Minutes of
a meeting of the Management Board
of the European Union Agency for Network and Information Security
held on 11 October 2018 at the ENISA office in Athens

Summary

- The MB had an informal exchange on the draft proposal on the European Cybersecurity Competence Centres. The discussion will take place in the Council of the EU and in the European Parliament.

- The Executive Director presented activities of the Agency carried out to implement work programme 2018.

- The status of the implementation of the MB guidelines on the NLO network were presented by ENISA. The Chair underlined that 2018 didn't reach the expectations set by the MB and that the agenda of the January 2019 NLO meeting should focus mainly on the work programme implementation in order to allow NLO members to facilitate the participation of Member States' experts to ENISA's activities and in particular to the elaboration and review of ENISA "expertise" documents.

- The Director of the Commission's Internal Audit Service presented the results of a recent audit on stakeholders involvement in the work programme implementation/deliverables production. The MB thanked the IAS for his presentation. The Chair underlined that several conclusions of the report echoed orientations already set by the MB.

- The MB approved six rules implementing Staff Regulations, namely, on part time, on working hours, on appraisal of middle managers, on middle management, on outside activities, on the non-application of duration of contract. The MB discussed as well the issue of teleworking. The Chair regretted that the related implementing rules weren't more agile, whereas teleworking could be used to make ENISA more attractive, in an extremely digital security competitive environment.

- On Programming document 2019-2021:

    o Final round of consultations would be launched after the MB meeting.

    o Programming document 2019-2021, Statement of Estimates 2019 and Establishment plan 2019 would be adopted by written procedure.

- A proposal for drafting the WP2020 was presented by ENISA. The MB agreed that ENISA should come up with two skeleton versions: 1) an initial proposal of outputs according to the drafting process established last year, and 2) a proposal outlining articles of the draft new mandate of ENISA.

Participants

Member States' Representatives: Reinhard POSCH (AT), Krasimir SIMONSKI (BG), Damir SUSANJ (HR), Antonis ANTONIADES (CY), Roman PACKA (CZ), Thomas WULFF (DK), Uku SAREKANNO (EE), Maija RONKA (FI), Jean-Baptiste DEMAISON (Chair, FR), Martin BIERWIRTH (DE), Theofanis ANAGNOSTOPOULOS (EL), Kevin FOLEY (IE), Rita FORSI (IT), Sanita ZOGOTA (LV), Matthew YEOMANS (MT), Hans DE VRIES (NL), Lino SANTOS (PT), Catalin ARAMA (RO), Rastislav JANOTA (SK), Goran BOZIC (SI), Jorgen SAMUELSSON (SE), Sarah BAILEY (UK)

Representatives of the European Commission: Ken DUCATEL (DG DIGIT), Despina SPANOU (DG CNECT)

Representative of the EEA (Observers): Hilde GOUTAL MULLER (NO), Sigurdur PALSSON (IS),

Apologies: from LT, PL, LU, ES

Proxies from LU to AT, from LT to LV, from ES to EL, from PL to FR

In attendance:
ENISA:
Paulo EMPADINHAS (Head of Resources Department), Udo HELMBRECHT (Executive Director), Steve PURSER (Head of Core Operations Department), Aidan RYAN (Legal Officer), Ingrida TAURINA (MB Secretariat)

Observers:), Miguel GONZÁLEZ-SANCHO (DG CNECT), Alexandros GONIADIS (DG CNECT), Andres RUIZ (ES), Gerhard SCHABHÜSER (DE), Martin SPAET (DG CNECT)

ITEM 1
Opening of the meeting and announcements of the Chair
Adoption of the agenda
Approval of the minutes of the previous meeting
The Chair opened the meeting of the ENISA Management Board (MB) and announced apologies from absent members, presence of observers, and proxy votes received.

The Chair continued with a brief presentation of the agenda and invited the MB to adopt it. The Agenda was unanimously adopted (Annex I to the minutes).

