

Decision No MB/2023/04

of the Management Board of the Agency for Support for BEREC (BEREC Office) on the Anti-fraud Strategy 2023-2025

The Management Board;

Having regard to the Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and Agency for Support for BEREC (BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009 (“BEREC Regulation”), and, in particular, Art.16.1(e) and Art.20(j) thereof;

Having regard to the “European Commission Anti-Fraud Strategy: enhanced action to protect the EU budget” COM (2019) 196;

Having regard to Decision No MB/2019/13 of the Management Board of the BEREC Office of 7 August 2019 on the adoption of financial regulation applicable to the BEREC Office,

Having regard to MC (10) 45 Decision by the Management Committee of the Body of European Regulators for Electronic Communications (BEREC) concerning the accession of the BEREC Office to the inter-institutional agreement of 25 May 1999 between the European Parliament, the Council and the Commission concerning internal investigations by the European Anti-Fraud Office (OLAF),

Having regard to MC (10) 46 Decision by the Management Committee of the Body of European Regulators for Electronic Communications (BEREC) concerning the terms and conditions for internal investigations in relation to the prevention of fraud, corruption and any illegal activity detrimental to the Unions’ interests,

Having regard to the BEREC Office Internal Control Framework (Revision 2018 of the Internal Control System), and in particular the Internal Control Principle n.1: Ethical and Organisational Values.

Whereas:

(1) It is essential to counter fraud, and any illegal activities affecting the financial interests of the Union in the framework of the daily activities of the BEREC Office involving the use of resources.

(2) In light of the above, it is appropriate to establish proportionate measures to ensure the prevention, detection, correction, deterrence, investigation and follow up of fraud and irregularities, to counter any illegal activity affecting the financial interests of the Union.

(3) As established by the Revised Internal Control Framework of the Commission, those measures shall constitute an anti-fraud strategy within the internal control system for improving the prevention and detection of fraud. The anti-fraud strategy shall be reviewed every three years, following a re-assessment of the potential fraud risks to which the Agency is exposed.

(4) Following the reassessment performed by the Agency, the Anti-Fraud Strategy of the BEREC Office, adopted with Decision No MB/2020/02 shall be replaced to reflect the current fraud risks within the operational activities.

(5)

HAS ADOPTED THIS DECISION:

Article 1

1. The Anti-fraud Strategy for the period 2023-2025, as annexed to this Decision (Annex I), is adopted.

2. Decision No MB/2020/02 of the Management Board of the BEREC Office on the Anti-fraud Strategy 2020-2022 is hereby repealed.

3. The Director of the BEREC Office with the support of the BEREC Office Anti-Fraud Officer adopts further internal measures which are necessary to implement the Action Plan of the Anti-fraud Strategy for the period 2023-2025 (Annex II).

Article 2

Final provisions

This Decision shall take effect on the day of its adoption.

Done at Athens, on 10 March, 2023

For the Management Board

(e-signed)

Prof. Konstantinos Masselos
BEREC Chair 2023

Annex I – BEREC Office Anti-fraud Strategy 2023-2025

Annex II – Action Plan

**Anti-fraud Strategy
of the Agency for support for BEREC
2023-2025**

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Key abbreviations

Abbreviation	Meaning
AFS	Anti-Fraud Strategy
BAG	BEREC Office Advisory Group
BEREC	Body of European Regulators for Electronic Communications
BERECNet +	BEREC information exchange systems
BEREC Office	Agency for Support for BEREC
BEREC Regulation	Regulation (EU) No 2018/1971 of the European Parliament and of the Council of 11 December 2018, replacing Regulation (EC) No 1211/2009
BoR	Board of Regulators
CAFS	Commission Anti-Fraud Strategy
DG HR	Directorate-General for Human Resources and Security
EC	European Commission
ECA	European Court of Auditors
EPPO	European Public Prosecutor's Office
EU	European Union
Head of OSU	Head of BEREC Office Operational Support Unit
IAS	European Commission Internal Audit Service
IBOAs	Institutions, bodies, offices and Agency of the EU
IT	Information Technology
MB	Management Board
NRA	Telecom National Regulatory Authority
LSO	Local Security Officer
OLAF	European Anti-Fraud Office investigates fraud against the EU budget
Sysper	The EC Human Resource Management Information System

