

## **PRESIDENT'S DECISION N. 9/25**

**11 February 2025**  
**on the adoption of the EUI Whistleblowing**  
**Policy**

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### **THE PRESIDENT**

Having regard to the Convention setting up a European University Institute (EUI), in particular its Article 7;

Having regard to the High Council Decision No. 6/2014 of 5 December 2014, laying down the Service Rules of Administrative Staff and amending the Staff Regulations applicable to Permanent Staff Members (SR) and Conditions of Employment of Other Servants (CEOS) of the EUI, and in particular Articles 22a, 22b and 22c the SR and Article 11 of the CEOS;

Having regard to the Conditions of Employment of Teaching Staff (CETS) of the EUI laid down by High Council Decision No. 7/2014 of 5 December 2014, in particular Part II Chapter 2;

Having regard to President's Decision No. 43/2015 of 4 December 2015 revising the internal control standards introduced in the services of the European University Institute by President's Decision No.16/2004 pursuant to Article 34(4) of the EUI's Financial Rules.

Having regard to directive (EU) 2019/1937 of the European Parliament and of the council of 23 October 2019 on the protection of persons who report breaches of Union law ("the EU Whistleblowing Directive").

### **WHEREAS:**

- (1) As an international institution of higher education and research, the EUI is committed to ensuring that all members of its community carry out EUI activities with the highest standards of behaviour, integrity, and ethical practice.
- (2) The EUI has an obligation towards its stakeholders to conduct its affairs responsibly, transparently and with accountability.

- (3) The EUI acknowledge the importance of ethical conduct and transparency and recognises the need for a mechanism to report and address misconducts effectively.
- (4) The EUI recognises that irregularities might occur in everyday operations and emphasises the responsibility to report such instances without delay to the appropriate superior.

## **HAS DECIDED AS FOLLOWS:**

### **Article 1**

The EUI adopts its Whistleblowing Policy, which is annexed to this Decision and constitutes an integral part of it.

### **Article 2**

The Secretary General shall be empowered to update the Whistleblowing Policy (Annex1).

### **Article 3**

This Decision shall enter into force on the date of its signature.

Done in Florence, on 11 February 2025.

