



PSC Europe

PSC-Europe/001-2024

Conflict of Interest Policy – V3

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DATE: 29-05-2024
PSC Europe: Information

REF: PSC Europe/001-2024

PSC Europe: DOCUMENT PREPARATION

OPERATION	NAME	ORGANISATION	DATE
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APPROVED BY	Board Members	PSCE	29-05-2024
ISSUED BY	Secretariat	PSCE	30-05-2024
AMENDMENT	Secretariat	PSCE	30-09-2024

PURPOSE	
Information	
Revised after comments	x

Conflict of Interest Policy

1°) Definition

A 'conflict of interest' (Col) refers to a situation where the impartiality and objectivity of a decision, opinion or recommendation of PSCE members is or might be perceived as being compromised by a personal interest held or entrusted to a given individual.

'Personal interests' means any benefit or potential benefit, of a financial or non-financial nature, for PSCE members, their family members, their other relatives or their circle of friends and close acquaintances.

Not only actual independence but also perception of independence is important, since it can impact on PSCE's reputation by raising doubts about the conclusions reached.

Therefore, giving due consideration to proportionality, specific backgrounds, all relevant facts and mitigating circumstances, **PSCE will treat a risk of perceived conflict of interest as if it were an actual conflict.**

PSCE will take the necessary measures to effectively prevent, identify and resolve conflicts of interest. This will be even more important during procurement and performance activities to avoid distortion of competition and ensure equal treatment of all economic operators.

2°) General rules for preventing Conflict of interest

Different general situations are possible:

- Board members representing their different communities should represent in an impartial and equal way their group.
- No Board Member should use its position to get advantages for his/her company/organization.
- Sponsors should get the benefits as defined in the sponsorship and dissemination policy. Any sponsor should not influence in a way or the other the functioning of PSCE.
- EU projects and other funding: As a principle, when there is a consortium that is being set-up either led by PSCE or in which PSCE is a partner or for which a PSCE member is asking for support, a call should be made to PSCE members with the relevant skills. A selection of the best appropriate candidates can be operated on the basis of the needs of the project that should be clearly set according to defined processes.
- Board members: activities of the Board members should be duly reported to the Board. When directly involved in a project, decisions (budget, allocations of work)

related to that project should be made without any voting right of the Board member involved.

- The rule of confidentiality applies inter alia to the members of the secretariat.
- Procurement: whenever PSCE is involved in a procurement procedure, special attention should be taken by PSCE Board.
- Industry committee: Industrial members will not get any privileged information, especially when related to a project related to a procurement. Furthermore, they will not be disadvantaged in any way as a member of PSCE.

Measures to prevent Col

- All information discussed in the Board meetings will be minimal about projects that include procurement processes and will not in any way provide any advantage or information that are not already public.
- Reports on the progress of the project will be strictly limited to key public milestones.
- Recordings of Board meetings and minutes will be made available upon request.
- No advantage will be given in any way to PSCE members in order to respect in full the principles of equality of treatment, transparency and fair competition.
- In the case that a Board member will become involved in a precommercial procurement (PCP) or a procurement as a possible supplier, additional precautionary principle will be adopted: the Board member will be excluded to any discussion and decision related to this PCP/procurement.
- The organisation of the work is done in such a way that only the persons authorized to work on the project have access to the share point of the project. No document related to BroadEUnet such project (s) will be shared with the Board. Nevertheless, general information about the overall financial situation of the project will be communicated on a need-to-know basis.
- The confidentiality of the information gathered in the frame of the project should be highly protected.
- The details of the management of the procurement are never discussed in the Board meetings.
- A special attention shall be given to the Board member representing the Industry Committee. If a Board member and more precisely the natural person(s) representing its organisation takes part in the procurement, this person in question has a COI. This person cannot be involved directly or indirectly in the award or execution of the public contract(s) on the side of the Contracting Authority and the Contracting Authority should be immediately notified.

3°) Declaration and mitigation of Conflict of interest

PSCE Secretariat will be in charge of managing the track records of the risks, their likelihood, impact and proposed mitigation measures.

Description of Risk	Dates	Likelihood	Impact	Mitigation measures