1. Executive summary

Ethics, integrity and transparency are key drivers of BEREC Office's actions in performing its mission of providing administrative and professional support to BEREC. BEREC Office staff, members of BEREC Office Management Board, of the Board of Regulators, of BEREC working groups must pursue the highest standards of ethics and integrity in the exercise of their duties. Fraud¹ has the potential to jeopardize BEREC and BEREC Office core values (professionalism, efficiency, effectiveness and accountability), which must be preserved in the performance of their tasks and missions assigned by the BEREC Regulation. The Agency does not tolerate fraud and is committed to take strong measures to address and mitigate any fraud, corruption and other illegal activity affecting the financial interests of the European Union.

In accordance with Art.16.1(e) of the BEREC Regulation, the Management Board "*shall adopt an anti-fraud strategy proportionate to fraud risks, taking into account the costs and benefits of the measures to be implemented*". Art.20(j) assigns to the Director of the BEREC Office the responsibility to prepare an anti-fraud strategy for the Agency and to present it to the Management Board for approval.

Against this background, the BEREC Office has developed the present Anti-fraud Strategy (hereinafter "the strategy") within the broader context of the EC Anti-Fraud Strategy 2019 (CAFS)², and in line with the new European Anti-Fraud Office's (OLAF) proposed methodology and guidance³. The BEREC Office Anti-Fraud Strategy 2023-2025 has set the following key objectives tailored to the vulnerabilities identified by the results of the Agency's fraud risk assessment (see paragraph 5.2):

- **Objective 1: To improve fraud prevention in the IT working environment:** Given that the number of cyberattacks on EU Institution and Bodies is increasing⁴, the prior objective of this strategy is to improve the level of preparedness of the Agency to cyber threats.
- **Objective 2: To foster ethical behaviour of staff and of BEREC members:** The strategy carry forward the objective of the 2020 AFS of raising awareness on ethics and anti-fraud with the view of decreasing the likelihood that a misconduct or serious irregularity occurs.

In order to achieve these objectives, the strategy has designed an Action Plan (Annex II) consisting of eleven actions to be performed from 2023 to 2025 according a given timeline. The Anti-Fraud Officer will coordinate the implementation of the action plan, reporting regularly to the Director of the BEREC Office on such implementation and acting as a contact point for OLAF for all fraud-related issues.

The implementation of the strategy will be subject to periodic review by the Director who will evaluate the impact of the actions carried out and report on the results of the implementation within the BEREC Office Consolidated Annual Activity Report (see paragraph 7).

¹ Fraud is a deliberate act of deception intended for personal gain or to cause a loss to another party. (See more in Article 3(2) of Directive (EU) 2017/1371).

² [Commission Anti-Fraud Strategy: enhanced action to protect the EU budget](#)

³ Methodology and guidance for services' anti-fraud strategies June 2021

⁴ [ECA special report on Cybersecurity of EU institutions, bodies and agencies](#)

2. Definition of fraud and purpose of the Anti-Fraud Strategy

In principle, fraud is a criminal law qualification given by a judge. Intention is the key element that distinguishes fraud from non-fraudulent irregularity as regards the EU funds and financial interests. Irregularity is an act or omission which does not comply with EU rules and which has a potentially negative impact on EU financial interests, which may be the result of genuine errors committed by beneficiaries claiming funds or by the authorities responsible for making payments, but has not intentional elements.

For the purposes of the agency's AFS, the term 'fraud' should be understood in a broad sense, encompassing:

- fraud, corruption and misappropriation affecting the EU's financial interests, as defined in Articles 3 and 4 of the PIF Directive;
- other criminal offences affecting the Union's financial interests, e.g. offences linked to an abuse of procurement procedures where they affect the EU budget;
- irregularities as defined in Article 1(2) of Regulation (EC, Euratom) No 2988/95 (insofar as they are intentional but not already captured by the criminal offences referred to above);
- serious breaches of professional obligations by staff or members of the Management Board of the agency, as referred to in Article 1(4) of the OLAF Regulation and in the second subparagraph of Article 2(1) of Commission Decision (EC, ECSC, Euratom) No 352/1999.

