

**Ex post Evaluation of the Policy on
Independence and Scientific Decision-Making
Processes of the European Food Safety
Authority (EFSA) and of its Implementing
Rules on Declaration of Interest
Final Summary Report**



Final Summary Report

15 March 2017

Contents

Contents	3
1 Introduction	4
1.1 Context of EFSA's independence policy system	4
1.2 EFSA's 2011 Independence Policy	5
1.3 EFSA's 2014 Declarations of Interest Rules	6
1.4 Implementation of EFSA's independence policy system.....	7
2 Design of the evaluation	10
2.1 Objectives and scope	10
2.2 Evaluation framework	11
2.3 Approach and methodology.....	11
3 Main findings & recommendations.....	15
3.1 Contribution to EFSA's reputation	15
3.2 Contribution to a high level of food safety and consumer protection	16
3.3 Provided value for money	16
3.4 Relevance, effectiveness, efficiency and proportionality	17
3.5 Sustainability	18
3.6 Comparative analysis with independence policy systems in similar organisations	19

Table of Figures

FIGURE 1: KEY ELEMENTS OF EFSA'S 2011 INDEPENDENCE POLICY	5
FIGURE 2: APPROACH TO THE STUDY	12

Table of Tables

TABLE 1: OVERVIEW OF TYPES OF DOIS AND RULES FOR THE DIFFERENT TARGET GROUPS	6
TABLE 2: EVALUATION QUESTIONS	11

1 Introduction

This section outlines the context of EFSA's independence policy and presents the key components of EFSA's current independence policy system.

1.1 Context of EFSA's independence policy system

The European Food Safety Authority (EFSA) was established in 2002, as a response to a series of food crises in the late 1990s and early 2000s, the result of which was a negative reputational impact to the EU's food industry. Aside from one of its strategic objectives, to contribute to a high level of food safety and consumer protection, EFSA was set up to restore public confidence in the EU's food safety system. EFSA's mission is to contribute to the safety of the EU food chain by providing scientific advice to risk managers, by communicating on risks to the public, and by cooperating with Member States and other parties to deliver a coherent, trusted food safety system in the EU. Therefore, securing independence from undue external influence on its scientific risk assessment process was set as one of its main priorities. Independence moreover forms part of its core values alongside scientific excellence, openness and transparency¹.

Legal framework

EFSA's Founding Regulation ((EC) No 178/2002) provides the legal basis for EFSA's independence policy. The independence requirements were translated in 2011 by EFSA into a policy on independence and scientific decision-making processes. The current policy succeeds EFSA's Policy and Guidance on Declarations of Interest of 2007² and its 2008 Implementing Rules as well its 2004 Guidance on Declarations of Interest³. Today, the 2011 Independence Policy and the 2014 recast of the Rules on Declarations of Interest constitute the operational framework for EFSA's competing interest management system.

EFSA is committed to continually review the effectiveness of its competing interest management system and to align it with the evolving political and scientific context as well as with its organisational strategy (i.e. "EFSA 2020"). This *ex post* evaluation of the implementation of EFSA's independence policy system is part of the review process of EFSA's independence policy, which is currently discussed within the organisation and at governance level, i.e. EFSA's Management Board. A dedicated Working Group has been

¹ Article 22 of Regulation (EC) No 178/2002, *supra*.

² EFSA Policy on Declarations of Interests (MB 11.09.07 - 5.2); EFSA Guidance on Declarations of Interests (MB 11.09.07 - 5.3) and Procedure for identifying and handling potential conflict of interests (MB 11.09.07 - 5.4).

³ EFSA Guidance on Declarations of Interest (MB 16.12.2004).

established to review the policy and a project team within the Agency has been set up to provide input to the discussions⁴.

