

Pursuant to Article 88, Paragraph 1, Item 2 of the Law on Prevention of Corruption (Official Gazette of MNE no. 53/14), the Council of the Agency for Prevention of Corruption, at its 13<sup>th</sup> session, held on 25 December 2015, adopted the following

## **Rules for the Drafting and Implementation of the Integrity Plan**

### **I Basic Provisions**

#### **1. Scope**

1.1. These Rules shall define in detail the procedure of drafting and implementation of the Integrity Plan and the reporting method.

#### **2. The Principle of Integrity**

2.1. The principle of integrity is defined through the universal values and fundamental principles of the legal state, the Constitution of Montenegro (hereinafter: the Constitution), binding international legal and ethical standards, legal provisions and ethical rules, principles of good governance over affairs and state property, the rule of law and social moral.

2.2. In accordance with the Constitution, institutional legal and ethical standards, particularly the UN Convention against Corruption and other binding international documents on the prevention and suppression of corruption, legal provisions and rules contained in the codes of ethics, the principle of integrity requires the institutions and employees in the public sector to act responsibly in accordance with the fundamental values of a man and a citizen, the democratic society, the rule of law and the legal state.

2.3. Implementation of the principle of integrity at all levels, in state authorities, public administration authorities, judicial authorities, local self-government authorities, independent bodies, regulatory bodies, public institutions, public enterprises or other business organizations, i.e. legal entities exercising public authority or performing activities of public interest or the ones that are owned by the state (hereinafter: authorities) supports and strengthens the actions that result in full trust of the citizens, the civil society and the democratic public in the legal state, its institutions and employees.

#### **3. Notion of the Integrity Plan**

3.1. The Integrity Plan shall represent an internal anti-corruption document containing a set of measures of legal and practical nature that prevent and rectify the possibilities for various forms of corruptive and unethical behavior to occur and develop in an authority as a whole, in individual organizational units or work posts, and it is the result of self-assessment of exposure of the authority to risks of occurrence and development of corruption, illicit lobbying and conflict of interest, as well as the exposure to ethically and professionally unacceptable behavior.

#### **4. Purpose of the Integrity Plan**

4.1. Through the comprehensive and proactive approach, systematic assessment of exposure to risks, adoption and implementation of adequate measures, the Integrity Plan enables public officials and employees in different authorities to accept and exercise full responsibility for their integrity, in a controlled manner, in order to additionally improve and strengthen measures for more efficient prevention and suppression of corruption, other illicit and unethical behavior.

4.2. Based on the common approach and knowledge management, exchange of experience and best practice, through the integrity plan the authorities develop procedures to strengthen capacities, efficiency and resilience to possible occurrence and development of corruption, and other illicit or unethical behavior.

4.3. With the implementation of the integrity plan, public officials and employees in the authorities strengthen their legal, professional and ethical capacities, in order not to affect their own reputation or the reputation of the authority in the exercise of their tasks, not to question their impartiality at work, and to remove any suspicion of the possibility of occurrence and development of corruption, other forms of illicit or unethical behavior.

#### **5. Implementation of the principle of transparency, right to access to information and data protection**

5.1. With the implementation of the integrity plan in order to strengthen full trust of the citizens, civil society and the democratic public, the authorities implement the principle of transparency at the same time, respecting the right to access to information, while ensuring the due observance of privacy and other personal rights of individuals and other data, which are subject to protection based on the law or other regulation.

#### **6. Definition of terms**

6.1. Risk represents an established probability of occurrence and effect/consequences of corruption, other illicit or unethical behavior, based on a reasonable conviction and to a reasonable degree of predictability.

6.2. The assessment of exposure of certain work posts to occurrence and development of corruption, other illicit or unethical behavior represents a systematic and documented manner of establishment of risk of corruption, other illicit or unethical behavior.

6.3. Risk management represents identification, assessment, ranking, removal or controlled monitoring of risk through efficient measures contained in the integrity plan.

6.4. Measures contained in the integrity plan represent selected measures, based on the ranking of various risks that help remove the risk.

6.5. Risk inventory represents an integral part of the Integrity Plan Form and is used to register data on the most important risks, classified into individual risk areas.

## **II. Development of the Integrity Plan**

### **7. Initial activities for development of the integrity plan**

7.1. Development of the integrity plan involves the obligation of the head or the responsible person in the authority to designate the manager and members of the working group for development of the integrity plan, while specifying at the same time the following:

- Tasks and activities of the working group;
- Source of necessary funds;
- Time of commencement and end of work on the development and implementation of the integrity plan;
- Forms of cooperation with the control entities, especially the internal financial control or internal audit regarding risk of corruption, other illicit or unethical behavior, as well as
- Forms of control over the work and results of development and implementation of the integrity plan.