The definition of fraud is broad and covers not only any infringement of the financial interests of the EU, but also misbehaviour that may not have a direct effect on the EU's financial interests, but has anyhow a reputational impact on the Agency or on the EU as a whole, such as some cases of forgery (in CVs for example), concealment of material facts, breaches of IT systems, cyber fraud, transmission of confidential information and conflicts of interests that have not been declared intentionally.

The purpose of the Anti-Fraud Strategy is to serve as a management tool for the Agency to ensure progress and transparency as regards the protection of the BEREC Office's financial interests, compliance with EU ethical values and therefore the protection of the Agency's reputation.

3. Context

3.1 General context

In line with the requirements⁵ of BEREC Regulation, on 6 March 2020 the Management Board of the BEREC Office has adopted the Agency Anti-Fraud Strategy 2020-2022. The Strategy has been developed in the framework of the new European Commission Anti-Fraud Strategy (CAFS)⁶ that sought to further improve the detection, sanctioning and prevention of fraud against the EU budget. The new EC CAFS currently applicable was

⁵ Art. 16.1(e) and 20(j)

⁶ [Commission Anti-Fraud Strategy: enhanced action to protect the EU budget COM\(2019\) 196](#)

the result of a comprehensive revision of the previous strategy adopted in 2011 and takes into account the developments in the (anti-)fraud landscape and in the design of EU policies over a period of eight years.

In particular, the EC recognized the need to adapt the CAFS 2011 to an evolving situation in the context of fighting fraud (new funding schemes and fraud trends, development of IT tools, etc.).

The 2019 CAFS also addresses some key recommendations issued by the European Court of Auditors in a Special Report entitled “Fighting fraud in EU spending: action needed”⁷.

3.2. The BEREC Office specific context

The Agency for support of BEREC (BEREC Office) is an EU Agency supporting the Body of the European Regulators (BEREC) in the fulfilment of its mission to ensure the consistent implementation of the European regulatory framework for electronic communications. To achieve this, the BEREC Office provides all necessary professional and administrative support for the work of BEREC, including financial, organisational and ICT services, and contributes to BEREC’s regulatory work for the benefit of people in Europe.

The BEREC Office was established by Regulation (EU) No 2018/1971 of the European Parliament and of the Council of 11 December 2018, replacing the previous Regulation (EC) No 1211/2009.

The BEREC Office Budget 2023 (revenue and expenditure), as adopted by the Management Board (MB), amounts to EUR 7,697,265. The main revenue in the 2023 BEREC Office budget is the EU contribution. BEREC Office’s budget is used for:

- financing of staff expenditure (Title 1): k EUR 4,604
- financing of the BEREC Office’s infrastructure and operating expenditure (Title 2): k EUR 1,698
- expenditure supporting BEREC’s activity (title 3): k EUR 1,394

The Agency’s internal structure comprises 3 Units (Operation Support, Programme Management and Administration and Finance). Staff members are obliged to respect all relevant provisions laid down in the TFEU, the Staff Regulations and the Conditions for Employment of Other Servants (CEOS). Expert Networking Groups (ENGs) are established in order to deliver expertise on specific matters requested by the BEREC Office. Detailed rules on the functioning of the Expert Networking Groups have been adopted in order to legally align the provisions governing these Groups with those governing the functioning of the Management Board of the BEREC Office.

⁷ https://www.eca.europa.eu/Lists/ECADocuments/INSR19_01/INSR_FRAUD_RISKS_EN.pdf

3.3. The implementation of the BEREC Office Anti-Fraud Strategy 2020-2022

The BEREC Office Anti-Fraud Strategy and the related action plan for the year 2020-2022 have been developed in line with both the new Commission Anti-Fraud Strategy 2019⁸ and with the OLAF methodology and guidance for anti-fraud strategies for EU decentralised agencies⁹. The Strategy was based on a fraud risk assessment¹⁰ that, taking into consideration the fraud control activities in place, did not identify major fraud risks requiring attention. Although the AFS focus was not on mitigating a particular fraud risk, it has set the key objective of raising staff awareness and vigilance regarding potential fraud risk with view of decreasing the likelihood that the real risks materialise.