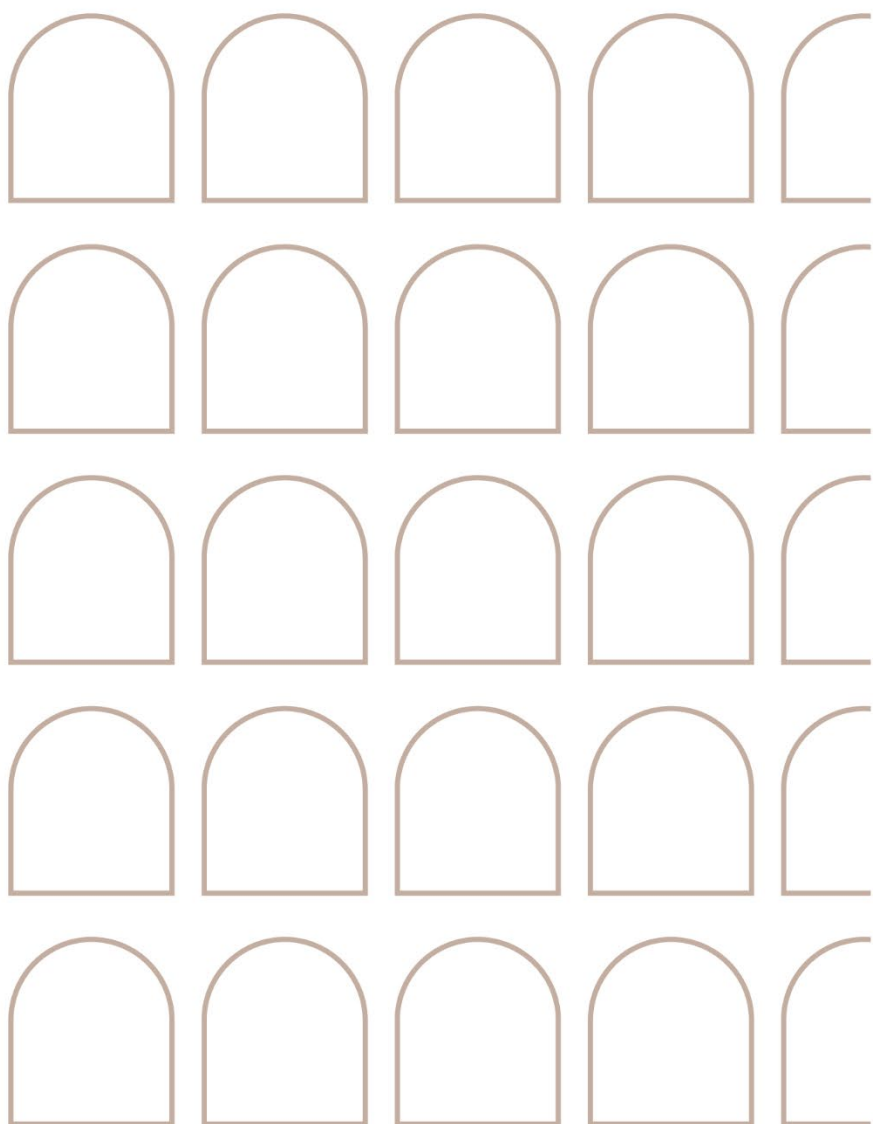


The President  
Patrizia Nanz

# EUI Whistleblowing Policy

## Office of the Secretary General

WB-V1/R0 (February 2025)



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## 1. Introduction and definitions

The EUI is committed to ensuring that its entire community carry out EUI activities with the highest standards of behaviour, integrity, and ethical practice. Moreover, the EUI has an obligation towards its stakeholders to conduct its affairs responsibly, transparently and with accountability.

Despite this commitment, it is not excluded that general cases of irregularity might occur in everyday business, which shall be reported without delay to the immediate superior.

However, EUI members may become aware of cases of irregularity that are more serious or which they may prefer not to report to their immediate superior, but instead to management either fully or partially anonymously. These cases fall within the scope of this Whistleblowing Policy.

Whistleblowing is the disclosure of information in the public interest, relating to suspected irregularities and potential danger in the context of work-related activities at the EUI. Irregularities may include, but is not limited to:

- A criminal offence;
- Fraud;
- Conflict of interest;
- Danger to the health, safety and security to the EUI community, the public or those involved in EUI activities;
- Danger to the environment;
- Non-compliance with legal obligations, including EUI regulations or those national, European or international regulations that are relevant to the EUI context;
- Deliberate concealment or suppression of crime;
- Serious breaches of EUI policies.

A “whistleblower” is a person who raises genuine concern that irregularities are occurring, or that there is a potential danger to the EUI community, environment and/or wider public. The whistleblower may not be directly involved in, or be affected by, the activity they are reporting, but it does affect others.

EUI members may be the first to encounter any cases of irregularity, more so than its management, but it may not always be easy for EUI members to express concerns or bring to light potential irregularities by other EUI members, especially those more senior than themselves. The EUI therefore seeks to foster an environment in which members feel safe and encouraged to make genuine and serious concerns known.

This Whistleblowing Policy is owned by the Office of the Secretary General.

## 2. Whistleblowing Policy

### 2.1. Aim

In accordance with the [EU Directive 2019/1937](#) of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law ("the EU Whistleblowing Directive"), this policy provides an internal process for helping those who have genuine concerns about possible irregularities to speak up, and to ensure that they are not adversely affected by any form of retaliation caused by the whistleblowing.

It seeks to strike a balance between safeguarding individuals who raise genuine concerns, and the need to protect the university and its community against uninformed, inaccurate, or vexatious allegations, which may negatively affect innocent individuals.

### 2.2. Legal basis for implementing a whistleblowing procedure

#### 2.2.1. Internal Control Standards (President's Decision 43/2015)

Internal Control Standard 9 on reporting possible illegal activities, states that appropriate procedures, in addition to reporting to the immediate superior or if deemed useful to the President, shall be established and communicated to staff covering the reporting of suspected possible illegal activities.

#### 2.2.2. Statutory Rules for Administrative Staff

On reporting cases of irregularity, article 22a states that:

*Any staff member who, in the course of or in connection with the performance of his duties, becomes aware of facts which gives rise to a presumption of the existence of possible illegal activity, including fraud or corruption, detrimental to the interests of the Institute, or of conduct relating to the discharge of professional duties which may constitute a serious failure to comply with the obligations of Institute staff members, shall without delay inform either his immediate superior or, if he considers it useful, the Appointing Authority.*

*Information mentioned in the first subparagraph shall be given in writing.*

*This paragraph shall also apply in the event of serious failure to comply with a similar obligation on the part of any other person in the service of or carrying out work for the Institute.*

Furthermore, according to art. 22a, par. 3 of the Statutory Rules, *[a] staff member shall not suffer any prejudicial effects on the part of the Institute as a result of having communicated the information referred to in paragraph [above], provided that he acted reasonably and honestly.*