7.2. The head or the responsible person in the authority shall inform all employees, in a joint meeting or in some other suitable manner, about commencement of development and the goal of the integrity plan, necessary support to their work and the obligation of each and every employee to assist and actively participate with the manager and the members of the working group.

7.3. Manager of the working group shall inform the employees, in a joint meeting or in some other suitable manner, about the planned activities in the development of the integrity plan and invite them to submit proposals for the development of the integrity plan (via email, in working meetings, etc.).

### **8. Management of data and activities**

8.1. Working group shall collect necessary documentation (regulations, plans, internal control and audit reports, analysis of the state of play, records, organograms, systematization and description of jobs and other sources of information about areas, fields and work processes for the development of the integrity plan), based on which it will define a program for the development of the integrity plan, containing the main tasks and goals of the integrity plan.

### **9. Documenting data about risks and measures**

9.1. In the development of the integrity plan, there will be an initial risk assessment undertaken in terms of the most represented types of risk. Documentation of data regarding identification, assessment and classification of risk, as well as the proposed measures, ensure the transparency and traceability in the process of development of the integrity plan.

9.2. The Integrity Plan Form (Annex 1), which represents an integral part of the integrity plan and is enclosed with these Rules, shall be used for the purpose of documenting data and measures.

9.3. The Integrity Plan Form may be amended. The manner of filling out the Integrity Plan Form is described in detail in the Methodological Guide (Annex 2) that represents an integral part of these Rules.

9.4. Working forms represent internal documentation of the integrity plan on the basis of which the working group develops an inventory/register of important risks and measures of the integrity plan.

9.5. Apart from being used to develop an inventory of important risks and measures, the working forms may also be used for control in the process of development of the integrity plan. Their use for any other purpose is not projected and is not advisable.

## **10. Initial assessment of the situation**

10.1. Through a comprehensive approach and systematic work, using its expertise, previous experience and knowledge of operations of the authorities, the working group shall first get information and assess general situation and possibilities for occurrence and development of corruption, other forms of illicit or unethical behavior, starting from the structure, organizational environment, human resources, individual and overall processes, and similar.

10.2. Initial assessment shall also include the need to connect the integrity plan with the system of internal control, audit and other systemic tools in the authority. The integrity plan shall be prepared in the manner that it remains open to those systems and tools, and to fully support and strengthen the resilience to corruption, other forms of illicit or unethical behavior.

## **11. Selection of specific work posts and tasks for assessment of exposure to risks**

11.1. On the basis of the initial assessment of the situation, the working group identifies in the individual organizational units of the authorities, the systemic risk factors and identifies work posts for assessment of exposure to risk of corruption, other forms of illicit or unethical behavior.

11.2. The working group shall make a comprehensive analysis of results of the initial assessment and on the basis of its beliefs it shall adopt conclusions on which work posts and which tasks will be subject to detailed analysis and risk assessment, because the general assessment of internal and external factors showed that they are exposed to occurrence and development of corruption, other forms of illicit or unethical behavior, such as:

- Possible occurrence and development of unintentional injuries or abuse of certain rules of behavior that are defined in the laws or codes of ethics;
- Incompatible, unclear or obsolete regulations: systemic problems of management of delegated affairs, state property and state interest, human resources, etc., which, due to the

negative impact on specific work posts or tasks, represent systemic factors of risk of loss of integrity and loss of trust of the public in the authorities and their employees.

11.3. The working group shall record the results of the analysis in the minutes and the activity report, and shall take them into consideration when assessing exposure of specific work posts to risk of corruption, and other forms of illicit or unethical behavior.

## **12. Selection of areas where detailed analysis and risk assessment is not necessary in the preparation of the integrity plan**

12.1. Initial assessment of the situation should also identify the areas that are not exposed to risk of corruption, due to which they shall not be subject to detailed analysis and risk assessment in the preparation of the integrity plan.

12.2. Areas, work posts and tasks that are identified as ones where, based on the initial assessment, cooperation with the representatives of the internal control and audit services, it is not necessary to engage in detailed analysis and risk assessment within the integrity plan shall be entered by the working group into the minutes of the initial assessment, with a short explanation.

### **III. Types of risk and their identification**

#### **13. Risk management**

13.1. Risk management is important in order to monitor the profile or type of risk, to make sure that risk management is efficient and to identify when further action is necessary, that is, to timely introduce new measures for risk removal.

13.2. Use of the already obtained knowledge and experience in the integrity plan shall be the basis for risk management.

#### **14. Harmonization of approaches in risk management**

14.1. Risk management within the integrity plan shall be connected and harmonized with risk management in the system of internal financial control and audit in specific work posts and tasks.

14.2. Responsibility of the head, that is, responsible person in the authority for the system of internal control and audit, by rule, includes risk of corruption, abuse and other forms illicit and unethical behavior in the use of budgetary assets.

14.3. Through the integration and harmonization of risk management within the integrity plan, the management and the working group create the best possible conditions for comprehensive overcoming and monitoring of risks in specific work posts and tasks.

