

MINUTES

Meeting:	MEETING OF THE BUREAU OF THE GOVERNING BOARD
Date:	Tuesday, 23 September 2014
Time:	10:30 h – 16.00 h
Venue:	EU-OSHA premises in Brussels (Multiburo)

1. Draft Agenda (B/14/A3)

The Chair welcomed the attendees. In particular, he welcomed the new EU-OSHA trainee. She is from the Netherlands and will assist the Network Manager at the Brussels Office for a six month period.

The Chair introduced the draft Agenda. He invited the participants to raise any other items.

There were two suggested items under “Any other business”, by the Director and the Commission respectively.

- Reminder to the Board about the new implementing rules of the Staff Regulations on which they have to vote by 26 September;
- Updates regarding the discussions on the Agency’s new founding regulation.

CONCLUSION: The draft agenda was adopted with the two additional items suggested under “Any other business”.

2. Draft minutes of last Bureau meeting – 19 March (B/14/M2)

The Agency had received some comments on the minutes. These were incorporated into the version tabled and there were no comments made at the meeting.

CONCLUSION: The draft minutes were adopted.

3. Director Progress Report (B/14/08)

In addition to the updates included in the Progress Report, the Director briefed the Bureau on the following issues:

New Commission

The Junker Commission was nominated on 10 September. The Commissioner-designate for Employment, Social Affairs, Skills and Labour Mobility is Ms Marianne Thyssen from Belgium. She led the Belgian delegation in the EPP Group since 2009 and served as member of the European Parliament since 1991. The Commission explained that, as regards the health and safety at work unit, the structure within DG Employment would in principle remain unaltered. However, two more Agencies – apart from EU-OSHA and Eurofound – are now placed under the coordination of the Directorate General: the European Training Foundation (ETF) and the Centre for Vocational

Training (CEDEFOP). This is coherent as the portfolio of the new Commissioner-designate includes skills and labour. Social dialogue is in the portfolio of Vice-President-designate Valdis Dombrovskis – whose portfolio includes Social Dialogue and the Euro. The rationale behind this choice is that the economic aspect should be encompassed in the social dialogue. The Unit within DG Employment in charge of Social Dialogue would in principle remain in charge, pending a possible internal reorganization – coordination has to be ensured with the cabinet of Vice-President-designate Dombrovskis. Operational aspects remain to be clarified. The next step with regard to the new Commission is the hearing at the European Parliament that will take place on 22 October. The new Commission will take office in November.

Visit of Director-General of DG Employment

The Agency is working to schedule a visit of Mr Michel Servoz in the autumn. The purpose is to present the work of the Agency and its main activities so that the new Commissioner can be briefed accordingly.

World Congress on Safety and Health at Work in Frankfurt

The Agency participated in the twentieth congress on 24–27 August, and exhibited at the associated Arbeitsschutz Aktuell trade fair. The Agency hosted a symposium on preventing psychosocial risks, based on its 2014–15 Healthy Workplaces Manage Stress campaign. It also officially launched OSHwiki and demonstrated its Online interactive Risk Assessment (OiRA) tools, as well as joined various meetings and networking events.

A+A Congress: the Agency is co-organizing the International section of the A+A Congress (Düsseldorf/Germany, 27 - 30 October 2015). The Director encouraged the Bureau to inform peer experts about this event.

Cooperation with International Labour Organization (ILO)

There is a new Director at ILO who is responsible for coordinating the relations with the Commission as well as with EU-OSHA and Eurofound. In a recent meeting, the Agency and ILO identified areas for further cooperation, which included the activities funded within the IPA and ENP programmes as well as the European platform on undeclared work together with the Commission and Eurofound. OSH is not meant to be the main focus of the European platform and the Agency will have an observer status.