On protection for whistleblowers, article 22b states that:

*1. A staff member who further discloses information as defined in Article 22a to the President of the High Council shall not suffer any prejudicial effects on the part of the Institute provided that both of the following conditions are met:*

*(a) the staff member honestly and reasonably believes that the information disclosed, and any allegation contained in it, are substantially true; and*

*(b) the staff member has previously disclosed the same information to the Appointing Authority of the Institute and has allowed the Institute the period of time set by it, given the complexity of the case, to take appropriate action. The staff member shall be duly informed of that period of time within 60 days.*

*2. The period referred to in paragraph 1 shall not apply where the staff member can demonstrate that it is unreasonable having regard to all the circumstances of the case.*

*3. Paragraphs 1 and 2 shall not apply to documents, deeds, reports, notes or information in any form whatsoever held for the purposes of, or created or disclosed to the staff member in the course of, proceedings in legal cases, whether pending or closed.*

### **2.2.3. Other regulations**

With a less explicit approach, legal bases relating to whistleblowing can also be found in article 11 of the CEOS and article 2 of the CETS<sup>1</sup>.

## **2.3. Scope**

All members of the EUI community, including support staff, faculty, early-stage researchers, students and outsourced staff, are subject to the provisions of this Whistleblowing Policy.

This Whistleblowing Policy applies to all activities carried out on the EUI premises, and activities off premises that are coordinated by the EUI.

The Institute has the duty to bring this policy to the attention of all its members. The type of concerns that can be brought to attention via the whistleblowing procedure are, but not limited to, those outlined in section 1. However, any issue of genuine or serious concern that is in the public interest (i.e. affecting others, whether the general public or other EUI members) can and should be disclosed as soon as it is known.

Complaints that relate solely to a personal grievance are not covered by this Whistleblowing Policy and are instead dealt with via the [EUI Harassment Policy](#). This Whistleblowing Policy cannot be used to re-open a case previously addressed in the framework of the EUI Harassment Policy, unless a development in that case affects the public interest.

Any person submitting a claim that is more appropriately dealt with under the Harassment Policy will be redirected to the procedure under that policy.

This policy may result in the activation of EUI investigative and disciplinary procedures.

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<sup>1</sup> CETS: [Conditions of Employment of the Teaching Staff](#); SR: [Staff Regulations applicable to permanent staff members](#); COES: [Conditions of Employment of Other Servants](#).

## 2.4. EUI principles for whistleblowing

- 2.4.1. Every EUI member has an obligation to disclose information, either anonymously or in name, on a potential case of irregularity or danger if they believe that they are acting in the public interest.
- 2.4.2. The EUI commits to treating whistleblowing claims very seriously, consistently, and fairly, and to responding in a timely and appropriate fashion.
- 2.4.3. Whistleblowing claims must be based on fact and not mere rumour, allegations, or opinion, but a disclosure may be made initially without substantiating evidence.
- 2.4.4. All bona fide whistleblowers shall have the freedom to express genuine concerns over irregularities and danger without the risk of any form of direct, indirect or 'soft' retaliation. The EUI shall put all appropriate measures in place to safeguard the whistleblower against retaliation if the claims are genuine.
- 2.4.5. No-one receives less favourable treatment due to the protected characteristics of age, disability, gender, ethnicity and race, religion or belief, sexual orientation, marital status, pregnancy and maternity, and social and ethnic background.
- 2.4.6. The EUI maintains the highest levels of confidentiality vis-à-vis any whistleblower, at least until a formal investigation has been launched. All individuals involved in a whistleblowing claim maintain the highest level of confidentiality.
- 2.4.7. The disciplinary procedures outlined in the relevant staff regulations<sup>2</sup> apply to any EUI member who subjects the whistleblower to any form of direct, indirect or 'soft' retaliation.
- 2.4.8. Similarly, anyone who maliciously makes a claim that they know to be untrue may be liable for disciplinary action (under SR, CEOS, CETS). Raising a concern under this policy will not provide automatic immunity for irregularities that they may be found to have committed, but the EUI may take into account that the individual has raised the matter themselves.
- 2.4.9. Data relating to concerns brought forward by whistleblowers is stored and managed in accordance with the [EUI Data Protection Policy](#).
- 2.4.10. The EUI shall ensure that all members of its community are informed about the Whistleblowing Policy through regular communications and provide training on its application and procedures, as appropriate.

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<sup>2</sup> CETS: [Conditions of Employment of the Teaching Staff](#); SR: [Staff Regulations applicable to permanent staff members](#); COES: [Conditions of Employment of Other Servants](#).