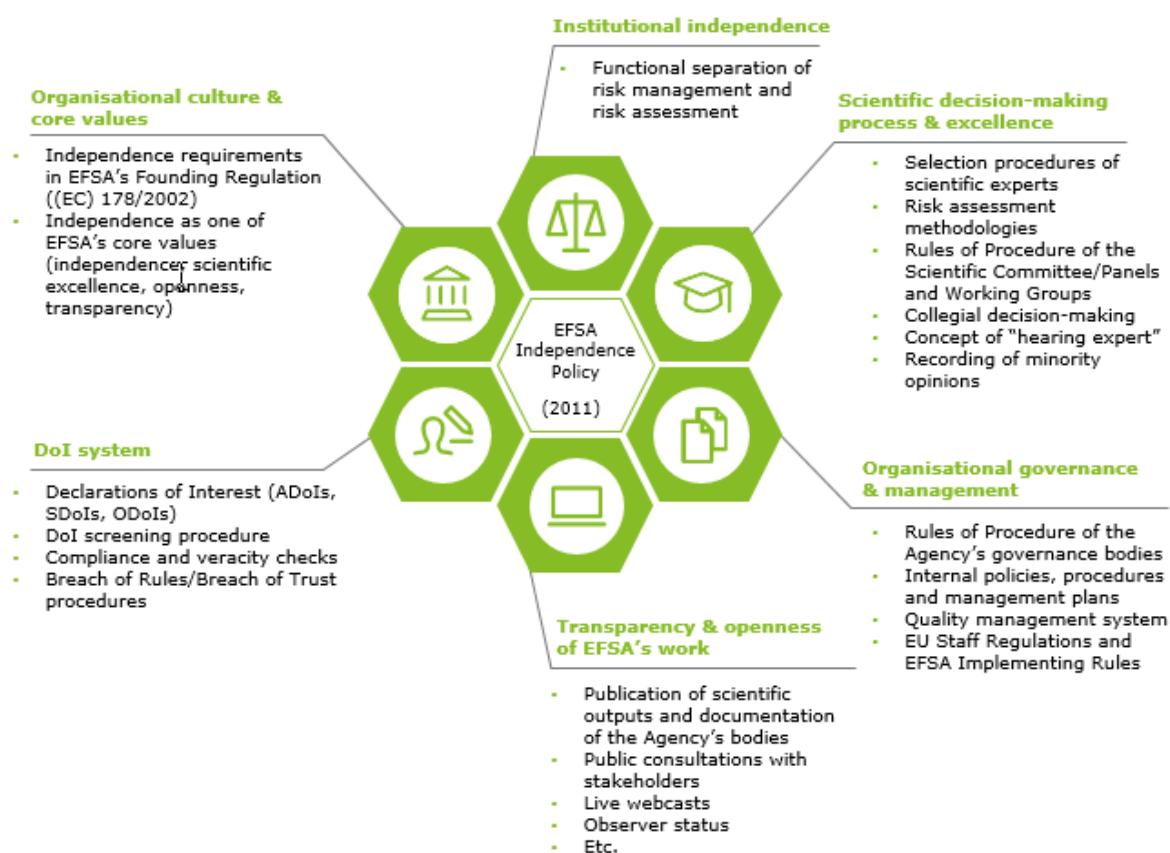
1.2 EFSA's 2011 Independence Policy

Key elements

The conceptual approach of EFSA's 2011 Independence Policy is holistic: EFSA's core value of "independence" is reflected in other aspects of its institutional set-up, i.e. organisational governance, operational management, scientific governance, organisational culture and transparency. The 2011 Independence Policy departs from an exclusive focus on the individual expert's independence and the individual's responsibility to ensure compliance with the independence requirements set out in the Founding Regulation.

The key elements of EFSA's 2011 Independence Policy are presented in the figure below:

Figure 1: Key elements of EFSA's 2011 Independence Policy



Source: Deloitte

⁴ EFSA, Note to the Management Board, "Concept paper on the review of EFSA's Policy on independence and scientific decision making process", 15.06.2016.

1.3 EFSA's 2014 Declarations of Interest Rules

Key elements

One of the key instruments of EFSA's competing interest management system are Declarations of Interest (DoIs). The disclosure of interests via the DoIs allows to identify potentially conflictual interests and to take appropriate actions to mitigate the occurrence of CoIs. EFSA's current DoI system consists of three different types of DoIs (Annual Declarations of Interest (ADoIs), Specific Declarations of Interest (SDoIs) and Oral Declarations of Interest (ODoIs) and defines rules for the different target groups (see table below). The DoI Rules define the different categories of declarable interests, set out the screening criteria on the basis of which the DoI evaluation is performed as well as applicable consequences. One of the specificities of EFSA's DoI Rules is the distinction between Food Safety Organisations (FSO) and non-Food Safety Organisations (non-FSOs) leading to different consequences and potential restrictions in the involvement in EFSA's work.