EU-OSHA and IPA programme

OSH was not among the priorities addressed in the new IPA programme. In the past few years, the Agency has invested resources to promote OSH across pre-accession countries and has established a network of Focal Points to rely on for the dissemination of its activities. It is important to keep the momentum and build upon the good work done. The Director addressed DG Enlargement but no feedback had been received to date. The Commission explained that an inter-service consultation was launched on this and the Agency would be consulted in due time. DG Enlargement is also looking into other sources of funding – such as TAIEX. This kind of funding is more flexible than IPA – however it is usually of a limited amount and a short duration, so it can be used for ad hoc projects.

Update on activity “Micro and small enterprises”:

The Head of Prevention and Research Unit gave an update on the activity. In particular, he informed the Bureau that the call for tenders had finalized successfully and a framework contract has been awarded to a consortium led by the Catholic University of Leuven. The Agency and the consortium will have their kick off meeting on 22 October to discuss the future work over the next three years of the project. The agency will coordinate closely with the Commission regarding their planned study on 'improving intervention of labour inspection in micro and small enterprises regarding legislation transposing EU OSH directives' – which is at the procurement stage at the moment.

Outputs in Annual management plan 2014

The Bureau received a table which included all the outputs foreseen in the 2014 management plan for monitoring purposes. The great majority of the planned outputs are being delivered on time.

Exceptions included:

- The second Benchmarking Event was postponed from end 2014 to Q1 2015, in order to give enough time for the campaign partner events in between, whose results will feed into the organisation of the next benchmarking event.
- A summary report of a foresight workshop (construction) will be delivered in 2015 instead of 2014 (Foresight Green Jobs)
- ESENER II Secondary Analysis publication is delayed from 2015 to 2016. The 2015 management plan will be amended accordingly.

Inter-institutional Working Group Common Approach on Agencies – Roadmap implementation

The Bureau also received an update on the implementation of the Roadmap that follows up on the common approach adopted by the institutions on EU Agencies.

All actions on which the Agency has a prominent role are being followed up and are on track. In particular, the Agency aims at submitting a conflict of interest policy and an anti-fraud strategy to the Board in November for adoption.

Recruitment

There is only one recruitment procedure that is currently on-going:

- Project Manager (FGIV) in PRU – long-term contract

The HR Officer (FGIII, long term) in the Resource and Service Centre took up duties on 16 August. The Project Manager (FG IV, short term) in the Prevention and Research Unit took up duties on 1 September.

COMMENTS FROM THE GROUPS:

The Bureau requested some clarifications regarding the activities. In particular:

- Activity 5.2.: Networking knowledge: the Agency will produce OSH wiki articles on national strategies as foreseen in 2014 management plan. This would feed into a broader mapping exercise that will also involve the Commission, which will result in a database of national strategies.
- Activity 1.2.: Large-scale foresight: the scoping report was published very recently and the Advisory Group on Research and Prevention (PRAG) gave feedback on the topics identified as candidates for the next foresight activity. The potential topics identified in the report ranged from very broad topics (e.g., effects of the economic crisis, globalization etc.) to very specific ones. The Agency is currently looking into the scoping report in the light of the PRAG's comments.

Asked whether the figures of commitments and payments of the financial report were low at this point of the year, the Director clarified that, because of the nature of the work and the multi-annual character of the activities, this is not a worrying situation. The Court of Auditors acknowledged this. The carry-over of funds is carefully planned and monitored by the Agency.

4. Update on Advisory Groups, focal points and expert groups

Advisory Group on Communication and promotion (AGCP)

The AGCP met on 10-11 July and was informed about the various communication projects, incl. Napo for teachers' evaluation, and on how the agency complements the communication actions of the Commission. On the agenda, there was also an update on the current campaign and the evaluation of the previous risk prevention campaign. There was also a discussion on the role of EU-OSHA in supporting the Commission regarding guidance. The conclusions were that the Agency should focus more on awareness. The Agency is now working with six new ICT and web contractors and the Advisory Group was given an account on that. A major project on which they are now working is the development of the new corporate website. The first release of the prototype will be internal and staff members will provide their feedback. The second release will be at the end of the year.. The aim is to launch the new site in 25 languages in the first half of f 2015.