#### **15. Risk identification**

15.1. In the development of the integrity plan special attention shall be given to the classification of risks based on their type and importance.

15.2. Based on the knowledge of operation of the authorities and results of the initial assessment, the working group shall select the most effective manner of risk identification, and in doing so it is possible to use one or several methods:

- Preparation of a questionnaire, check lists and survey;
- Continuation of initiated or initiation of new discussions on risk areas;
- Working meetings with the managers and employees in the specific work posts and tasks, joint analysis, using the method of open discussion on all ideas and proposals, etc.;
- Analysis of compatibility of work process in specific work posts or tasks with the regulations and internal acts, professional standards and codes of ethics;
- Analysis of specific work posts and tasks in terms of division of areas, processes and organization of work, integrity of the staff, their attitude towards basic values and persons in various actions, and
- Use of reports and risk inventory, based on the work of the internal control and audit, etc.

15.3. Identification of risk as a separate work process starts with the introductory assessment – inherent risk, followed by the analysis of the existing control measures – control risk, and ending the process with the selection of adequate measures for removal of the remaining risk – residual risk.

## **16. Inherent risk**

16.1. Every work process entails a certain level of risk that is called the inherent risk (basic risk):

- Use of wide discretion in the adoption of regulations, other general acts or individual decisions contains an objective possibility for occurrence and development of corruption, conflict of interest, prohibited lobbying or other unacceptable influence;
- Use of regulations and other general acts with the so-called general clauses and vague legal notions of a wide meaning objectively represents the possibility for excessively general interpretation, mistake or abuse of authority;
- Unpredictability and complexity of situations that are acted upon in specific work posts and tasks objectively represents the possibility for occurrence and development of corruption, other forms of illicit or unethical behavior;
- Inadequate behavior towards citizens in the process of exercising legal authority objectively represents the possibility for loss of public reputation and integrity of the authorities and their staff;
- Ungrounded expectations of natural or legal entities in official proceedings, which objectively represent the risk factor for illicit influence on officers, etc.

## **17. Control risk**

17.1. By rule, every work process is subject to certain control measures, and predictable level of inefficiency of those measures in overcoming inherent risks indicates the existence and level of control risk.

17.2. The efficiency of control in overcoming inherent risks of corruption, conflict of interest, prohibited lobbying, unacceptable presents, attempted bribery and similar influence, illicit or unethical intentions is assessed through the identification of control risks:

- In the course of adoption of regulations and other general acts;
- In the execution of certain tasks in specific work posts;
- In solving unpredictable and complex situations;
- In actions taken by the officers with natural and legal entities in various types of procedures, etc.

## **18. Residual risk**

18.1. Residual risk is the result of identification and comparison of inherent and control risks, taking into consideration their interdependence and inseparability, as well as other influence, such as the results of initial assessment of the situation regarding external and internal (systemic) risk factors.

18.2. With the identification of the residual risk the process of risk identification ends, and the results of this process represent also the basis for the final assessment and classification of risk.

## **IV. Classification of risk in the integrity plan**

### **19. Risk assessment and classification**

19.1. Assessment of residual risk should establish the probability of occurrence and consequences of corruption, and other forms of illicit or unethical behavior.

19.2. Classification of risk involves the cross section between the consequence and probability of risk according to the “temperature map”, contained in the integrity plan, which is enclosed as an annex and represents an integral part of these Rules (Annex 3).

19.3. Classification of risk allows for assessment of significant and minor risks, and based on that the working group can define adequate measures of the integrity plan.

19.4. In risk assessment and classification it is necessary to take into consideration the interdependence of the identified risks and other factors, e.g. results of initial assessment of the situation regarding external and internal (systemic) risk factors.

19.5. It must be emphasized that the use of “temperature map” is not a mere recalculation and classification of risk. This process has a deeper psychological and educational importance in strengthening the internal moral and feeling of responsibility for integrity.

## **20. Selection of measures**

20.1. Based on the results of identification, assessment and classification of risk, the working group selects adequate measures, defined by the law or bylaw

- Strengthening transparency of work
- Proactive publication of information in webpages
- Regular submission of information of public interest based on requests for access to information submitted by natural and legal persons
- Transparency of decision-making
- Transparency in the process of use of budgetary funds
- Supervision over lobbying and other non-public influence
- Control of use of discretion by the employees
- Supervision over external impact on the work of employees
- Control of reports of corruption and other irregularities
- Protection of staff reporting corruption, conflict of interest, other forms of illicit or unethical behavior
- Supervision and control of conflict of interest of the staff
- Supervision and control of illicit or unethical behavior of the staff
- Control of implementation of code of ethics of the staff
- Control of observance of provisions related to the obligation to submit reports of income and assets (where applicable)
- Control and recording of receipt of gifts by the employees
- Control of additional work of employees that may cause conflict of interest
- Staff rotation in posts exposed to risk (where applicable)
- Additional training for staff
- Periodical integrity tests for the staff
- Other measures to improve integrity, etc.