The minutes of the previous Informal MB meeting held on 19 July 2018 were adopted as well with an editorial note that names of speakers should be changed to the represented institution.

ITEM 2
Information by the European Commission
The Commission gave a presentation on the draft proposal on the European Cybersecurity Competence Centres. Particular reference was made in relation to the proposed governance structure with ENISA being a permanent observer. The Commission noted that it intends to visit member states to explain the proposal. Some member states took the floor to note that the role of the European Cyber Security Organisation (ECSO) in this proposal could be clarified. It was also noted that the right forum for this debate is at the Horizontal Working Party of the Council of European Union.

The Commission also briefly updated the meeting on the status of ongoing discussions between the European Parliament and the Council on the draft Cybersecurity act.

The Board took note on the information provided.

ITEM 3
Report by Executive Director on the activities of the Agency
A presentation was given by ENISA on the activities carried out to implement work programme 2018. Topics covered included all operational activities, the status of Art 14 requests, the budget, staff retention, communications, facilities management, including office space in Athens, as well as audit recommendations.

The Board was also informed about the recent developments in relation to the Seat Agreement between ENISA and the Hellenic Republic. The draft provides that the seat of ENISA should be in the metropolitan area of Athens. Once the internal service consultations are completed by the Hellenic Authorities, the draft Seat Agreement will be signed.

EL took the floor to note with satisfaction that the long-standing issues would be addressed with this Seat Agreement by making ENISA strong and attractive place to work at. He thanked ENISA, the Ministry of Foreign Affairs, and other Hellenic Authorities for their efforts to reach this agreement.

On another note, NL advised the Board that ENISA's work on CSIRT maturity framework based on the SIM3 maturity model is well recognised and that NL would like to support this by generalising this framework for global use in context of the Global Forum on Cyber Expertise. No objections were raised by the Board.

The Board continued with a discussion on human resources at ENISA. The issue was already addressed by the ENISA Executive Board and it was agreed that a survey will be carried out by ENISA for the Management Board to gather views on recruitment challenges at national level.

The Board pointed out that positive branding of organisation is critical for young professionals. The Board recognised that the cybersecurity market is highly competitive. The HR process at ENISA has improved recently but further efforts are required by diversifying skills recruited. Communications experts, policy experts, and trainers were mentioned by the Chair as targets in addition to cybersecurity exerts.

ENISA thanked the Board for the exchange of views and concluded that challenge of this agency is to translate technical reports into easy and understandable language for policy makers and general audience.

The Board took a note of the information provided

ITEM 4
Implementation of the MB guidelines on NLO Network
The Chair reminded to the Board that in 2017 October the Board approved NLO guidelines. These guidelines require a report from ENISA to the MB. ENISA has drafted a report and prepared slides, which were circulated in advance to the Management Board.

Chair also noted that the NLO meeting held in 2018 focused on policy discussions carried out in other forums instead of focusing on the work program implementation as clearly stated in the guidelines.

The Chair underlined the importance that the January 2019 NLO meeting focus on the work programme implementation in order to allow NLO members to facilitate the participation of Member States' experts to ENISA's activities and in particular to the elaboration and review of ENISA "expertise" documents.

ENISA explained to the Board that due to budgetary constraints the next NLO meeting will be organised in 2019 only.

ITEM 5
Programming Document 2019 - 2021
The Chair opened the discussion by indicating that the opinion of the European Commission is mandatory to adopt the programming document. It was concluded that the programming document will be adopted by written procedure in November 2018.

The changes from previous version were briefly presented by ENISA.

The floor was taken by several members of the Board. The following aspects were raised:
- An activity should be introduced to address access rights of the CSIRT community to the WHOIS database due to the GDPR; it was clarified that outputs of the CSIRT Network are general to allow unforeseen activities subject to available human and financial resources.
- ENISA will update the Section II, in particular years for the multiannual planning without changing the text.
- the Commission concluded that activities foreseen in the scenario 2 were not contradictory to the ongoing discussions on the draft Cybersecurity act.
- The Commission and DE noted that additional comments will be provided in writing after the meeting.
- In order to fit into budget and resources available under Multiannual Financial Framework and figures foreseen under the draft Cybersecurity act, two scenarios would be provided in the document with clear marking. The Board agreed that the implementation of the scenario 2 activities would be subject to the approval of the Cybersecurity act. The Board also agreed that this would be reflected in the adopting decision.