The Anti-fraud Officer reporting to management on the implementation of the AFS 2020-2022 has concluded that the Agency has taken appropriate measures to raise staff awareness and vigilance regarding fraud. In addition, during the three-year period BEREC Office has seen a no fraud occurrence/no reporting of suspicious behaviour showing that the risk of fraud within the Agency and its governing bodies remains low. With the view of maintaining a reduced likelihood of potential fraud, the BEREC Office management deemed important to continuing reinforcing a strong ethics and anti-fraud culture both within BEREC Office and BEREC.

In the light of the above findings and taking into account the outcome of the fraud risk assessment (see paragraph 5.2), the Director of the BEREC Office has set the objectives for the further three-year period, together with an updated action plan (Annex II). As in the previous action plan, the actions designed to reach the revised objectives for the years 2023-2025 are linked to key performance indicators and will be implemented by a set due date.

4. Means and resources

4.1 Internal resources

The Agency has at its disposal means and resources that are engaged in tackling fraud. The main resources are:

Management Board is responsible for the adoption of the Anti-Fraud Strategy. The Management Board is also responsible for ensuring adequate follow-up to findings and recommendations stemming from the internal or external audit reports evaluations, as well as from investigations of the European Anti-Fraud Office (OLAF);

Director is responsible for preparation and presentation of the Anti-Fraud Strategy to the Management Board; development, endorsement and implementation of the Action Plan. The Director is also responsible for promoting anti-fraud culture across the Agency, setting anti-fraud objectives and putting in place effective arrangements for combating fraud.

BEREC Office Advisory Group (BAG) is responsible for the review of the Agency's procedures for detecting fraud; for the review of the agency's systems and controls for the

⁸ [Commission Anti-Fraud Strategy: enhanced action to protect the EU budget](#)

⁹ [Methodology and guidance for anti-fraud strategies for EU decentralised agencies](#)

¹⁰ The fraud risk assessment was carried out in October 2019 in the context of a more general full risk assessment of the risks of BEREC Office activities.

prevention of bribery and may advise on the follow-up to any findings and recommendations of any investigations of the OLAF.

All Heads of Units shall have as primary role to be controllers for the prevention and detection of fraud throughout the Agency and ensure that all suspected cases of potential fraud are immediately reported to the appropriate reporting channel;

Head of procurement and finance (Head of Administration and Finance) is responsible for ensuring that financial and procurement processes/procedures incorporate strong measures to reduce the risk of fraud.

Anti-fraud Officer is responsible for identifying and preventing risk of breach of legal provisions and ethical behaviour rules. He/she coordinates the implementation of this Strategy, perform anti-fraud risk assessments (as a part of overall risk assessment), reports to the Director on implementation of agreed actions and acts as a contact point to OLAF for the Strategy-related matters.

Staff members must comply with the BEREC Office's anti-fraud principles and strategy, forward any reasonable concerns with the regard to fraud to the appropriate reporting channel foreseen by the BEREC Office whistleblowing policy (to their reporting officer/to the Director of the BEREC Office/to the Chair of the Management Board/to OLAF).

4.2 External resources

In addition to its own internal capacities, BEREC Office will make advantage of cooperation with external parties, as further detailed below.

- **European Anti-Fraud Office (OLAF):** OLAF is the EU body with aim of investigating fraud against the EU budget, corruption and serious misconduct within the European institutions, and develops anti-fraud policy for the European Commission. The cooperation and information exchange with OLAF is enshrined both in the BEREC Regulation (Art.43) and in Decision by the BEREC Office Management Committee concerning the accession of the BEREC Office to the inter-institutional agreement of 25 May 1999 between the European Parliament, the Council and the Commission concerning internal investigations by the European Anti-Fraud Office (OLAF)
- **European Public Prosecutor's Office (EPPO):** This Office is responsible for investigating, prosecuting and bringing to judgment crimes against the financial interests of the EU which includes several types of fraud as well as corruption.
- **DG CONNECT** being BEREC Office partner Directorate-General of the Commission will be informed by the Agency about any relevant fraud related issues that might impact the assurance the DG gains from BEREC Office, being its entrusted entity.