## **21. The Integrity Plan Form**

21.1. The Integrity Plan form is the main document of the integrity plan with the designated columns for entry of data regarding the following:

- Risk areas;
- Work posts exposed to risk, which represent a set of risky work processes;
- Basic risks characteristic of a particular work post or several work posts;
- Existing control measures and their resilience/ efficiency in overcoming risks;
- Remaining, i.e. residual risks;
- Results of assessment of consequence and probability of risk occurrence;
- Predicted measures for risk removal;

- Responsible persons for implementation of measures, etc.

## **V. Execution of the Integrity Plan**

### **22. Adoption of the Integrity Plan**

22.1. Manager of the working group for development of the integrity plan shall present to the head, i.e. responsible person in the authority the overview of the report on the development of integrity plan, with the proposal for adoption of the integrity plan, as well as supporting documentation.

22.2. Head, i.e. responsible person in the authority shall look into the documentation of the integrity plan (Annex 4) and sign the decision on adoption and implementation thereof, or requests additional activities and measure from the working group.

22.3. Head, i.e. responsible person in the authority shall inform the employees in an appropriate manner about the adoption of the integrity plan, express support to the adopted measures and emphasize the responsibility for their implementation.

22.4. The decision on adoption of the integrity plan shall be submitted without delay to the Agency for Prevention of Corruption (hereinafter: the Agency).

### **23. Implementation of the Integrity Plan**

23.1. Implementation of the integrity plan includes permanent monitoring, periodical controls of risk and updating of measures for removal, reduction and monitoring of possible risks and consequences of corruption, other illicit or unethical behavior.

### **24. Person Responsible for Implementation of the Integrity Plan**

24.1. Person, integrity manager appointed and dismissed by the head, i.e. responsible person in the authority, based on a special decision, shall be responsible for implementation of the integrity plan. The integrity manager shall be the same person that was responsible for the development of the integrity plan. The decision on appointment of the integrity manager, with the necessary contact details, shall be submitted to the Agency without delay.

24.2. The integrity manager shall be one of the existing officers with sufficient experience in the operations of the authority, and by rule, one of the members of management. It is recommended to all the authorities, when developing new or amending the existing Rulebooks on systematization of jobs, to add the description of tasks related to preparation, development and implementation of the integrity plans, if possible, to one or several work posts, depending on the size of the authority and the number of its staff.

24.3. The integrity manager shall be responsible to the head, i.e. responsible person in the authority for continuous monitoring and periodical risk control and updating of measures in the integrity plan, as well as activities related to the implementation of rules contained in the codes of ethics, encouraging integrity and preventing corruption, conflict of interest and other forms of biased behavior of staff in specific work posts.

24.4. All employees are obliged to inform the integrity manager of the situation, phenomenon or action for which they assessed, based on their sound judgment, that it represents the possibility for occurrence or development of corruption, conflict of interest, or other forms of illicit or unethical behavior.

24.5. The integrity manager shall look into the notifications s/he received and take action in accordance with his/ her duties in the implementation of the integrity plan.

24.6. Employees in the authority shall submit to the integrity manager, upon his/her request, the necessary data and information relevant for the implementation of the integrity plan.

24.7. Minimum once a year, at the request of the head, i.e. responsible person in the authority, or based on his/ her own assessment, the integrity manager shall submit a report on the implementation of the integrity plan.

## **25. Annual Report on Implementation of the Integrity Plan**

25.1. The authorities shall submit the report on implementation of the integrity plan to the Agency, in hardcopy and in electronic form, by the 15th of April of the current year for the preceding year.

## **26. Efficiency and Effectiveness of the Integrity Plan**

26.1. The Integrity Plan may be amended, in accordance with the needs, development and interests of the authority.

26.2. Assessment of efficiency and effectiveness of the Integrity Plan shall be performed every second year, taking into consideration the results of implementation of the proposed measures for risk reduction.

26.3. During the assessment, special attention is paid to whether the existing integrity plan has achieved its purpose, i.e. whether in the course of its implementation there was a reduction in intensity or full rectification of the risks identified.

26.4. Assessment of efficiency includes checking whether the risk areas are properly determined and whether risky work posts or work processes are properly identified.

26.5. Following the assessment of efficiency and effectiveness, the measures that proved to be insufficiently efficient in practice are removed, and new measures are introduced, i.e. the

existing integrity plan is reviewed, following which the head, or the responsible person in the authority makes a new decision on the adoption of the integrity plan.

## **27. Transitional and Final Provisions**

27.1. The authorities shall adopt integrity plans in line with these Rules within 90 days from the date of implementation of the Law on Prevention of Corruption, and shall submit them to the Agency.