## 2.5. Accountability and responsibilities

- 2.5.1. **Institutional responsibility:** The President is accountable for activities carried out by the EUI and for the overall welfare of all EUI members and visitors while undertaking EUI activities, and is responsible for the general oversight of the Whistleblowing Policy.

The Secretary General is responsible for the policy's implementation, and specifically:

- a. The correct implementation, review and updating of this Whistleblowing Policy;
- b. The adequate and appropriate follow up of cases brought to the EUI's attention;
- c. Providing adequate and appropriate information, response and protection to the whistleblower;
- d. Ensuring that appropriate records are kept in relation to the reporting of any whistleblowing incidents.

- 2.5.2. **Individual responsibility:** All EUI members have a duty to react in confidence and appropriately to information on irregularities and danger that they may become aware of and that should be disclosed in the public interest. Whistleblowers are responsible for correctly reporting claims that are genuine and fact-based according to the procedure presented in this document.

Individuals who may be subject to whistleblowing claims are responsible for reacting appropriately and without any form of retaliation towards the whistleblower.

Individuals involved in a whistleblowing claim, whether the whistleblower or the subject of a claim, are responsible for maintaining the confidentiality of the information known to them.

## 2.6. Reviewing and optimisation

The Whistleblowing Policy is reviewed and where appropriate updated at least every five years.

### 3. Procedure for making and addressing a whistleblowing claim

#### 3.1. Procedure for disclosing a concern

- 3.1.1. Any individual may raise a concern in the framework of this policy. The claim should be genuine and fact-based. Although not required, it is helpful if the individual explains how they believe their concern affects the public interest and provides supporting evidence where possible.
- 3.1.2. The Internal Auditor is the first point of contact for making whistleblowing claims. For claims against the Internal Auditor, see point 3.1.8.
- 3.1.3. **Non-anonymous claims:** The whistleblower agrees to full disclosure of their name to all parties when required.
  - 3.1.3.1. To disclose a genuine concern as a non-anonymous whistleblower to the Internal Auditor: [Complete the dedicated form for questions and disclosing concerns on the proper application of policies and procedures.](#), which is managed by the Internal Auditor, who will acknowledge receipt of the concern within 5 working days.
  - 3.1.3.2. The whistleblower's name may be shared when appropriate and required with the accused staff member and others involved in the case.
  - 3.1.3.3. The whistleblower's point of contact is the Internal Auditor, acting as an independent liaison between the whistleblower and top management. The whistleblower may also be advised and supported by a Union Representative or a trusted colleague nominated by the whistleblower themselves.
  - 3.1.3.4. The Internal Auditor maintains the highest level of confidentiality of the information submitted, sharing the claim only with the President, who decides on the EUI's most appropriate course of action.
- 3.1.4. **Partially anonymous claims:** The whistleblower requests that his/her name is not disclosed beyond the President, Secretary General and Internal Auditor, and especially not to the accused person.
  - 3.1.4.1. To disclose a genuine concern as a partially-anonymous whistleblower to the internal auditor: [Complete the dedicated form for questions and disclosing concerns on the proper application of policies and procedures.](#), which is managed by the Internal Auditor, who will acknowledge receipt of the concern within 5 working days.
  - 3.1.4.2. The whistleblower must indicate in the claim that they wish to remain partially anonymous.
  - 3.1.4.3. The whistleblower's point of contact is the Internal Auditor, acting as an independent liaison between the whistleblower and top management. The whistleblower may also be advised and supported by a Union Representative or a trusted colleague nominated by the whistleblower themselves.

3.1.4.4. The Internal Auditor maintains the highest level of confidentiality of the information submitted, sharing the claim only with the President, who decides on the EUI's most appropriate course of action.

3.1.5. **Fully anonymous claims:** The whistleblower remains completely anonymous and does not disclose his/her identity even to the Internal Auditor.

3.1.5.1. Fully anonymous claims are submitted by physical post (internal or external mail) to the Internal Auditor.

Mail to: The Internal Auditor  
European University Institute  
Villa Il Poggiolo  
Piazza Edison, 11  
50133 Firenze

Clearly indicate that the contents is HIGHLY CONFIDENTIAL.

3.1.5.2. In submitting an anonymous claim, the whistleblower renounces any further role in the case, as well as protection from eventual cases of retaliation.

3.1.6. For concerns relating to the President, the Internal Auditor refers the matter to the Secretary General, who may consult with Chair of the High Council without first obtaining the whistleblowers authorisation to involve other parties.

3.1.7. For concerns relating to the Secretary General, the Internal Auditor refers the matter directly to the President, who may consult with the Chair of the High Council without requiring the authorisation of the whistleblower.