The Agency is also revising its communication strategy to support to the corporate strategy 2014-2020. Given their growing importance, the strategy is addressing social media too. There will be an internal Planning Seminar shortly and the communication strategy will be on the Agenda for discussion.

The Advisory Group also gave feedback on the strategy for the 2016-2017 campaign, which would be further discussed with the Focal Points campaign group.

The Bureau will have the chance to comment on both at their next meeting.

Advisory Group on Prevention and Research (PRAG)

There has not been a meeting since before the summer. The next meeting will take place on 9 October.

On the agenda for the meeting, there will be a report on various expert meetings, including a technical meeting on methodologies for estimating costs to society of occupational accidents and work related diseases in June, and a meeting with directors of institutes in PEROSH, inviting them to serve as the scientific committee for OSHwiki.

There will be discussions about "E-tools", the joint EU-OSHA-Eurofound report on psychosocial risks, which will be presented in Brussels in mid-October, and the e-guide for the campaign. The Agency will do its utmost to get it published on the website before the European week starts.

There will also be a progress report on ESENER-2. The work was finalized in three countries for the moment (Slovakia, Estonia and Latvia) but additional field-work is now necessary in those countries that have boosted their sample (Slovenia, Spain and United Kingdom). The data from ESENER – 2 may be presented next year in coordination with the Commission. In a secondary analysis project, the data from ESENER-2 will be combined with the results from the labour force survey.

There will also be a progress report on the project on Micro and small enterprises – the contractors will be introduced and the monitoring role of the Advisory Group on this activity will be discussed.

Focal Points

The Agency revised the engagement paper that defines the role and responsibilities of the Focal Points with respect to the work of the Agency to give more emphasis to the involvement of social partners. This will be further discussed under Item 9.

The Agency sent a reminder to the Focal Points who did not provide feedback to the survey launched at the beginning of the year in relation to social partners' engagement and received some further feedback. However, the topic was discussed at the focal point meeting in May, and the feedback received was that the request made by the Agency was not structured enough. The

Agency agreed to prepare structured request that would go in January at the same time as the request for information on network partners (for the annual report) at the beginning of 2015. The Agency will provide the Bureau with a list of the Focal points who have not yet answered.

Brussels Liaison Office

The Brussels Liaison Office was engaged in various activities and the Network Manager responsible for the office gave an account on that.

First of all, there is a new European Parliament and the political groups were established. This process was followed from close.

The Agency is recruiting new campaign partners – the second round will run until 31 October. In the last few weeks, new big multinational companies have signed in. The participation of multinational companies in the Agency's campaigns is very important as they ensure a great impact, but it is crucial that they bring the campaign to their supply chain, too.

ACTION 1

The Agency will provide the Bureau with a list of the Focal Points who have not yet replied to the questionnaire.

ACTION 2

The Agency will send a structured questionnaire to Focal Points regarding social partners engagement at the beginning of 2015

5. Update on planning for 2015 (FOPs tasks, Advisory Committee)¹

The Agency sent out the draft 2015 management plan for consultation after the March Board meeting. ECHA, Eurofound and the Commission sent their feedbacks, whereas EIGE's are still pending.

The Commission agreed that to a large extent the management plan is in line with the EU Strategic Framework on OSH.

The Agency is now consolidating the planning process for 2015 and is revising the management plan in the light of the feedbacks received as well as the Focal Points' requests in relation to the portfolio offer. The management plan will soon undergo a risk assessment exercise to identify any possible risky area for the achievement of the objectives. The Agency will come up with appropriate mitigating actions and action plans and revise the allocation of the resources in the Activity Based Budgeting mode.

The Board will have to adopt the final draft at their next meeting in November.

¹ This Agenda item was discussed after item n.8 for its logical implications.