The Chair thanked for comments provided and concluded that ENISA would update the Programming Document 2019-2021 with comments provided so far and will launch the final consultation by 2 November 2018. After this date the final version would be created for adoption by written procedure.

ITEM 6
Statement of estimates 2019
Establishment plan 2019
Given the discussion under the agenda item 5 (Programming Document 2019-2021), the Board concluded that minor adjustments were required to align figures of the Draft Budget 2019 with the final version of the Programming Document 2019-2021. These documents would be adopted by written procedure, together with the Programming Document 2019- 2021.

To the question from SE about who decides the budget for ENISA, the Executive Director confirmed that it is the Budget Authority (the Council and the European Parliament). ENISA also explained, however, that Member States may suggest deletion of particular activity or creation of a new activity in the draft Work Programme.

ITEM 7
Presentation by the IAS
A presentation was given by IAS on the objectives and findings of the recent audit on stakeholders involvement in the work programme implementation/deliverables production. The very important findings were presented to the Board along with the identified actions. IAS outlined that ENISA has put an effort to establish stakeholder's management policy. The slides presented were circulated to the Board prior the meeting.

The Board thanked the IAS for its report and the Director of the IAS and his team for their participation to the meeting. It exchanged views with the IAS representatives on the role of Permanent Stakeholders Group in the process of drafting annual work programme, the definition of stakeholders, and the need to mitigate risks. The Chair underlined that several conclusions of the report echoed orientations set by the MB to ENISA in the last two years, with regard to the need for an increased involvement of its stakeholders and improved processes in this regard. This was, in particular, illustrated with the adoption, last year, of guidelines on the principles and objectives of the NLO network in view of strengthening ties between experts from ENISA and from the Member States, ENISA's primary stakeholders. These already agreed recommendations could usefully be taken into account by ENISA in its action plan in response to the IAS' report recommendations.

The Commission noted that the stakeholder issue is also being discussed in the context of the new mandate for ENISA.

ITEM 8
MB Decisions on rules implementing Staff Regulations
ENISA has drafted the presented decisions after consultation with the Commission services and the Staff Committee. These decisions have been scrutinised by the Executive Board.

ENISA explained that two types of decisions have been drafted:
-   Drafted for adoption by analogy to the Commission rules;
-   Drafted based on the model agreed between COM services and Standing working party.

The following decisions of the Management Board were approved by the Management Board without further comments:
1) **On working time**
2) **On Middle management**
3) **On the non-application of duration of contract**
4) **On outside activities**
5) **On part- time**
6) **On appraisal middle management (amendment)**

The MB discussed as well the issue of teleworking. The Chair regretted that the related implementing rules weren't more agile and didn't allow structural teleworking for ENISA staff, which could make the Agency more attractive to staff throughout Europe, by allowing families to remain in the countries of origin. It was advised to consider this aspect if the model decision which was agreed between the Agencies and the Commission services would be reconsidered in the future. It was also noted that in ordert to win the war on talents, ENISA should be able to activate all available levels. Teleworking could have been seen as a very efficient one.

ITEM 9
Programming document 2020-2021
ENISA gave a brief overview of the envisaged process for drafting the programming document 2020-2021 and suggested to draft work programme 2020 using the structure of the new regulation (by articles) . A mapping exercise was carried out by ENISA. These slides were circulated to the MB prior the meeting.

The Board concluded that in its meeting in November the Board would analyse outputs and agree on whether to continue the output for 2020 or discontinue. ENISA would suggest new outputs to respond to the tasks provided in the new mandate.