27.2. Detailed manner of recording and submission of the integrity plan and the report on the implementation of the integrity plan in electronic form shall be regulated by a special Instruction.

27.3. These Rules shall come into effect on the date of publishing thereof in the Official Gazette of Montenegro.

**Ref. No.:**

**Podgorica, 25 December 2015**

PRESIDENT OF THE COUNCIL OF THE AGENCY

Goranka Vučinić

**ANNEX 1**

RISK INVENTORY			RISK ASSESSMENT AND MEASUREMENT					REACTION TO RISK			OVERVIEW AND REPORTING ON RISKS	
Risk area	Work posts	Basic risks	Existing control measures	Residual risks	Probab.	Consequences	Assessment	Proposed measures for reduction/ eradication of risk	Responsible person	Deadline	St.	Short description and assessment of implementation of measure
<b>1. Management and governance</b>												
<b>2. HR policy, ethical and professional behavior of staff</b>												
<b>3. Financial planning and management</b>												
<b>4. Data keeping and security of data and</b>												

documents												

**Special risk areas**

Risk area	Work posts	Basic risks	Existing control measures	Residual risks	Probab.	Consequences	Assessment	Proposed measures for reduction/ eradication of risk	Responsible person	Deadline	St.	Short description and assessment of implementation of measure
5.												
6.												
7.												

## METHODOLOGICAL GUIDELINES FOR FILLING OUT OF THE INTEGRITY PLAN FORM

1. This Instruction shall prescribe the content and manner of filling out the Integrity Plan Form.

2. The Integrity Plan Form represents the main document containing the following data:

- *Risk areas*
- *Work posts*
- *Basic risks (inherent)*
- *Existing control measures*
- *Residual risks*
- *Probability*
- *Consequence*
- *Assessment of risk intensity*
- *Proposed measures for reduction/eradication of risk*
- *Responsible person*
- *Deadline*
- *Risk status*
- *Short description and assessment of implementation of measure*

3. **Risk areas** refer to the most important responsibilities of the authority or organizational units, which are assessed as risk with regard to the business processes implemented in them. The Integrity Plan Form of all the authorities shall contain the four general risk areas.

3.1. General risk areas are the following:

- *Management and governance* (primarily referring to risks that may arise at the level of senior, medium and lower management in the process of application and implementation of the decision-making procedures, adoption of general and individual acts, delegation of authority, use of discretionary powers, implementation of supervisory and control mechanisms, creation of policies in the area of development and management, etc.)

- *HR policy, ethical and professional behavior of staff* (refers to risks related to the process of recruitment planning, implementation of the recruitment procedure, reporting and control over the work of employees, conflict of interest in the performance of tasks, prohibition of receipt of presents, possible abuses of office, negligent performance of duty, protection of employees reporting corruption or other irregularities (whistleblowers), processing of reports of corruption and applications on other irregularities, external influence on the work of employees, etc.)

- *Financial planning and management* (includes risks related to the budget planning process, public procurement planning, implementation of public procurement, drafting and signing of contracts, monitoring of enforcement of contracts, financial reporting, financial management and control, budget execution, etc.).

- *Manner of keeping and security of data and documentation* (refers to the risks that may exist in the process of physical security of documentation, control of access to business premises and documentation, adequate measures of supervision, IT security, records and control of access to IT systems, keeping data in digital form, etc.)

**3.2.** These areas represent the General Risk Areas, and each authority may select two or more special risk areas related to the most important responsibilities of the authority. Special risk areas usually overlap with the responsibilities of the key organizational units in the authorities and that is how they are identified.

**4. Work posts** represent a set of assessed work posts in a specific risk area that are identified as risky based on the description of job and tasks in the systematization of work posts and their implementation in practice.

**5. Basic risks (inherent)** are the basic types of risk related to the specific work post or several work posts and are contained in the work process itself. Basic risks can be risks of corruption and other risks that harm the integrity of the authority.

**6. Existing control measures** represent the already established control mechanisms related to specific work posts or work processes performed in those work posts, and can be legal (laws, rulebooks, internal acts), and practical (periodical internal and external control, staff rotation, integrity tests in practice).

**7. Residual (remaining risks)** are risks that are not covered with the existing control measures or where the control measures do not give adequate results, and in practice, they represent the description of or concrete basic risks (e.g. if the basic risk is conflict of interest, then the residual risk could be conflict of interest in the recruitment procedure, public procurement, adoption of first instance decisions, etc.). These risks are assessed and then concrete measures are proposed to tackle them.

**8. Assessment of risk intensity** represents the assessment of “**probability**” of occurrence of risk in a specific time period and the “**consequence**” that the risk causes for the work of the institution, and it is marked with a certain number obtained by multiplying values defined for the probability and the consequence. The consequence may be illicit work, financial damage, loss of expected revenues, as well as other forms of non-material damage, such as loss of trust of the public in the work of the authority, harming the reputation of the authority, etc.