6. Revised planning procedure (B/14/09)

The Agency will have to adapt its planning procedure to the changes foreseen in the new Financial Regulation.

This foresees two important changes for the planning procedure of the Agency:

- the introduction of a Single Programming Document;
- changes in the schedule of the planning.

Single Programming Document

The Single Programming Document includes elements of annual and multi-annual programming and will combine several documents responding to different planning requirements that used to be presented separately. These are:

- Annual management plan complemented with a multi-annual perspective (in total the document should cover as a minimum the following three years)
- Multi-annual Staff Policy Plan
- Draft Budget
- Financial fiche

Most of the information that is provided via the current planning procedure will remain the same but it will be better integrated, in particular with regard to multi-annual objectives and annual objectives, outcomes, performance indicators and human and financial resources.

The Single Programming Document shall be sent to:

- The European Parliament
- The Council
- The European Commission

The Performance Development Network under the network of Heads of Agencies has developed a template together with the Commission that will help to harmonise the planning.

Changes in the schedule of the planning

The deadline for the submission of the Single Programming Document is 31 January in the year preceding the first year covered by the Single Programming Document. This means that, for the planning related to 2017-2020 the draft will have to be submitted by 31 January 2016.

Implementation at EU-OSHA

Like many other Agencies, EU-OSHA suggests that these should be implemented progressively. This should ensure a smoother transition.

- Full implementation: 2017-2020 planning exercise onwards: as for the planning procedure related to 2017-2020, the draft Single Programming Document will have to be submitted to the Parliament, Council and Commission. The Board should therefore agree on the draft Single Programming Document at a meeting in January.
The final adoption of the document as well as the budget should still take place in November/December, but via written procedure.
The Agency suggested that the Board should have a second meeting in June to implement its accountability responsibilities (annual report, analysis and assessment of activity report, opinion on accounts etc.).
- Transition period: 2016-2019 planning exercise: the Agency intends testing out the template of the Single Programming Document through the 2016 planning exercise. The planning information should be organised in accordance to the template developed by the Agencies in collaboration with the Commission.

This would not yet include any changes in the schedule of the submission of the document, cf. it would have to be provided to the European Commission by end-March 2015 and adopted by the Board before 31 December 2015. The Board would therefore have to meet in March 2015 to agree the draft Single Programming Document. However, as the Board will meet in January 2016, cf. the previous section, it is suggested to merge the November/December 2015 meeting with the meeting in January 2016. As a consequence the final version of the Single Programming Document 2017-2019 would be adopted by written procedure at the end of 2015.

The Agency suggests that the Multi-annual Strategic Programme 2014-2020 should persist as a separate document and should not be open to annual update/review as part of the planning procedure. The Multi-annual Strategic Programme 2014-2020 would be the reference for developing the Single Programming Document.

With the introduction of the multi-annual perspective, the Board will have to take decisions on the Agency's future activities at an earlier stage. A new activity starting in 2018 will have to be included in the Single Programming Document 2017-2020 at the very latest. This means that in January 2016 the Board has to decide on any new activity to be initiated in 2018.

The logic of deciding on activities earlier will also apply to campaign themes where decisions will have to be taken at an earlier stage. The 2018-2019 campaign theme would therefore be decided at the Board meeting 2015 in order to be included in the 2016-2019 Single Programming Document. To prepare this decision, the Agency will arrange a first discussion at the November 2014 Board meeting.

COMMENTS FROM THE GROUPS:

The Bureau took note of the changes introduced by the new Financial Regulation. They considered that the schedule between the first meeting of the Board (in January) and the second (in June) seemed very tight. The Bureau asked the Agency to discuss this further at the next meeting.

ACTION 3

The Agency will arrange a first discussion on the theme for the 2018-2019 campaign at the November Board meeting.