4.3 Monitoring mechanisms

Since its establishment, the Agency has already successfully developed a number of procedures and policies designed to mitigate identified risks, including major fraud risks, namely:

- Internal Administrative Instruction on Ethical Behaviour of staff;

- Internal Administrative Instruction on registering and maintenance of exceptions and non-compliance events;
- Internal Administrative Instruction on adoption of the Risk Register and the actions plans for mitigating the risk identified in the Risk Register;
- Updated BEREC Office Internal Control Framework;
- Internal Administrative Instruction on Information Systems Security Policy.
- Audits are performed every year at the BEREC Office by the European Court of Auditors (ECA) and by the external auditing company, focusing on the legality and regularity of payments carried out in the context of procurement procedures. Recommendations issued by the Auditors regarding the BEREC Office's procurement process are consistently implemented.
- ex ante and ex post controls, other controls and supervision mechanisms including the 4-eyes principles;
- Decisions of Management Board ¹¹and Board of Regulators¹² laying down rules on preventing and managing conflicts of interest concerning the members of the Management Board and the members of the Board of Regulators;
- Declarations of commitment and confidentiality of BEREC members;
- Guidelines on whistleblowing of the BEREC Office providing guidance to staff on the reporting procedure of serious irregularities procedures for reporting;
- annual risk assessments, conducted in line with the EC guidance with the aim of identifying potential risks, also fraud risks, to be documented in the Agency's Risk Register.

A fraud risk assessment has taken place as part of the development of this anti-fraud strategy in order to identify any fraud risk areas not covered by the existing controls, and to propose specific actions to address the potential risks. The results are presented under paragraph 5.2 below.

5. Fraud risk-assessment

5.1 Preliminary considerations

The following aspects have been taken into consideration when assessing the fraud risks related to BEREC Office, in particular:

¹¹ [Decision No MB/2019/16 of the Management Board of the Agency for support for BEREC \(BEREC Office\) laying down rules on preventing and managing conflicts of interest concerning the members of the Management Board](#)

¹² [Decision No BoR/2019/07 of the Board of Regulators of the Body of European Regulators for Electronic Communications \(BEREC\) laying down rules on preventing and managing conflicts of interest concerning the members of the Board of Regulators](#)

With respect to possible fraud patterns:

- In the current reporting period of the AFS (from 2020 until 2022), BEREC Office had zero fraud occurrence and, also, zero cases of suspicious behaviour/misconduct.

With respect to potential fraud in spending activities:

- The Agency is entrusted with a low budget compared to other EU Institutions and Bodies (7,7 million for 2023) and more than a half of the expenditure is reserved for regular staff related expenditure.
- The positive conclusions of the ECA audits over these years underlying the legality and regularity of the Agency accounts in accordance with the Financial Regulation.
- Clean opinion on the accounts given by the independent auditor on a yearly basis.

With respect to potential fraud in non-spending activities:

- BEREC Office does not have a regulatory power. Management makes internal decisions to implement effectively the task of providing professional and administrative support to BEREC.
- BEREC Office staff is not involved in the BEREC decision-making process and, at the exception of its Director, does not participate as observer to the meeting of the Management Board and of the Board of Regulators.
- All BEREC acts adopted in the regulatory area of telecommunication are non-binding.
- The members of the BEREC Office Management Board and of the Board of Regulators are government officials of telecommunications national regulatory authorities' subject in first instance to the rules of conflict of interests of their NRA. The potential risk of conflict of interest is to large extent managed within the BoR and MB conflict of interest policies adopted in 2019.

In this framework, the Agency has conducted a fraud risk assessment of its activities based on the estimated likelihood and possible impact of fraud. The assessment was performed in January 2023 as dedicated risk assessment exercise involving senior and middle management in a joint evaluation of the risks affecting the Agency operations. In order to assess the BEREC Office fraud risks in a structured manner, the risks have been grouped in two main area: potential risks affecting spending activities (i.e. procurement) and potential risks affecting non-spending activities (human resources, management of documents and IT tools, professional and administrative support to BEREC).