Procedural safeguards have been established to ensure the effectiveness of the system and compliance with the rules. Only experts with approved DoIs may participate in meetings. Moreover, the DoI Rules provide for compliance and veracity checks as well as Breach of Rules (BoR) and Breach of Trust (BoT) procedures. To facilitate compliance with the DoI Rules, EFSA not only provides support and assistance to its different target groups. The DoI Rules also require the Agency to organise systematically training sessions and awareness-raising activities for external experts and staff members. However, the DoI Rules allow for exceptions (waivers) in case specific knowledge or expertise is needed for a scientific assessment, for which only experts with an identified CoI are available. In respect of strict conditions outlined in the DoI Rules, EFSA's Scientific Committee, Panels and Working Groups can recourse to the concept of "hearing experts". For transparency reasons, EFSA generally publishes the ADoIs of the scientific experts and members of the Agency's bodies as well as of the Agency's senior management and, moreover, records SDoIs and ODoIs during meetings of the Agency's bodies.

EFSA's current DoI system is described in more detail in the Comprehensive Report. The table below summarises the main elements of the DoI assessment in accordance with the 2014 DoI Rules:

Table 1: Overview of types of DoIs and rules for the different target groups

Level	Target group	DoI	Screening
Scientific experts⁵	<i>Scientific Committee</i> <i>Scientific Panels</i> <i>Working Groups</i> <i>Other external experts</i>	<ul style="list-style-type: none">ADoISDoIODoIDeclaration on commitment and confidentiality	Full and systematic screening of all declared interests against EFSA's rules on DoIs

⁵ Article 8-16, *supra*.

Level	Target group	DoI	Screening
	<i>Peer review meeting</i>	<ul style="list-style-type: none"> • ADoIs (<i>facultative for Member States representatives</i>) • SDoIs (<i>only external experts</i>) 	Screening required for external experts not representing Member States For Member States representatives no screening required
	<i>Networks</i>	<ul style="list-style-type: none"> • ADoI (<i>facultative</i>) 	No screening needed
	<i>Hearing experts</i>	<ul style="list-style-type: none"> • ADoI before meeting (<i>facultative</i>) 	No screening needed
	<i>Observers</i>	<ul style="list-style-type: none"> • No DoI required 	Not applicable
EFSA governance bodies and EFSA staff⁶	<i>Management Board</i>	<ul style="list-style-type: none"> • ADoI • Declaration on commitment and confidentiality 	Screening required, Declaration on commitment assessment provided by the Executive Director and Decision taken by the Management Board
	<i>Executive Director</i>	<ul style="list-style-type: none"> • ADoI • Declaration on commitment and confidentiality 	Screening required and Declaration on commitment performed by the Management Board
	<i>Advisory Forum</i>	<ul style="list-style-type: none"> • ADoI • Declaration on commitment and confidentiality 	No screening needed
	<i>Staff</i>	<ul style="list-style-type: none"> • ADoI • Negotiation with prospective employers 	Responsible officer
Tenderers⁷	<i>Tenderers participating to EFSA procurement procedures</i>	<ul style="list-style-type: none"> • Institutional DoI in cases of outsourcing of sensitive scientific matters 	Screening required and performed by The Head of Unit and by the evaluation committee. Decision lies with Authorising Officer
	<i>Tenderers and participants to grant awarding procedures</i>	<ul style="list-style-type: none"> • Individual DoI in cases of outsourcing of sensitive scientific matters 	Screening performed by the Head of Unit and by the evaluation committee. Decision lies with Authorising Officer

Source: Deloitte

1.4 Implementation of EFSA's independence policy system

Operational management

The operation and management of EFSA's independence policy and procedures involves different organisational entities. Since the centralisation of the assessment of the DoIs of scientific experts, the Legal and Assurance Services Unit (LA) pilots the main aspects of

⁶ Article 17-20 of the Decision of the Executive Director of the European Food Safety Authority on Declarations of Interest.

⁷ Article 20-23 of the Decision of the Executive Director of the European Food Safety Authority on Declarations of Interest.