7. Board and Bureau meeting dates (B/14/10)

The possible dates for the next Bureau/Board meetings are:

Bureau

- I Bureau Meeting: 17 March (pm) – Bilbao
- II Bureau Meeting: 13 May (am+pm) – Bilbao
- III Bureau Meeting: 23 September (am+pm) – Bilbao
- IV Bureau Meeting: to be confirmed* – Bilbao

Board

- Governing Board Seminar: 17 March (am+pm) – Bilbao
- I Governing Board meeting: 18 March (am+pm) – Bilbao
- II Governing Board meeting: to be confirmed – Bilbao

The IV Bureau meeting and the II Governing Board meeting remain to be confirmed, depending on the dates of the Healthy Workplace Summit 2015 and the possibility to merge this meeting with the first meeting in 2016 as per the new planning procedure (cf. Item 6).

The Agency will run a consultation with Bureau members in relation to the Bureau meeting on 17 March, as some members may not be able to attend.

CONCLUSION: The dates of the next Bureau/Board meetings – with the exception of 17 March - were adopted.

ACTION 4

The Agency will run a consultation with Bureau members to confirm that the first meeting of 2015 will take place on 17 March.

8. Impact of the EU-OSH strategic framework on EU-OSHA's Multi-annual Strategic Programme (B/14/11)

The Commission adopted the new EU Strategic Framework on OSH on 6 June. The Agency carefully assessed the impact of the new EU-OSH strategic framework on the Agency's Multi-annual Strategic Programme.

There are three main areas that were identified:

- Section 4.1: National strategies
- Section 4.2: Compliance with OSH legislation
- Section 4.5.: Disseminate findings of the Risk observatory

In all three cases, the Agency deems that the Multi-annual Strategic Programme 2014-2020 already addresses the issues identified and there is no need to revise the document. Actions can be further detailed while drafting the annual management plans.

The Commission agreed with that all the main actions foreseen in the strategic framework are fit within the framework of the Agency's Multi-annual Strategic Programme. However, the details will have to be addressed in the annual management plans, including clear references to the strategic framework.

In particular, it is important to emphasize that synergies with other Agencies in the social field would be explored in order to avoid overlaps and considering also each other's work from a complementary perspective. Also operational aspects should be taken into account, such as potential sharing common services etc.

COMMENTS FROM THE GROUPS:

The workers' group stressed that this should not be seen as a compliance exercise. EU-OSHA should be proactive and be open to the possibility of going beyond the requirements in the strategic framework.

The Director suggested that the request to add references in the Agency's planning documents to the EU Strategic Framework on OSH could be met by including a statement in the 2015 management plan and adding references in the plan where relevant. The Commission commented that this was a good way forward.

9. Revised basic requirements for EU-OSHA-focal point cooperation (B/14/12)

At the Board's request, the Agency has worked on a new paper to clarify the role of the focal points, in particular, regarding social parties engagement at national level and their cooperation with the Agency.

The paper updates previous documentation on the role of the focal point (previous Annex C). No new legal obligation is foreseen, nor any change in responsibilities.

The focus is on the importance of engagement with social parties at national level and the need for interchange between different stakeholders who may be interacting with the Agency.

This paper will be presented at the next Focal Point meeting in October and discussed/adopted at the next Board meeting in November.

COMMENTS FROM THE GROUPS:

The Bureau welcomed the revised paper and suggested that even more emphasis should be given to the need of social partners' engagement. Social partners should have a more proactive role in shaping the work of the Focal Points. Board members should be systematically invited to the meetings of the Focal Points. This would ensure a smoother communication flow and ensure consistent follow up to the actions of the Agency and the Focal Points. This should be clearly reflected in the paper.

Performance indicators could be developed to monitor the engagement of Focal Points in the Agency's activities. Monitoring should go beyond the campaigns. Asked about the portfolio approach, the Director confirmed that it is working well and the feedback is overall positive.

ACTION 5

The Agency will amend the paper on Focal points' basic requirements according to the Bureau's comments and will present it for adoption of the Board at the November meeting.