5.2 Summary and outcome of the fraud risk assessment

The fraud risk assessment¹³ was carried out according to EC risk management implementation guide¹⁴ with the aim to identify and control the residual fraud risks¹⁵, which represent the assessed level of risks remaining after taking into account the mitigating controls already in place.

¹³ Fraud risks have been assessed based on the combination of two factors, its potential impact and the likelihood of its actually arising, both assessed on a five point scale ranging from 1 (very low impact, little likelihood) to 5 (very high impact, extremely likely to happen).

¹⁴ [EC Risk management implementation Guide](#)

¹⁵ Low: 1-5, Medium: 6-15 High: 16-25

With respect to risks in spending activities, the fraud risk assessment revealed that, given the rigorous controls in place in finance and procurement, the overall residual risk of fraud in this area (such as conflict of interest, collusion and favoritism) is very low.

With respect to risks in non-spending activities such as IT and document management, it was concluded that overall, adequate controls intended for the prevention, detection of fraud in this area are in place. However, taken into account that the conflict in Ukraine has increased the vulnerability of EU Institutions, Bodies, and Member States to cyberattacks¹⁶, the residual risk that a cyber-threat materialises which may lead to disclosure of BEREC/BEREC Office confidential information is to be considered as medium¹⁷. In order to reduce the Agency exposure to cyberattacks, malware as well as to any unauthorised access compromising the confidentiality of BEREC/BEREC Office information, it would be necessary to reinforce the existing IT-security controls.

Additionally, it has been noted that certain critical risks such as internal fraud risks/serious misconduct of BEREC Office staff and BEREC members may be characterised by a very low likelihood but a serious impact both on the reputation of the Agency and of BEREC. Therefore, management considered appropriate to strengthen the existing controls¹⁸ in place in this area by maintaining a high level of awareness on ethics and anti-fraud within BEREC and BEREC Office.

Further to the fraud risk assessment described above, the following risks have been retained for mitigation in the next three years 2023-2025 Action Plan:

1. Risk of disclosing confidential information or downloading malware that could corrupt data or lead to take over a system and/or data breach throughout phishing or spear phishing threat.
2. Risk of cybersecurity attack that could lead to a data leakage
3. Risk of unauthorized/unmanaged access rights for business-sensitive files which could be intentionally missed used.
4. Risk of unethical behaviour of BEREC Office staff
5. Risk of unethical behaviour of BEREC members

6. Objectives

Based on the results of the fraud risk assessment (described under paragraph 5), the Agency has formulated two operational objectives accompanied by an Action Plan (Annex II).

Objective 1: To improve fraud prevention in the IT working environment

The aim of this objective is to minimise the Agency's exposure to cybercrimes (Risk n. 1, 2 and 3) by ensuring a higher protection of the Agency systems also through a reinforced cooperation with CERT-EU on responding to cyber-threats targeting both EU Institutions

¹⁶ [ECA special report on Cybersecurity of EU institutions, bodies and agencies](#)

¹⁷ BEREC and BEREC Office operates in the EU telecom sector that represents a high-value target for cyber-criminals.

¹⁸ [Decision No BoR/2019/07 of the Board of Regulators of the Body of European Regulators for Electronic Communications \(BEREC\) laying down rules on preventing and managing conflicts of interest concerning the members of the Board of Regulators](#)

and Member States. In addition, this objective foresees actions of cyber-security awareness for preparing staff on how to withstand potential security threats and help them to understand security best practices.

The following actions will be performed to improve fraud prevention in the IT working environment and reduce the risk of leakage of confidential information:

- The Agency will implement an anti-phishing framework to protect against phishing attacks the users of BEREC Office systems;
- It will organise a phishing awareness training for staff;
- The Agency will work closely with CERT-EU and react on cybersecurity threats targeted to the Member State and EU Institutions and Bodies;
- ICT team will perform a regular check and re-validation of the assigned accounts access rights to IT platforms (including BERECNet+) and sensitive files;
- ICT team will install software on corporate IT devices for checking exposure to interception or cyber-attacks in automated way.