3.1.8. Concerns relating to the Internal Auditor are submitted in confidence by email to the Secretary General in the case of non-anonymous and partially anonymous claims. Anonymous claims relating to the Internal Auditor can be submitted by physical post to the Secretary General.

Mail to: The Secretary General  
European University Institute  
Badia Fiesolana  
Via dei Roccettini, 9  
50014 San Domenico di Fiesole (FI)

Clearly indicate that the contents is HIGHLY CONFIDENTIAL.

3.1.9. **External reporting:** If internal mechanisms are insufficient, the concern constitutes a major threat to public health or safety or a violation of national or international law, it may be reported by the whistleblower to an entity or individual outside of the established internal mechanisms, in line with legal and institutional obligations. Public disclosure is permitted only as a last resort and under strict conditions protecting the public interest.

### 3.2. Procedure for following up a whistleblowing claim

The President is responsible for following up on concerns raised via the Whistleblowing Policy. The President may delegate this responsibility to the Secretary General and is not required to inform the whistleblower of this delegation of responsibility. The Secretary General is responsible for addressing to the Chair of the High Council concerns relating to the President.

Upon receiving notification of the whistleblowing case, the President decides whether:

- 3.2.1. **To refer to another policy:** The concern may fall within the scope of a different policy (e.g. The EUI Harassment Policy). In this case, the whistleblower will be informed by the Internal Auditor to refer the concern to that policy.
- 3.2.2. **To dismiss the claim:** The President may judge the concern to be wholly without substance or merit and that no further action will therefore be taken. The whistleblower is informed accordingly by the Internal Auditor.
- 3.2.3. **To start an investigation, which may involve a disciplinary procedure:** Unless there is clear evidence and proof of a breach of the regulations in force, the President may decide to conduct an investigation and appoints a lead investigator to carry out a formal investigation on their behalf.
  - For cases involving staff subject to the Staff Regulations and Conditions of Employment of Other Servants, the President may refer to President's Decision No. 20/2018 on general implementing provisions on the conduct of administrative inquiries and disciplinary procedures.
  - For cases involving staff subject to the Conditions of Employment for Teaching Staff, the President may refer to President's Decision No. 37/2015 establishing a procedure for the conduct of an administrative inquiry concerning a member of the Institute's Teaching Staff.
  - For cases involving researchers, fellows, and students, the President may refer to the EUI Disciplinary Regulations (IUE 106/13 (CA 103) rev.1 Academic Council 16 September 2020) and the Code of Ethics in Academic Research (IUE 263/22 (CA 249) rev. 1). In cases of academic misconduct, the President will decide whether the allegation is serious enough to warrant an investigation by the Ethics Committee, and, based on the investigation report and recommendations of the Ethics Committee, the EUI Disciplinary Committee may decide on sanctions.

The person(s) identified as the subject(s) of the concern have the right to a fair case. They are informed of each allegation, together with the supporting evidence, and have the right to comment before the investigation reaches conclusion. They are not informed of the identity of the whistleblower in the case of anonymous and partially-anonymous claims. The President may meet with the accused person(s).

The Internal Auditor keeps the whistleblower informed on the investigation's developments and likely timescale.

Anonymous cases will be duly followed up in the same way as non-anonymous and partially anonymous cases, but there will be no update to the whistleblower.

Cases are resolved as quickly and as efficiently as possible with the aim of closing an investigation within 60 days. However, depending on the complexity of the concern, the timescale will be as long as required.

Except for anonymous cases, upon conclusion of the investigation the President informs the whistleblower, which may be via the Internal Auditor, of the outcome. The President is also responsible for ensuring an incident report is produced, which is to be a confidential document.

- 3.2.4. **To report the claim to the Italian Authorities:** The President judges whether it is appropriate to inform or transfer the case to the Italian competent authorities, in view of the Headquarters Agreement stating that Italian legislation applies at the EUI unless the High Council has approved a regulation of its own.

### **3.3. Protection for whistleblowers**

- 3.3.1. The President is responsible for safeguarding the whistleblower against retaliation of any kind.
- 3.3.2. Measures to safeguard whistleblowers from any form of retaliation are discussed with the whistleblower and implemented as appropriate and required.
- 3.3.3. Any incidents of retaliation experienced by the whistleblower, whether during or at any point after the investigation, are reported to the President, who may decide on appropriate action or decide that the case is addressed in the framework of the EUI Harassment Policy.
- 3.3.4. Particular care will be taken during staff assessment and promotions procedures to ensure that the whistleblower suffers no adverse consequences in this context.