10. Cooperation with organisations in Member States in relation to activities outside the EU (B/14/13)

In its international work, the Agency is facing the possibility of collaborating with Member states and social partners organisations on activities in non EU states. In some non-EU states, organisations from the Member States have established projects and in some cases it would be useful to collaborate with them. The Agency prepared a paper establishing a framework for such collaboration to take place.

The proposal is developed within the framework of the international relations policy adopted by the Board. There will be neither financial nor legal obligations for the Agency stemming from this collaboration.

The Bureau asked for some clarifications, which the Agency will provide at the next Bureau/Board meeting. The objective is that this document is endorsed by the Board.

ACTION 6

The Agency will clarify the points raised by the Bureau in the paper on cooperation in Member States in relation to activities outside the EU and will present it for adoption of the Board at the November meeting.

11. Stakeholders' survey (B/14/14)

The Agency launched an online stakeholders' survey on 10 March and it stayed active until 16 April. The survey has provided feedback on the indicators defined for the Multi-annual Strategic Framework 2014-2020 as well as indicators linked to the previous strategy..

Over 3.000 respondents from a variety of categories of stakeholders participated.

The survey aimed at assessing the Agency's work in terms of usefulness, relevance, reliability and coverage of needs and addressed the six priority areas and a group of selected publications. The questions were formulated in a way that will allow them to be repeated in future surveys. The data analysis included a longitudinal analysis with the stakeholders' survey from 2009 – this helped monitor trends.

The Network Manager presented some key findings of the survey. The presentation is available here. The feedback from the stakeholder is in general very positive also when checking against the Multi-annual Strategic Programme and Annual Management Plan's indicators.

Respondents from Member States that joined the EU after 2004 expressed a higher level of satisfaction on the Agency's work, in particular when it comes to usefulness, relevance and use made of the publications. The challenge for the Agency is now to become more relevant to "older" Member States, by identifying and assessing carefully their needs.

Internally, the Agency will operate a further, in-depth analysis of the results of the survey which will address more specifically the activity/project level.

COMMENTS FROM THE GROUPS:

In general, the Bureau was satisfied with the results of the survey. However, there were some issues that deserve careful consideration.

One is, as mentioned by the Agency, the gap in the satisfaction level between pre-2004 and post 2004 Member States. The Agency should cater for all needs. The portfolio approach proved to be useful tool to allocate the right resources to the right needs but the Agency has to investigate further means to address pre-2004 Member States' requests and interests.

Another issue is that the number of respondents dropped from the 2009 survey, though the number of respondents is still much higher than in other comparable surveys. The Agency should analyse the reasons for this.

A last issue is about the relevance of the Healthy Workplaces Campaign on Risk prevention. The results of the survey are less positive than expected with regard to the relevance of the campaign. This is probably due, however, to the inaccuracy of the questionnaire design in the campaign section. There was no routing to the questions on the campaign, so that all respondents – no matter to what extent they were familiar with the Agency's work and the campaign – could reply. This should be looked into more carefully next time.

ACTION 7

The Agency will analyse the results of the stakeholders' survey internally and will focus on identification and assessment of needs of pre-2004 Member States.

12. Evaluation report on the Healthy Workplaces Campaign 2013-2014 “Working together for risk prevention” (B/14/15)

The Agency carried out an evaluation on the 2013-2014 campaign with the aid of an external contractor.

The objective of the evaluation was to assess the campaign's effectiveness and impact, with special emphasis on the European Campaign Assistance Package (ECAP). The evaluation covered all the activities covered by the Campaign Strategy in the EU27 and EEA countries. The evaluation will be used when planning future campaign activities and will be published on the Agency's website.

The Head of the Communication and Promotion Unit presented the main findings and recommendations. The presentation is available [here](#).