EFSA's independence policy system. The Legal Officers from the Unit are in charge of coordinating the process in cooperation with staff in the Scientific Departments (i.e. Scientific Evaluation of Regulated Products, Risk Assessment and Scientific Advice) and Units providing the Secretariat to the Scientific Committee, Panels and Working Groups. The pre-assessment of the DoIs is still performed at this level, while the LA performs the final check and validation. Linked to the DoI assessment, the classification of entities as Food Safety Organisations (FSOs) and non-Food Safety Organisations (non-FSOs), including the processing of notifications and verification of the correctness of the classification, falls also in the portfolio of tasks of the LA Unit. The LA is moreover responsible for the coordination of the compliance and veracity checks, involving the Heads of EFSA's Scientific Departments. The Unit is also coordinating the Committee of Conflicts of Interest meetings as well as the development of SOPs (Standard Operating Procedures) and WINs (Work Instructions). Finally, the LA Unit ensures the delivery of awareness raising sessions. DoI processes are technically supported by an IT tool used by EFSA's scientific experts and Agency staff. Due to recurrent technical issues with the tool creating additional administrative burden for the respective user category, the Agency has planned in 2017 to replace the tool. The costs related to the operation and management of the current independence policy system – mainly for IT and staff resources – represent on average € 558,526 per year for the period 2014-2017.

Main challenges

The main challenge that EFSA is facing today consists in maintaining a well-functioning and effective system while finding the right balance between a high level of independence and the availability of best scientific expertise, in particular in highly specialised areas.

In addition, in view of the budgetary cuts and staff reductions at EU level, the Agency has to ensure a cost-effective and efficient management of its independence policy system, while the operation of the current system requires substantial investments in terms of resources. EFSA moreover has to satisfy expectations of its different target groups, in particular of the main target group of its independence policy, i.e. scientific experts. EFSA is committed to reducing the administrative burden of independence procedures for external experts, while providing effective and timely assistance and support. Notwithstanding that disclosure of potential conflicts of interests is a core principle of EFSA's independence policy.

On top of this, stakeholder expectations in regards to EFSA's independence policy as well as public scrutiny of EFSA's conflict of interest management continue to be high. Against this background, and its limited margin of action, EFSA is exploring new ways and solutions to address independence policy related requests, by instilling more transparency in its work and openness of its scientific risk assessment processes as well as better access to data via its website (i.e. 'Open EFSA'). Moreover, EFSA has initiated a project to enhance the transparency of its scientific assessments by developing a new methodological framework for evidence-based risk assessment processes, i.e. the

'PROMETHEUS' project (Promoting Methods for Evidence Use in Science)⁸. Finally, the Agency has recently reconsidered its approach to stakeholders in view of providing more opportunities for the dialogue and engagement with stakeholders.

⁸ EFSA: Programming Document (2017-2019), p. 25.

2 Design of the evaluation

In this section, we describe the design of the evaluation, including the objectives and scope, the evaluation framework, the approach and methodology.

2.1 Objectives and scope

The objective of this assignment was to examine EFSA's Policy on Independence and Scientific Decision-making Processes (2011) and the Rules on the Declarations of Interest (2014) and the implementation thereof during the period 2014-2016. As part of the regulatory framework of EFSA's independence policy, the Agency's Founding Regulation (Regulation (EC) No 178/2002) – providing the legal basis for the Agency's independence policy – as well as independence requirements in the EU's Staff Regulations were taken into account.⁹

In accordance with the definitions of the EU's Better Regulation Guidelines¹⁰, the evaluator was asked to assess EFSA's current independence policy system in light of the following criteria:

- **Effectiveness:** the extent to which EFSA's independence policy system is effective in achieving its objectives and results;
- **Sustainability:** the extent to which the outputs and results of EFSA's independence policy system are sustainable against the evolving financial, operational and political perspectives in the medium to long term;
- **Efficiency:** the extent to which the outputs/benefits are reasonable compared to the inputs/costs of EFSA's independence policy system; and
- **Relevance:** the extent to which EFSA's independence policy system is suitable to address relevant problems/needs.

The *ex post* evaluation took place in the context of the EFSA "Independence Policy review", set up for the review of EFSA's Independence Policy and the alignment of EFSA's Rules on DoI with the new policy to be adopted in 2017¹¹. The results of the *ex post* evaluation are expected to contribute to the objectives of the review, with a view to increasing the levels of transparency, engagement, cost-effectiveness and efficiency of the independence policy system.

