €150 and, in case of higher values, the obligation to hand them over to the Protocol Service which keeps a public register of such gifts (gifts are understood as advantages with a pecuniary value like physical objects or free entries to events which are normally only accessible in return for payment);
- the acceptance of hospitality which is understood as an offer of food, drink, accommodation and/or entertainment from any source outside the institution;
- the acceptance of decorations, prizes and awards;
- Members' professional travel (missions), including rules on the acceptance of free travel and on the regular publication of all missions and related expenses;
- expenses related to receptions and professional representation in the framework of a Member's institutional activities;
- the use of Commission resources in general;
- transparency requirements for meetings with interest representatives;
- the composition of Cabinets of Members, notably a the prohibition of employing spouses, partners or direct family members to form part of the Cabinet;
- conditions for new activities after the end of the mandate;
- the obligation to inform the President if a Member has a doubt with regard to the application of the Code and before acting upon the matter in question;
- information on the role of the Commission's Independent Ethical Committee and the possible consequences in case of an infringement of the ethical obligations.

The Secretariat-General (notably unit SG.C.2) is available for any question that Members or their Cabinets might have concerning the Code of Conduct for the Members of the Commission.

Please find the Code of Conduct for the Members of the European Commission in Annex II of this document.

Contact

Secretariat-General - Unit SG.C.2 – 'Ethics, Good Administration and Relations with the European Ombudsman

- e-mail: SG_UNITE-C2

2. Ethics, rights and obligations for Cabinet staff

Solid ethical behaviour helps to protect the credibility and reputation of the Institution. The European Commission is under constant scrutiny by the public, media and other institutions, and any error or failure can harm the credibility and reputation of the whole College.

This is very important in the case of the Cabinets, whose members must know and respect the rules in place, avoiding any conflicts of interest or favouritism in their contacts with different stakeholders.

The European Commission expects high standards of behaviour from its staff. High ethical standards are an important element in building trust in the Institution, and therefore in building trust in the European project. In their day-to-day actions, staff are expected to carry out their duties objectively, independently, impartially, and to conduct themselves solely with the interests of the EU in mind. All staff in the Cabinets should keep in mind the basic ethical principles and rules in their daily work.

Key ethical obligations for staff are set out in Title II of the Staff Regulations (SR), (Articles 11 through to 26). These standards are supplemented by implementing rules in the form of Commission Decisions and guidelines. Staff remain subject to certain provisions even after leaving the service.

Staff must refrain from dealing with matters in which they have a personal interest, such as to impair their independence, and must notify any such situations to the appointing authority. Staff must declare also gifts, external activities, activities of the spouse or partner. Consideration must also be given as to how a given situation could appear in the eyes of an impartial outside observer.

Staff have a right to freedom of expression. However, this right must be seen against the Staff Regulation's obligations relating to the duty of loyalty and the principle of impartiality, the obligation to behave in a manner in keeping with the dignity of the function, as well as in light of the obligation not to disseminate information not in the public domain. In concrete terms, staff must notify the appointing authority of any intention to publish on the work of the EU.

Ethical conduct also extends to the way that staff behave in the workplace. The Staff Regulations bans harassment, whether psychological and/or sexual, and the Commission has put in place both a formal complaints procedure, as well as informal ways of addressing allegations of harassment, by means of mediation or through a network of confidential counsellors.

Breaches of ethical obligations – or indeed, of any provisions of the Staff Regulations, are liable to disciplinary follow up. This provision also applies to staff who have left the service.

Cabinet staff should read the publication [Practical Guide to Staff Ethics and Conduct](#).

More information is also available on the [CabiNet website](#).

Courses for managers relating to specific priorities, procedures or processes in place

Ethics & Integrity

To make staff aware of the rules governing staff conduct and the prevention of and reporting of fraud and irregularities ('Whistle-blowing') as well as to raise staff awareness on keeping the highest standards of ethics and integrity in the Commission.

Dealing with Lobbyists

For all staff dealing routinely or occasionally with lobbyists. Its aim is to make participants feel more confident and comfortable when dealing with lobbyists by:

- Understanding the various forms lobbying can take and the different actors that may act as lobbyists;
- Being aware of the benefits and potential pitfalls of meeting lobbyists;
- Effectively pull information from, and provide information to, lobbyists while respecting the Commission's rules and regulations.