**9. Proposed measures for reduction/ removal of risk** represent the proposal of new activities aimed at removing the residual risk. A “**responsible person**” or employee is designated for each of the

proposed measures and is responsible for implementation of the proposed measure with a clearly defined “**deadline**” for its implementation.

**10. Risk status** is the assessment of change in residual risk intensity after the assessment of implementation of measures from the integrity plan and is marked with a relevant symbol (↔ no change, ↑ increased risk, ↓ reduced risk).

**11. Short description and assessment of implementation of measure** represents a short elaboration of the activities undertaken with the aim to implement the measure for risk removal and the assessment of implementation, which can be marked as implemented, partially implemented or not implemented.

**12.** This Instruction shall represent an integral part of the Rules for drafting and implementation of the integrity plans.

METHODOLOGY FOR ASSESSMENT OF RISK INTENSITY

LEGEND OF TERMS AND SYMBOLS

Risk intensity is obtained by multiplying the probability and the consequence, using the risk matrix “probability (1-10) x consequence (1-10)” given in the figure below.

<b>CONSEQUENCE</b>	serious	10									
		9									
		8									
	moderate	7									
		6									
		5									
		4									
	minor	3									
		2									
		1									
		1	2	3	4	5	6	7	8	9	10
Risk intensity (consequence x probability)		low			medium			high			
		<b>PROBABILITY</b>									

Overall assessment of risk of corruption and other forms of violation of integrity

- /H High Intensity Risk – Corruption or other forms of violation of integrity are already present in this process or it is highly probable that they will occur
- /M Medium Intensity Risk – Occurrence of corruption or other forms of violation of integrity in this process is possible, but this risk is managed with the control measures
- /L Low Intensity Risk – There is a small probability of occurrence of corruption or other forms of violation of integrity in this process, due to the existing control measures

Risk assessment:

Grades range from 1 to 100, and the grades from 1 to 15 represent “minimum probability” of occurrence of corruption or other forms violation of integrity with a “minor” consequence (**low intensity risk**), grades ranging from 16 to 48 represent “medium probability” of occurrence of corruption or other forms of violation of integrity with a “moderate” consequence (**medium intensity risk**), while grades ranging from 49 to 100 involve an “almost certain” occurrence of corruption or other forms of violation of integrity with a “very serious” consequence (**high intensity risk**).

**Status of risk since the previous control**

- ↔ No change
- ↑ Risk increase
- ↓ Risk reduction

**Date of control:**

**Controlled by:**

\*Legend:

Risk assessment	Low	Medium	High
	1-15	16-48	49-100

\*\*Legend:

Progress in risk status since the previous control	No change	Risk increase	Risk reduction
	↔	↑	↓

NAME OF THE AUTHORITY

**INTEGRITY PLAN**

**Podgorica, -----2016**

**INTRODUCTION:**

NAME OF THE AUTHORITY:

ADDRESS:

TELEPHONE:

E-MAIL:

NAME AND TITLE OF THE RESPONSIBLE PERSON FOR DRAFTING AND IMPLEMENTATION OF THE INTEGRITY PLAN (INTEGRITY MANAGER:

DATE AND NUMBER OF DECISION ON APPOINTMENT OF THE INTEGRITY MANAGER:

DATE AND NUMBER OF DECISION ON APPOINTMENT OF MEMBERS OF THE WORKING GROUP FOR DEVELOPMENT OF THE INTEGRITY PLAN:

WORKING GROUP MEMBERS:

DATE OF COMMENCEMENT OF DEVELOPMENT:

DATE OF END OF DEVELOPMENT:

DATE OF ADOPTION OF THE INTEGRITY PLAN:

## **CONTENTS:**

1. DECISION ON APPOINTMENT OF THE RESPONSIBLE PERSON FOR DEVELOPMENT AND IMPLEMENTATION OF THE INTEGRITY PLAN (INTEGRITY MANAGER)
2. DECISION ON APPOINTMENT OF WORKING GROUP MEMBERS FOR DEVELOPMENT AND IMPLEMENTATION OF THE INTEGRITY PLAN
3. PROGRAM OF DEVELOPMENT AND IMPLEMENTATION OF THE INTEGRITY PLAN
4. METHODOLOGY OF ASSESSMENT OF RISK INTENSITY
5. THE INTEGRITY PLAN FORM
6. DECISION ON ADOPTION AND COMING INTO EFFECT OF THE INTEGRITY PLAN

# **1. DECISION ON APPOINTMENT OF THE RESPONSIBLE PERSON FOR DEVELOPMENT AND IMPLEMENTATION OF THE INTEGRITY PLAN**

Montenegro

Name of the authority

Ref. no.: 01-

Podgorica, ----- 2016

Pursuant to Article 74 Paragraph 1 of the Law on Prevention of Corruption (Official Gazette of Montenegro no. 53/14), the head/responsible person in the authority hereby adopts the following

## **DECISION**

### **on the designation of the responsible person for development and implementation of the integrity plan**

1) -----, graduate of the -----Faculty, with University degree, assigned to the work post with the title – -----, in the Sector for ----- shall be the responsible person for the development and implementation of the integrity plan (Integrity Manager).