Therefore, the findings of the evaluation provide a basis to inform decisions of the Agency's Management Board on EFSA's future Independence Policy, by identifying

⁹ See Articles 22, 23, 28, 32 and 37 of Regulation (EC) No 178/2002.

¹⁰ European Commission: "Better Regulation Guidelines", SWD (2015) 111 final, 19.5.2015.

¹¹ The 2011 Independence Policy commits EFSA to review its approach to independence within five years of its adoption (see § 12).

inefficiencies, potential improvements of existing workflows and processes and suggesting initial orientations for an increased effectiveness of the system in place.

2.2 Evaluation framework

On the basis of the five evaluation criteria, the evaluator examined the Agency's independence policy system in regards to the following **five evaluation questions**:

Table 2: Evaluation questions

1. To what extent has the 2011 Policy on independence and scientific decision making process and the Decision of the Executive Director on Declarations of Interest of 31 July 2014 contributed to **EFSA's reputation**?
2. To what extent has the 2011 Policy on independence and scientific decision making process and the Decision of the Executive Director on Declarations of Interest of 31 July 2014 contributed to a **high level of food safety and consumer protection**?
3. To what extent has the 2011 Policy on independence and scientific decision making process and the Decision of the Executive Director on Declarations of Interest of 31 July 2014 provided **value for the money** the Authority invested to ensure the policy's implementation?
4. To what extent are the 2011 Policy on independence and scientific decision making process and the Decision of the Executive Director on Declarations of Interest of 31 July 2014 **relevant, effective, efficient and proportionate** to the policy objective of ensuring compliance with the Independence requirements laid down in Regulation (EC) No 178/2002?
5. To what extent are the 2011 Policy on independence and scientific decision making process and the Decision of the Executive Director on Declarations of Interest of 31 July 2014 **sustainable** against the evolving political and financial perspectives?

Furthermore, the evaluation team assessed EFSA's current independence policy system in light of the **principles of proportionality and subsidiarity**.

The evaluation was structured in support of an **Analytical Framework**, consisting of four consequent levels of analysis: evaluation questions, judgement criteria, indicators, main sources and methods. The framework provided the reference for the evaluation.

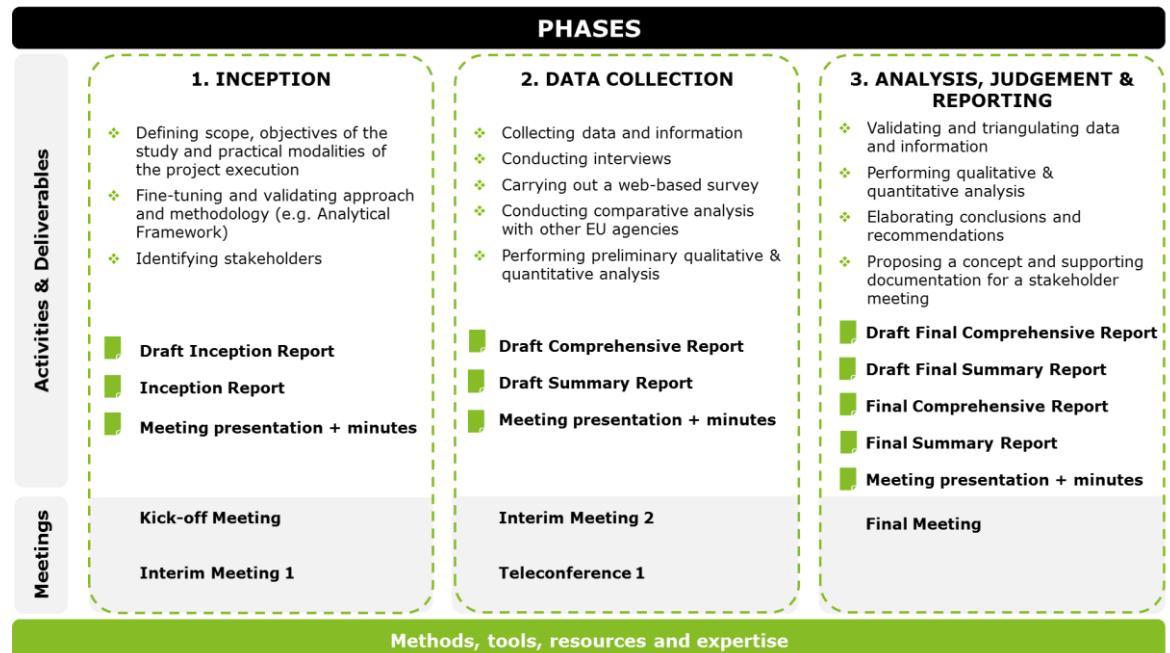
2.3 Approach and methodology

Approach

The evaluation has been conducted by Deloitte's study team between January and March 2017, following a three phased approach including an inception, a data collection &

analysis and a reporting phase. The figure below outlines the activities and the set of methodologies and tools used per phase.