The evaluation was overall positive. In particular, the benchmarking event was widely seen as one of the most effective and successful elements of the campaign. Suggestions for improvements included:

- From the FOPs: more engagement with social media, campaigns using public transport, more targeted information dissemination, more translation into national languages, more opportunities for networking and cross-border cooperation, and at the national level.
- From the campaign partners: more networking, the sharing of best practice, the organisation of more benchmarking workshops and events, more direct contact with EU-OSHA to develop common actions, and increased focus on work-related health issues, more FOP involvement and the promotion at local level of the GPA, more in the direction of process safety, making it easier to become a campaign partner, and the greater involvement of SMEs.
- From Agency staff: more real-time knowledge of planned campaign events at national level, so that they can be disseminated effectively, increasing the profile of the campaigns by more involvement of high-level politicians and social partners, organising more seminars at company level.

OSH leadership seems to have been the right topic as the three interests groups have widely bought it in.

13. Conflict of interest policy (B/14/16)

At Action 22, the Roadmap on the follow up of the Common Approach of the Inter-institutional Working Group provided that the Commission should elaborate, in collaboration with the Agencies, guidelines for a coherent policy on the prevention and management of conflict of interest for Members of Management Boards and Directors, experts in scientific committee etc.

The discharge authority is looking at the implementation of this action from close and has repeatedly reminded all Agencies that the adoption of the policy of management of conflict of

interests shall be adopted by 1 December 2014 and that the declarations of interests and CVs of Board members should be made available as a matter of urgency.

As a measure of transparency, the Agency had been collecting declarations of interest from most Board members. These were made publicly available on the Agency's website.

The Commission adopted some guidelines in December 2013. They also address staff members, SNEs, trainees, external and interim staff and beneficiaries of EU grants (not applicable to the Agency).

The Agency worked on a draft policy on management of conflict of interest on the basis of the Commission's guidelines. The policy intends to establish the framework for the assessment of conflict of interest situations and for their management.

The Network Manager described the main features of the draft policy.

It gives a general account on how conflict of interest situations are prevented and managed at the Agency in relation to:

- Members of the Board (full, alternate and observers)
- Advisory Groups (full, alternate and observers)
- Senior Management (Director and Heads of Unit)
- Statutory staff (staff covered by the provisions of the Staff Regulations)
- Statutory staff involved in recruitment and tendering
- Seconded National Experts and trainees
- External and interim staff.

For conflict of interest situations that are involving statutory staff, the provisions of Staff Regulations apply. There are a number of provisions that were introduced in the new Staff Regulations in relation to conflict of interest (e.g., engagement in outside activities, professional activities during unpaid leave and after leave of service). Director and Heads of Unit are also subject to these provisions, but, for the sake of transparency, they will also be subject to the obligations deriving from the policy.

With regard to Seconded National Experts and trainees, any possible conflict of interest situations will be managed by the Human Resources section and under the validation of the Director. For external and interim staff – there will be an explicit clause on conflict of interest in the contract with service providers.

For the sake of clarification, the policy introduces the concept of "legitimate interest". The legitimate interest is the interest by virtue of which a Board member represents the interest of his/her group. Legitimate interest shall not be declared. The policy includes some criteria for the assessment of the declarations of interests and various measures for the prevention, assessment, detection of conflict of interest situations as well as remedial actions. Remedial actions include a "breach of trust" procedure that shall be developed in the coming weeks.

The Board will be requested to discuss and adopt the policy at their next meeting in November. In the meantime, the Agency will also have to collect CVs from Board members, as per the discharge authority's request.

COMMENTS FROM THE GROUPS:

The Commission supported the approach taken by the Agency and confirmed that the policy is in line with the Guidelines produced by the Commission.

There were some requests for improvement of the text, which will be incorporated to the version that the Board will discuss in November.

Regarding the CVs, there was agreement on the fact that this should be kept short and that the Agency should give an indication on the expected extent of details to be provided. The Agency will also clarify the number of years backwards it should cover from its submission.

