

Based on Articles 15 and 59 of the Law on the Anti-Corruption Agency (*Official Gazette of RS* 97/08 and 53/10), the ACA Director issues the following

GUIDELINES

for integrity plan development and implementation

BASIC PROVISIONS

Article 1

These guidelines determine the structure of integrity plans, the phase of their development and the manner of conducting specific projects, as well as the time frames for integrity plan development and implementation; they also define the monitoring and implementation process, along with the method for integrity evaluation.

Article 2

Within the context of these guidelines, the following terms are defined as follows:

1. "Integrity" refers to individual honesty, institutional integrity and harmonization, as well as acting according to moral values in order to prevent and decrease the risk of using public competences contrary to their original purpose,
2. "Institution" is a state authority or organization, territorial autonomy and local self-government authority, public service, public enterprise, or other legal entity,
3. "Exposure" refers to an institution's exposure to risk of emergence and development of corruption and corrupt acts, ethically and professionally unacceptable behavior, and other irregularities,
4. "Exposure evaluation" is the estimated current degree of exposure and resistibility of the working processes and relations necessary for the functioning of the institution,
5. "Areas of institutional functioning" are key areas in an institution's work (staff administration, finance administration, standardization, exercise of competences, etc.),
6. "Equivalent institutions" are institutions with the same or similar competences,
7. "Representative working group" is a group which, in cooperation with the ACA, develops draft integrity plans for equivalent institutions,
8. "System" is an area of state function.

Article 3

An integrity plan is a document representing the result of an institution's internal control procedure aimed at the preservation and improvement of integrity, transparency, and professional ethics.

An integrity plan consists of legal and practical measures designed to prevent, reduce, and eliminate risks of the occurrence and development of

- ethically and professionally unacceptable behavior,
- corrupt acts and corruption, and

- other irregularities.

Article 4

The integrity plan is adopted by state authorities and organizations, territorial autonomy and local self-government authorities, public services and public enterprises. Other legal entities may adopt an integrity plan in conformity with these guidelines.

Local self-government units and municipalities pass their own integrity plans. If an institution carries out its duties through a network of organizational units (branches, stations...) on the territory of the Republic of Serbia, each unit adopts its own integrity plan.

Article 5

An integrity plan consists of:

- an assessment of the institution's exposure to risk of occurrence or development of corruption and corrupt acts, ethically and professionally unacceptable behavior, and other irregularities,
- information on the parties responsible for drafting, adopting, and implementing the integrity plan;
- a description of the work and decision making methods, defining the activities of the institution, especially the ones that might be exposed to risk of corruption and other irregularities;
- an assessment of activities and scope of work, or other functions which may not be simultaneously carried out by an official during his term of office, as well as the method of oversight;
- prevention measures aimed at timely detection, prevention and reduction of risks of corruption and other irregularities;
- other sections of the plan defined by these guidelines.

Article 6

Integrity plan development is a systematic process, executed in the following stages:

- preparation stage (stage 1)
- current situation evaluation and assessment - exposure assessment (stage 2),
- conclusion phase, i.e. plan for integrity improvement measures (stage 3).

PREPARATION STAGE

Article 7

In the first stage, the head of the institution shall make a decision on the development and implementation of the integrity plan, and appoint a coordinator, members of the working group, and the person in charge of oversight of the development and implementation of the integrity plan.

The institution shall submit the decision on the appointments from paragraph 1 of this article to the Anti-Corruption Agency (hereinafter: the ACA).

Article 8

The head of the institution is responsible for adopting the plan, for the objectivity of the assessment of the institution, and for the implementation of measures introduced in the integrity plan.

The coordinator of the working group is a person acquainted with the functioning of the institution and trusted by its staff.

The working group coordinator may also be the person in charge of oversight of the integrity plan development and implementation.

The working group consists of a maximum of five (5) people. In exceptional cases, seven (7) people may be admitted, if the institution in question is big and complex. The employees appointed to the working group come from key areas of the institution's functioning, from different positions and levels of employment.

The Agency may give its approval to the institution to include an Agency representative or external advisor in the working group during the integrity plan development and implementation, under conditions and in the manner prescribed by the Agency in a separate decision.

Article 9

In the first stage, the working group shall:

- prepare the integrity plan development program, defining key assignments and their executors, time frames for performing particular assignments, and working group meeting dates;
- collect the required documentation (all legal acts and regulations referring to the functioning of the institution – laws, protocols, rules of procedure, directives, decisions, instructions, reports, orders, basic financial and staff data regarding the institution, flowcharts, process diagrams, business plan...) which is the foundation for the development of the integrity plan.