Figure 2: Approach to the study



Source: Deloitte

Methodology

The evaluation team has collected quantitative data as well as qualitative information and insights on EFSA's independence policy system by using various data collection methods, based on document review, interviews, a comparative analysis with similar organisations and a web-based survey with EFSA's scientific experts.

Document review

The evaluation team has collected an extensive set of documentation on EFSA's independence policy system, including legal documents, EFSA strategies, work plans, activity reports, internal policies and procedures as well as data from EFSA's internal performance management system (e.g. independence related statistics, HR and IT costs). The inventory was complemented with external information sources, i.e. audit and evaluation reports, independence-related documents of the EU institutions (e.g. EP discharge reports, European Ombudsman decisions), academic publications and media articles.

In addition, the evaluation team performed a high-level screening of a sample of EU online media as well as of view-points published on websites of NGOs and consumer associations (mostly active at EU level).

Interviews

The evaluation team has conducted a series of interviews with EFSA staff and management involved in the implementation of EFSA's independence policy during its visit to the Agency on 24-25 January 2017, allowing the team to collect critical information on the effectiveness, efficiency and sustainability of the current system in place and to identify main improvement points.

To complement EFSA internal views on the performance of the system with opinions of the Agency's various stakeholders, the evaluation team interviewed representatives of the following organisations:

- *European Commission (Directorate-General for Health and Food Safety);*
- *European Parliament (Committee on Environment, Public Health and Food Safety);*
- *Industry associations active in the agri-food sector as well as non-governmental organisations (NGOs) and consumer associations.*

Comparative analysis with similar organisations

To open the analysis to a comparison with independence policies and competing interest management systems of similar organisations (i.e. scientific decision-making EU bodies) and to identify good practices, the evaluation team looked at three organisations:

- *The European Chemicals Agency (ECHA);*
- *The European Medicines Agency (EMA);*
- *The Scientific Committees of the European Commission (i.e. Scientific Committee on Consumer Safety (SCCS); Scientific Committee on Health, Environmental and Emerging Risks (SCHEER); Inter-Committee Coordination Group (ICCG)).*

The analysis was based on the screening of publicly available information on these Agencies' websites and independence-specific webpages, such as the description of policies, procedures and working practices, as well as strategic plans, (Multi-)Annual Work Programmes and Activity Reports. In addition, interviews were set up with officers from ECHA and EMA to capture perceptions on the overall performance, (cost-) effectiveness and efficiency of the system set in place as well as suggestions for improvement.

Web-based survey with EFSA's scientific experts

Scientific experts who are involved in EFSA's Scientific Committee, Panels and Working Groups and EFSA's Pesticides Steering Committee as well as officials of national competent authorities were consulted via a web-based survey. The survey questionnaire was designed in a way allowing to capture views on the Agency's reputation as an independently and transparently working organisation, the effectiveness and efficiency of the current competing interest management system, but also more specifically the impact of the current 2014 DoI Rules on the experts in terms of administrative burden, support and management of independence processes by EFSA and their involvement in EFSA's work.

The survey questionnaire, made available via the EUSurvey tool during a two weeks' timeframe, was completed by 298 experts leading to a final response rate of 24.1%.

3 Main findings & recommendations

This chapter summarises per evaluation question the main findings of the analysis and recommendations to EFSA. Moreover, it presents the main insights from the comparative analysis with independence policy systems of similar organisations.