ACTION 8

The Agency will amend the draft policy on management of conflict of interests as per the Bureau's comments and clarify the extent of details to be collected in the CVs and the number of years this should cover.

14. Any Other Business

Implementing Rules on the Staff Regulations

The Director reminded that the Agency had launched a written procedure for the adoption of a decision of non-application of a set of implementing rules of the Staff Regulations. The deadline is 26 September and she invited Bureau members to remind in turn their respective interests groups to reply.

The Government group asked for further clarification on why these rules shall not apply to the Agency. The Director will follow up by email.

ACTION 9

The Agency will follow up in an email to the Governments' group to explain why certain implementing rules of the Staff Regulations would not apply to the Agency's staff.

Revision of the Agency's Founding Regulation

The Commission gave an update on where the discussions stand in relation to the Agency's Founding Regulation. There were meetings with social partners. The Commission took good note of the positions and is now undergoing an internal analysis considering also the horizontal provisions to be implemented in all the EU agencies.

There were some specific points that the Commission needed to clarify from the previous Bureau meetings.

One issue was about the need to consult the Advisory Committee on Health & Safety in the consultation process. The Commission confirmed that this would be the case.

Another issue was about the decisions in the framework of the annual work programme and with budgetary consequences for the national focal points – in the current Founding Regulation, it is foreseen that there should be the consent of the majority of the governments' interest group. Would this be maintained? The Commission said that there is not yet a final decision on this point. The Common Approach says that as a general rule, decisions on agencies' work programmes, budget, as well as nomination of the director should be taken by a 2/3 majority, without referring to the voting powers of different groups. It only says that full participation of Member States and Commission should be guaranteed..

The Commission maintains the target date for the adoption of the proposal of a revised Founding Regulation by the first quarter of 2015.

The third and last issue was about the possibility of simplifying the reporting requirements for the Agency and merging the Annual Report and the Annual Activity Report. Again, no final decision was taken in this regard but it was a shared opinion that reporting should be streamlined as foreseen in the Common Approach. This would imply a modification of both the Founding and Financial Regulations.

According to the current provisions, the nomination of the Board members (except for the Commission representatives) is conditioned by being member (or alternate) of the Advisory Committee on Safety and Health at Work. In the employers' view, this is a limitation for the social partners when appointing their representatives to the Board. The Commission said that they would look into this and revert to the Bureau.

The Workers' group observed that the Commission's proposal in terms of the number of social partners to be represented on the Board is far from their original proposal (14 employers and 14 workers' organisations for the workers; seven and seven for the Commission). The workers will put this question forward to the new Commissioner.

ACTION 10

The Commission will keep the Bureau updated on any development regarding the Founding Regulation.

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The Chair closed the meetings and thanked all participants.

LIST OF ATTENDEES

Name	Representing	Organisation
ALVAREZ Jesús	Commission	European Commission
BATEN Jan	Government	FPS Employment, Labour and Social Dialogue
BÖHM Lučka	Workers	Confederation of Free Trade Unions of Slovenia
BREINDL Gertrud	Government	Federal Ministry of Labour, Social Affairs and Consumer Protection
DE MEESTER Kris	Employers	Belgian Federation of Enterprises
ENGELS Francois	Employers	Fédération des Artisans
GYÖRGY Károly	Workers	National Confederation of Hungarian Trade Unions
KEMPA Viktor	Workers	European Trade Union Confederation
PETRICEK Tatjana	Government	Ministry of Labour, Family, Social Affairs and Equal Opportunities
SMITH Rebekah	Employers	BusinessEurope
SEDLATSCHEK Christa	EU-OSHA	European Agency for Safety and Health at Work
BEJER Jesper	EU-OSHA	European Agency for Safety and Health at Work
COCKBURN William	EU-OSHA	European Agency for Safety and Health at Work
MURILLO Françoise	EU-OSHA	European Agency for Safety and Health at Work
O'BRIEN Brenda	EU-OSHA	European Agency for Safety and Health at Work
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