Article 10

The head of the institution shall approve the integrity plan development program, inform the employees on the purpose and manner of integrity plan development together with the working group, and collect and accept additional relevant suggestions from the employees.

The head of the institution is responsible for enabling the presence of the coordinator or other working group member at trainings organized by the ACA.

CURRENT SITUATION EVALUATION AND ASSESSMENT STAGE – EXPOSURE ASSESSMENT

Article 11

The second stage is intended for the evaluation and assessment of the current situation in terms of exposure and resistibility of working processes and relations necessary for the functioning of the institution.

Article 12

The working group shall review and examine the documentation mentioned in Article 9 of these Guidelines, primarily the internal regulations referring to the working processes and relations which are the most exposed to risk, in order to identify the causes of such exposure.

The working group shall conduct interviews with a certain number of employees working in key areas of institutional function about their view of the institution's exposure to risks. At the same time, the employees shall fill in anonymous questionnaires, developed and later analyzed by the working group.

Article 13

Based on qualitative analysis of the existing documentation, staff replies to the questionnaires, and the interviews with the staff, the working group shall evaluate the results and give the final assessment of the institution's degree of risk exposure.

FINAL STAGE - PLAN FOR INTEGRITY IMPROVEMENT MEASURES

Article 14

The final stage is intended for the recommendation of measures aimed at the improvement of the institution's integrity. The assessment of the institution's overall exposure to risk is the basis for the recommendation of improvement measures.

Article 15

The working group recommends integrity improvement measures regarding:

- consistent implementation of regulations pertaining to the competences of the institution,
- internal procedures, work processes and institution management,
- human resource management,
- financial activities,
- professional and ethical conduct, and
- other issues.

Article 16

Along with recommendations for integrity improvement measures, the working group also recommends the order of measure implementation, persons responsible for particular assignments, deadlines, and necessary resources. Recommendations for improvement measures, their order of implementation, and drafting deadlines, make up the plan for integrity improvement measures.

Article 17

The working group and the head of the institution inform the employees on the risks of integrity threats, the assessment of the institution's exposure, and the

plan for integrity improvement measures. The plan for integrity improvement measures is completed with relevant proposals on the part of the employees.

The head of the institution shall pass a decision to adopt the integrity plan and dissolve the working group.

The institution shall submit a notification on the adopted integrity plan, along with the integrity plan itself, to the ACA.

INTEGRITY PLAN IMPLEMENTATION

Article 18

The person responsible for implementing the integrity plan shall also oversee the implementation of measures for integrity improvement. This person shall be appointed by the head of the institution, to whom he or she shall report on implementation results.

Article 19

The head of the institution shall monitor the integrity plan implementation and, along with the person responsible for the integrity plan implementation, prepare indicators of efficiency and assess the results of proposed measures for integrity improvement.

The head of the institution shall pass a decision on the development of a new integrity plan every third year after the institution's last adopted integrity plan, or sooner, should the head of the institution or the ACA judge that the institution's integrity is threatened.

INTEGRITY ASSESSMENT

Article 20

The ACA monitors and oversees the development and implementation of integrity plans in institutions, by performing direct oversight of the institution, or by having the institution submit a report at the ACA's request. Institutions are required to submit a report on integrity plan implementation within fifteen (15) days upon receiving a request from the Agency.

Article 21

Oversight consists of the following checks:

- whether an integrity plan in conformity with the Law on the ACA and these guidelines has been developed, or is in the course of being developed,
- quality and objectivity of the adopted integrity plan, and
- the degree of implementation of the measures and activities set out in the integrity improvement plan.

Article 22

A report shall be made on the oversight. The data from the report shall be introduced to the ACA's records, and shall have confidential data status.

Article 23

Based on the adopted integrity plans, the ACA carries out an evaluation of the degree of integrity in the system of the Republic of Serbia.

DEADLINES

Article 24

Alongside the representatives of equivalent institutions, the ACA shall form representative working groups. Together they shall prepare draft integrity plans, which shall be adopted and published on the ACA web page.

The adopted draft integrity plans are mandatory for the institutions under Article 4 of these Guidelines in the development and implementation of their integrity plans.

The deadline for completing the activities and assignments of the first stage is one (1) month after the adoption of the draft integrity plans. Upon the completion of the first stage, institutions shall proceed to the second and third stage of integrity plan development, which is due to be finalized within one (1) year.

FINAL PROVISIONS

Article 25

These guidelines shall come into force eight days following their publication in the *Official Gazette of the Republic of Serbia*

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In Belgrade, on October 29, 2010
The Anti-Corruption Agency
Director of the ACA
Zorana Markovic