Objective 2: To strengthen ethical behaviour of staff and of BEREC members

The aim of the objective is to promote the values of ethics and integrity among staff members and members the Board of Regulators and of the Working Groups with the view of the likelihood low that a misconduct or serious irregularity occurs (Risks n. 4 and 5).

The following actions will be performed to promote ethical behaviour of staff and of BEREC members:

- To align the BEREC Office practices with the best practices used at the European Commission (EC), the BEREC Office will deploy the Ethics module Sysper;
- After going in production with the Ethics module of Sysper, the BEREC Office will organise a training on Ethics and integrity for the staff;
- If and when appropriate, further reminders to staff may be sent;
- All new comers will be required to undertake a mandatory training on ethics offered to the EC staff;
- Dedicated presentation on ethics in a Contact network meeting;
- A message on ethics and anti-fraud will be included in the Director's newsletter to the Management Board.

7. Review and monitoring

The Director of the BEREC Office with the support of the Anti-Fraud Officer will ensure that the BEREC Office's approach to managing the risk of fraud is kept up to date with developments in best practices and with legislative requirements. The Anti-Fraud Strategy and its action plan will be reviewed every three years. The implementation of the Agency's Anti-Fraud Strategy, policy and procedures will be subject to periodic review on the basis of an evaluation of the impact of the strategy, measured using some key performance indicators, among which:

- the number of cases notified to OLAF,
- the number of notified cases dismissed by OLAF,
- the number of internal reporting about suspicious behaviours received.

The above-mentioned results will be reported in the BEREC Office Consolidated Annual Activity Report.

8. Annex

Action Plan 2023-2025 to implement the adopted Anti-Fraud Strategy.

ANNEX II

ACTION PLAN

This action plan, designed to implement the Anti-Fraud Strategy of the BEREC Office, covers the period 2023-2025. The target dates are set according to the level of priority as well as availability of resources.

Risk	Risk level ¹⁹	Action	Actor (s)	Deadline	Indicator
Objective 1 - To improve fraud prevention in the IT working environment					
1. Risk of disclosing confidential information or downloading malware that could corrupt data or lead to take over a system and/or data breach throughout phishing or spear phishing threat.	12 (4x3)	1.1 To implement an anti-phishing framework	Head of OSU	Q2 2023	Anti-phishing framework implemented
		1.2 To organize a phishing awareness training	LSO	Q2 2023	Training delivered
2. Risk of cybersecurity attack that could lead to a data leakage	15 (5x3)	2.1 To work closely with CERT-EU and react on cybersecurity threats targeted to the EU Institutions and Bodies and the Member States	ICT Team Leader	Permanent task	Timely reaction and mitigation of threats
3. Risk of unauthorized/unmanaged access rights for business-sensitive files which could be intentionally missed used.	8 (4x2)	3.1 To check regularly and re-validate the assigned account access rights to IT platforms and sensitive files 3.2 To make use of software on corporate IT devices for checking exposure to interception or cyber-attacks in automated way	ICT Team Leader	Permanent task	Regular reports on assigned account access rights Software installed/updated

¹⁹ Impact (1 to 5) x Likelihood (1 to 5)

Risk	Risk level ²⁰	Action	Actor (s)	Deadline	Indicator
Objective 2 - To foster ethical behavior both of staff and BEREC members					
4. Risk of unethical behavior of staff	5 (5x1)	4.1 Ethics reminder to all staff	Director/ entity in charge of HR	Once every year	Reminder sent
		4.2 Deployment of the Ethics module in Sysper	Entity in charge of HR/EC services	2023 ²¹	Tool available in production
		4.3 Organisation of ethics and integrity session for staff	Legal Officer	One session during the programming period	Session delivered
		4.4 Mandatory on-line training on ethics for newcomers	Human Resources	One month after the start of the assignment by the newcomer	Each newcomer is trained
5. Risk of unethical behavior of BEREC members	5 (5x1)	5.1 Message on ethics and anti-fraud in the Director's newsletter to the Management Board staff	Director	Once every year	Item included
		5.2 Dedicated presentation on ethics in a Contact network meeting	Legal Officer	Once during the programming period	Presentation delivered

²⁰ Impact (1 to 5) x Likelihood (1 to 5)

²¹ Subject to availability of DG HR