2) The Integrity Manager shall particularly perform the task related to the following:

- Management of the working group for development of the integrity plan;
- Coordination and participation in the preparation of the program for development of the integrity plan;
- Coordination and participation in the collection and analysis of necessary documentation related to the operations of the authorities, which serves as a basis for risk assessment and development of the integrity plan;
- Supervision of implementation of measures to improve integrity;

- In cooperation with all organizational units, preparation of reports on implementation of the integrity plan.

3) Rights and responsibilities ----- referred to in Item 1 of the enacting terms of this Decision shall start running as of..... (date).

### **Explanatory note**

The Law on Prevention of Corruption (Official Gazette of Montenegro no. 53/14) introduces the obligation of all authorities to adopt integrity plans, in accordance with the Rules for development and implementation of the integrity plan. In this respect, and pursuant to Article 74, Paragraph 1 of this Law, it is stipulated that the head or the responsible person in the authority shall adopt the decision on the appointment of the Integrity Manager that is responsible for development and implementation of the integrity plan.

Based on the aforementioned it was decided as stipulated in the enacting terms of this Decision.

**LEGAL ADVICE:** An appeal may be lodged against this Decision to the responsible Appeals Commission within 8 days from the date of receipt of the Decision.

### **HEAD/RESPONSIBLE PERSON IN THE AUTHORITY**

DELIVERED TO:

- the appointed person
- file
- a/a

## **2. DECISION ON ESTABLISHMENT OF THE WORKING GROUP FOR PREPARATION AND DEVELOPMENT OF THE INTEGRITY PLAN**

Montenegro

Name of the authority

Ref. no.: 01-

Podgorica, ----- 2016

On the basis of Article ----- the head/responsible person in the authority hereby adopts the following

### **DECISION**

#### **On the establishment of the working group for preparation and development of the integrity plan**

1) The working group for preparation and development of the integrity plan is established, with the following composition:

- 
- 
- 
- 
- 
-

### **Explanatory note**

Task of the working group is to prepare a program for development of the integrity plan, to collect and analyze the necessary documentation related to the operations of the authorities, which serves as a basis for risk assessment and development of the integrity plan, to inform the employees about the need to adopt the integrity plan and to submit the proposal of the integrity plan to the head/ responsible person in the authority for adoption by \_\_\_\_\_ 2016.

The working group shall receive remuneration for work.

Based on the aforementioned it was decided as stipulated in the enacting terms of this Decision.

**LEGAL ADVICE:** An appeal may be lodged against this Decision to the responsible Appeals Commission within 8 days from the date of receipt of the Decision.

### **HEAD/RESPONSIBLE PERSON IN THE AUTHORITY**

DELIVERED TO:

- the recipient
- file
- a/a

### 3. PROGRAM FOR THE DEVELOPMENT OF THE INTEGRITY PLAN

AUTHORITY:

RESPONSIBLE PERSON:

MEMBERS OF THE WORKING GROUP:

DATE OF ADOPTION OF THE DECISION:

DATE OF COMMENCEMENT OF DEVELOPMENT:

#### **PHASE 1**

ESTABLISHMENT OF THE WORKING GROUP AND COLLECTION OF INFORMATION  
DATE:

##### 1. PREPARATORY PHASE

The Head adopts the decision on appointment of the working group (the Head)

No later than by:

2. Working group collects the necessary documentation, information from employees and prepares the program for development of the integrity plan (Working group)

No later than by:

3. Informing the employees about the need to adopt the integrity plan (Working group and the Head)

No later than:

#### PHASE 2

IDENTIFICATION OF EXISTING MEASURES

DATE:

## ASSESSMENT OF THE CURRENT SITUATION AND IDENTIFICATION OF RISK FACTORS

1. Interviews with employees
2. Filling out of the anonymous questionnaire via Internet (Working group)
3. Assessment of exposure to risks and discussion with employees (Working group)

No later than by:

## PHASE 3

### PLAN OF MEASURES TO INCREASE THE LEVEL OF INTEGRITY

DATE:

1. Informing the employees about risks of violation of integrity, assessment of exposure and plan of measures for improvement of integrity (the Head)
2. Filling out of the PI form and preparation of the final report (Working group)
3. Adoption of the developed integrity plan, together with improvement measures (the Head)
4. Development of the integrity plan of the institution finalized no later than by:

## 4. METHODOLOGY FOR ASSESSMENT OF RISK INTENSITY

### LEGEND OF TERMS AND SYMBOLS

Risk intensity is obtained by multiplying the probability and the consequence, using the risk matrix “probability (1-10) x consequence (1-10)” given in the figure below.