3.1 Contribution to EFSA's reputation

Main findings and conclusions

- EFSA has been subject to (external) criticism, but also praise on how the organisation applies the principle of independence within its daily business as well as manages potential Conflicts of Interest.
- EFSA has continuously shown efforts, via several projects and initiatives (e.g. TERA project, Open EFSA, Stakeholder platforms) in strengthening the organisation's reputation.
- Only a limited number of complaints, in the domain of independence, have been raised in the period 2014 – 2016.
- More than 60% of the online survey respondents state that EFSA's 2011 Independence Policy and the 2014 DoI Rules have largely contributed to EFSA's reputation.
- However, a reputational risk remains, as was confirmed by the Management Team during its annual risk management exercise.
- EFSA will remain scrutinised by specific interest groups as long as the Authority evaluates the safety of regulated products in sensitive sectors such as GMOs and pesticides.
- In certain dossiers, EFSA could have shown more swift and reactive communication efforts in response to criticisms regarding independence policy issues.

Recommendations

For addressing some of the remaining challenges, EFSA could:

- Follow-up and assess the mitigating actions defined in the Risk plan whether these are successful in diminishing the risk of losing reputation.
- Continue the efforts made in terms of communication and transparency via the existing platforms and initiatives.
- Promote a more holistic approach to independence by not only creating transparency on individual independence, but also on other aspects, such as the applied methodology for risk assessment, collegial decision-making, governance, etc.
- Strengthen responsiveness to outspoken criticisms by more pro-active communication on conflict-sensitive topics, and by a more proactive approach in replying to (formal) complaints.

- Expand the use of web-streaming meetings of Panels.
- Finalise the assessment on option of outsourcing (at least the central part) of the CoI assessment process, and thus potentially elevating the level of perceived neutrality and independence.

3.2 Contribution to a high level of food safety and consumer protection

Main findings and conclusions

- The DoI system in place allowed EFSA to prevent potential Conflicts of Interest over the past years, resulting in not a single Breach of Trust case since 2013.
- The current independence policy system provides additional safeguards to ensure the independence of the scientific assessment and thereby contributes to a high level of food safety and consumer protection.
- However, continuing or increasing the rigidity of the independence system could diminish the number of available scientific experts in the future which might negatively impact food safety and consumer protection.

Recommendations

For addressing some of the remaining challenges, EFSA could:

- Consider carefully any possible future elevation of the rigidity of the Independence rules and policy, given the potential risk of a lack of experts available.
- The Agency could improve its communication on the contribution of the current independence policy system to a high level of food safety and consumer protection and explain more explicitly the direct causal link between these.
- To better sell its image as impartial assessor, EFSA could also improve its communication on the number of inconclusive or negative opinions, e.g. by providing statistics on this on the EFSA website.

3.3 Provided value for money

Main findings and conclusions

- EFSA has been able to increase its DoI management outputs over the last three years, within a context of stable financial resources and number of FTEs.
- The current Independence system is perceived as relatively expensive by both internal and external stakeholders.
- Yet the costs of the system are defensible compared to the outputs obtained, especially given EFSA's unique political environment, with a constant pressure to mitigate any potential risk for Conflicts of Interest and the growing expectations of external stakeholders in more openness, transparency and rigidity.

- A majority of experts expressed in the online survey that the costs of the system are justified in light of the outputs and results delivered by the system.

Recommendations

For addressing some of the remaining challenges, EFSA could:

- Conduct a study to estimate the potential cost when facing reputational damage in case of serious independence issues, in comparison to the value for money of the system in place, the results of which can be used in budget discussions at Management Board level and with the budgetary authority.
- Investigate the possibility of increasing the number of yearly compliance & veracity checks, perhaps on risk-based approach.
- Investigate the option of installing a centralised / shared DoI screening and/or compliance and veracity check, together with other EU Agencies.
- Move towards an Independence system based on Data Analytics and Artificial intelligence, especially in context of the DoI assessment.

3.4 Relevance, effectiveness, efficiency and proportionality

Main findings and conclusions

- Overall, EFSA's Independence policy and its implementing system is perceived as highly relevant by both internal and external stakeholders in order to maintain impartiality and independence when developing scientific outputs.
- The Independence Policy is effective in reaching its core objectives, which is expressed in a high compliance rating, significant number of control and monitoring outputs delivered as well as no Breaches of Trust since 2013.
- Since 2014, incremental changes have been made by EFSA to increase the effectiveness of the system, yet the NGO community hoped for more radical changes.
- The recent shift to a partial centralised screening of DoIs is considered by the majority of interviewed stakeholders as a significant step forward in Conflict of Interest management. Overall, EFSA has been able to set-up a system with a sufficient level of efficiency.
- The LA Unit, responsible for coordinating Conflict of Interest management and implementation of the Independence Policy, is able to manage the current workload, expressed in a high compliance with (internal) KPIs.
- Nevertheless, potential efficiency gains in the short- to midterm are applicable, ranging from process optimization with less iterations, over IT improvements, to quicker communication.