The Board continued with a brief exchange of views on the ENISA strategy beyond 2020. DE noted that the design of the strategy should be left for a new director and recommended to have this discussion in Q4 2019.

The Chair thanked for the exchange and invited ENISA to prepare two structures. One based on the articles of the new mandate; and other one based on the current model of the work programme 2019 since some articles can be integrated into the current activities.

ITEM 10
Date and venue for future meetings
The Board approved proposed calendar of meetings in 2019 (Annex II to the minutes) and agreed to hold informal meeting on 29 November 2018 to discuss a draft work programme 2020.

AOB
The Board agreed that those members who wish their email address to be added to the NLO mailinglist should inform the MB Secretariat.

Closure of the meeting
The Chair thanked the Meeting for discussions and cooperation, and closed the meeting.

For the Management Board

[signed]

Jean Baptiste Demaison
The Chairperson

Management Board Ordinary Meeting

Agenda

Update on 10.10.2018. Adoption of minutes of the previous meeting

Agenda item A - scrutinised by the Executive Board

Agenda item B – other items

TIMING	ITEM NUMBER		ITEM	DOCUMENTS AND PRESENTATIONS	ACTION
8:45	Registration, reimbursement claims, annual declaration forms, CVs				
9:00 – 9:10	B	1	Opening of the meeting, opening address, announcements Adoption of the agenda New! Adoption of the minutes of the previous meeting	Opening of the meeting by the Chair Announcements by the Chair Draft Agenda Draft minutes of the previous meeting	**For information/ Adoption**
			2018 REPORTS		
9:10 - 9:30	B	2	Information by the COM	Updates from the COM services	**For information** **Exchange of views**
9:30 – 10:45	B	3	Report by Executive Director on the activities of the Agency	The ED's Report-presentation including: - Work Programme 2018 implementation; - Current status of Art.14 requests - Implementation of Budget 2018; - Implementation of MoUs on cooperation; - Internal audit and Court of Auditors; - ENISA's communications coverage; - Buildings; - Seat agreement	**For information** **Exchange of views**
10:45 – 11:10	B	4	Implementation of the MB guidelines on NLO Network	Presentation by ENISA	**For information** **Exchange of views**
11:10 – 11:20	Coffee Break				
11:20- 11:45	Family picture				
			2019 PLANNING		
11:45 – 12:45	B	5	Programming Document 2019 - 2021	1) Draft Programming document 2019-2021 clean version; 2) Draft Programming document 2019	**For possible adoption**

TIMING	ITEM NUMBER		ITEM	DOCUMENTS AND PRESENTATIONS	ACTION
				– 2021 track changes; 3) A table summarising changes;	
12:45 – 13:00	A	6	Statement of estimates 2019, Establishment Plan 2019	1) Draft statement of estimates 2019 2) Draft Establishment plan 2019	**For possible adoption**
13:00 – 13:30	B	7	Presentation by the IAS	To be confirmed by IAS Presented by the Director IAS.A Mr Reinder van der Zee	**For information**
13:30-14:45	**Lunch**				
	IMPLEMENTING RULES				
14:45 – 15:20	A	8	MB Decisions on rules implementing Staff Regulations	8.1.Draft MB Decisions based on a model agreement between the COM services and the EU Agencies Standing working party: 7) On working time 8) On Middle management 9) On the non-application of duration of contract 8.2.Draft MB Decisions applying the respective COM rules by analogy: 10) On outside activities 11) On part- time 12) On appraisal middle management (amendment)	**For adoption**
	2020 PLANNING				
15:20 – 16:15	B	9	Programming document 2020-2022	Presentation by ENISA - an approach; - a timeline	**For information** **Exchange of views**
16:15 – 16:30	B	10	Date and venue for future meetings	1) MB Informal meeting (for WP 2020): November 2018: date/place TBC 2) MB Ordinary meeting (if ENISA mandate is adopted in Q1/Q2 of 2019: two ordinary meetings are required March 2019 October 2019	**For adoption**
16:30 – 17:00	B	AOB			
Closure of the meeting					