<b>CONSEQUENCE</b>	<b>serious</b>	10									
		9									
		8									
	<b>moderate</b>	7									
		6									
		5									
		4									
	<b>minor</b>	3									
		2									
		1									
		1	2	3	4	5	6	7	8	9	10
Risk intensity (consequence x probability)		<b>low</b>			<b>medium</b>			<b>high</b>			
		<b>PROBABILITY</b>									

### Overall assessment of risk of corruption and other forms of violation of integrity

- /H High Intensity Risk – Corruption or other forms of violation of integrity are already present in this process or it is highly probable that they will occur
- /M Medium Intensity Risk – Occurrence of corruption or other forms of violation of integrity in this process is possible, but this risk is managed with the control measures
- /L Low Intensity Risk – There is a small probability of occurrence of corruption or other forms of violation of integrity in this process, due to the existing control measures

**Risk assessment:**

Grades range from 1 to 100, and the grades from 1 to 15 represent “minimum probability” of occurrence of corruption or other forms violation of integrity with a “minor” consequence (**low intensity risk**), grades ranging from 16 to 48 represent “medium probability” of occurrence of corruption or other forms of violation of integrity with a “moderate” consequence (**medium intensity risk**), while grades ranging from 49 to 100 involve an “almost certain” occurrence of corruption or other forms of violation of integrity with a “very serious” consequence (**high intensity risk**).

**Status of risk since the previous control**

- ↔ No change
- ↑ Risk increase
- ↓ Risk reduction

**Date of control:**

**Controlled by:**

\*Legend:

Risk assessment	Low	Medium	High
	1-15	16-48	49-100

\*\*Legend:

Progress in risk status since the previous control	No change	Risk increase	Risk reduction
	↔	↑	↓

**5. THE INTEGRITY PLAN FORM**

RISK INVENTORY			RISK ASSESSMENT AND MEASUREMENT					REACTION TO RISK			OVERVIEW AND REPORTING ON RISKS	
Risk area	Work posts	Basic risks	Existing control measures	Residual risks	Probab.	Consequences	Assessment	Proposed measures for reduction/ eradication of risk	Responsible person	Deadline	St.	Short description and assessment of implementation of measure
<b>1. Management and governance</b>												
<b>2. HR policy, §ethical and professional behavior of staff</b>												
<b>3. Financial planning and management</b>												
<b>4. Data keeping and security of data and documents</b>												

<b>Special risk areas</b>													
<b>Risk area</b>	<b>Work posts</b>	<b>Basic risks</b>	<b>Existing control measures</b>	<b>Residual risks</b>	<b>Probab.</b>	<b>Consequences</b>	<b>Assessment</b>	<b>Proposed measures for reduction/ eradication of risk</b>	<b>Responsible person</b>	<b>Deadline</b>	<b>St.</b>	<b>Short description and assessment of implementation of measure</b>	
<b>5.</b>													
<b>6.</b>													
<b>7.</b>													

## **6. DECISION ON ADOPTION AND COMING INTO EFFECT OF THE INTEGRITY PLAN**

Montenegro

Name of the authority

Ref.no: 01-

Podgorica, ----- 2016

Pursuant to Article 71 Paragraph 1 of the Law on Prevention of Corruption (Official Gazette of Montenegro no. 53/14), the head/responsible person in the authority hereby adopts the following

### **DECISION**

- 1) The Integrity Plan of (name of the authority) is hereby adopted and comes into effect.
- 2) The Integrity Manager is obliged to submit the written report on implementation of measures contained in the Integrity Plan minimum once a year.
- 3) All employees in the authority are obliged to provide, at the request of the Integrity Manager, all the necessary information and documents necessary for efficient implementation of the Integrity Plan.

### **Explanatory note**

The Law on Prevention of Corruption (Official Gazette of Montenegro no. 53/14) introduces the obligation of all authorities to adopt integrity plans, in accordance with the Rules for development and implementation of the integrity plan, adopted by the Agency for Prevention of Corruption. In this respect, based on the Decision no. \_\_\_\_\_, the working group was established to prepare and develop the integrity plan, which worked continuously from \_\_\_\_\_ to \_\_\_\_\_ and prepared and submitted to the Head or Responsible Person in the Authority the proposal of the Integrity Plan for approval and adoption, which was fully adopted.

Based on the aforementioned it was decided as stipulated in the enacting terms of this Decision.

This Decision comes into effect on the date of its adoption.

**LEGAL ADVICE:** An appeal may be lodged against this Decision to the responsible Appeals Commission within 8 days from the date of publication thereof.

**HEAD/RESPONSIBLE PERSON IN THE AUTHORITY**

DELIVERED TO:

- the announcement board

- a/a