Recommendations

For addressing some of the remaining challenges, EFSA could:

- Strengthen training & awareness-raising efforts among EFSA staff & scientific experts by looking into other ways of communicating Independence Policy rules and procedures (e.g. eLearning, interactive trainings) as well as clearer, shorter and more targeted information.
- Improve the DoI assessment process as well as reduce administrative burden for experts by more effective and user-friendly IT tools.
- Identify possible administrative burden reduction for experts and staff (e.g. pre-filling of SDoI; remove the SDoI in the three-level system; etc.).
- Improve the response time and direct (pro-active) communication, especially when confronted with reputational hazards.
- Given the heightened exposure of some areas of work (e.g. GMOs, Health claims, Plant protection products), a risk-based approach for the rules or procedures to be applied to DoIs submitted by experts in these sectors remains an option to consider. A full-fledged scrutiny could be reserved to the most sensitive sectors, whereas the scrutiny for medium or low risk sectors could be more limited.

3.5 Sustainability

Main findings and conclusions

- Given the current budgetary reality, the operational framework supporting the Independence policy can be maintained.
- EFSA might be limited in the near future for upholding its 'continuous improvement of the Independence Policy/system' approach, given the available level of resources and increase in tasks for the LA Unit.
- A potential increase of the strictness of the rules applied, might hinder the sustainability of EFSA, in providing adequate scientific outputs, as less experts become available.
- No clear view was expressed by experts in the online survey in terms of the level of sustainability of the system.

Recommendations

For addressing some of the remaining challenges, EFSA could uphold a phase of stability in terms of the rigidity of rules & high-level process, in order to obtain a reasonable level of available experts as well as to allow experts and staff to further improve their awareness of the policies in place.

3.6 Comparative analysis with independence policy systems in similar organisations

Main findings and conclusions

- Compared to similar organisations at EU Agency level, EFSA has set-up a particularly comprehensive, sophisticated and resource-intense independence policy system.
- While a number of elements are unique to EFSA's current organisational solutions and procedures (e.g. centralisation of the DoI screening, system of waivers, veracity check as part of the compliance and veracity check procedure), the comparison reveals that EFSA's system converges on a number of parameters with practices in similar EU Agencies, i.e. ECHA and EMA.
- Looking at independence policy systems of similar EU Agencies, a set of elements and good practices has been identified which are currently not in place at EFSA but could potentially be implemented by the Authority.

Recommendations

The evaluator recommends to EFSA to further investigate to what extent good practices of EMA and ECHA could be transposed into EFSA's specific operational and legal framework and, subsequently, contribute to improved effectiveness, efficiency and transparency of its current system. EFSA could consider to:

- Differentiate risk profiles of experts according to the category of their interests and apply a risk-based approach to the DoI screening at the example of EMA;
- Use, similar to EMA, a risk analysis approach for the selection of the expert DoIs on which compliance checks are performed;
- Publish annually - in addition to its Annual Activity Report - a special report on the implementation of its independence policy;
- Adopt specific BoT procedures for the different target groups;
- Introduce the obligation for scientific experts to notify to the Authority potential future CoIs such as required by EMA to its scientific experts;
- Streamline its DoI portfolio with only one type of specific Declarations of Interest (i.e. ODoIs) similar to ECHA;
- Facilitate public scrutiny of CoI assessment by including – as in EMA's case – a table in the meeting minutes of EFSA's Scientific Committees / Panels that clearly indicates the role of the participant in the meeting, the outcome of the DoI evaluation in relation to the meeting as well as restrictions applicable to specific agenda items.

Moreover, EFSA could consider intensifying its cooperation with similar EU Agencies, to combine resources and to set-up shared support functions for the management of its independence policy system. This could include the following elements:

- Set-up of a centralised / shared (externalised) body for the assessment of DoIs of the members of the Management Board and expert panels;
- Joint development of an IT tool for the DoI screening;
- Design of a standard training portfolio (including video, webinars and/or eLearnings);
- Sharing of communication tools and awareness-raising best practices on independence policy.