

Practice Name:

NTA Complaint Management and Control System

Country:

Greece

Practice category:

- Reviews and analysis



Contact:

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Fraud risk(s) countered

- Other

Context and objective(s)

In 2019, a Greek Law 4622/2019 created the **National Transparency Authority (NTA)** as an Independent Authority by merging five audit bodies and one coordination body to serve as **AFCOS**; it is now staffed by 503 employees, of which 320 are auditors. NTA constitutes a significant administrative reform in the area of the fight against corruption in Greece.

Merging the audit bodies resolved the problem of the fragmentation and overlapping of competences during audits and reinforced the role of AFCOS as it now has operational/audit competences, which are carried out in accordance with international auditing standards. NTA is also active in the field of prevention and public awareness-raising regarding corruption, using modern methodological tools.

Anti-fraud cycle steps	Area covered	Single / Package	Type of Measure	New / Amendment	Scope	Reason for measure / expected results	Horizontal / sectoral
Prevention	Public procurement, corruption, conflict of interest, AFCOS, Whistleblower, Shared management and control of EU funds, antifraud or anticorruption strategy	Package	Legislative	N	Competences, powers, definition of a specific topic	ending overlapping competences, standardising auditing standards, streamlining the human resources; cost-efficiency	S
Detection							
Investigation and prosecution			Operational	N/A	IT tools ('IT data feeding', 'Other IT'), web reporting/hotline, risk indicators, increased number of checks, structured cooperation with law enforcement and judicial authorities	Enhanced cooperation, coordination and information flow; targeting of checks and investigations	

AFCOS participates as a member without voting rights in the **Monitoring Committees** of the Regional and Sectoral Operational Programmes. At the suggestion of DG REGIO, the AFCOS started displaying a very dynamic presence in these Monitoring Meetings.

During the meetings, AFCOS presents the achievements of its work and statistics regarding the programmes, while also promoting the need for citizens to be more involved in the complaint process. Furthermore, the representatives and the Managing Authorities (MA) closely discuss the notification on any actions that still need to take place from their side.

Description of the practice

DG REGIO also suggested developing a system for extracting statistical data on complaints. This was developed by AFCOS based on the Management of Complaints and via two channels:

1. Through the official website of the ESPA (National Strategic Reference Framework) (www.espa.gr) as well as all the official websites of the operational programs (sectoral and regional): there is an option that reads "Complaints for co-financed projects". When someone selects this link, from whatever website they enter, it leads to an electronic complaint submission form, which is sent to AFCOS.
2. If complaints are sent by post to the MA or the Audit Authority (AA) (EDEL – Committee of Financial Control) they are also forwarded to AFCOS.

Following the analysis of the complaints, **a series of elements are recorded and filed:**

- complaint protocol number/unique complaint ID number, year of receipt,
- anonymous or non-anonymous source, name of the complainant (name also included if given)
- service from which the complaint was forwarded (directly or through another Service),
- body against whom the complaint has been submitted, Operational Programme, Fund, programming period, title of project, sub-project, complaint, initial evaluation (allocation under one category between A,B,C,D – categorisation set internally by AFCOS), complaint transmission agency, complaint transmission protocol number, complaint stage (Evaluation, monitoring, completion), competent control body of the complaint (specific MA),
- final evaluation (following a finding by the competent audit body), either conclusion that the findings were unfounded or corrective measures (administrative and/or legal measures taken by the competent authority/prosecutor), ultimately ineligible amounts (after audit conclusion), observations – comments.
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Various statistics areas assembled: number of received complaints per year, per programming period, per fund, per operational programme, per category of complaint, percentages of complaints completed/pending and/or under evaluation, and more.

The statistics are presented to the **Monitoring Committees** divided into three broad categories:

1. General information about the NTA and developments in the area of co-financed fraud (e.g. establishment of EPPO, transposition of directives),
2. General statistics of complaints for Greece,
3. Special statistics on complaints in the OP under discussion.

Unique features

The last section of statistical data has many benefits. AFCOS can inform **the stakeholders** on how many complaints it sent for review, for how many of them it received findings and how many more complaints are pending (and so they are obliged to check them as well). Useful **conclusions** are also drawn about the usual allegations in the Operational Program: for example, how many cases have been forwarded to the prosecutors (on suspicion of fraud). The practice **emphasises the need for public awareness** on corruption and fraud, and the ability of citizens to make public complaints if they detect something suspicious.

The practice creates a **regular platform for dialogue** between the MAs and AFCOS. It creates an environment for closer cooperation and the reassurance that AFCOS work side by side with the MAs. Its role is to help the MAs rather than investigate them.

Outcomes and results

The practice created a **concrete baseline for the comparison of complaint trends** throughout the years and can, therefore, clearly portray the decrease in fraud and corruption cases involved in EU-funded programmes. Taking the 2019 NTA report on the Operational Programme “Human Resources Development, Education and Lifelong Learning 2014-2020” into consideration, one can see that the number of complaints gradually increases over time, demonstrating that citizens and public officials show trust in the public complaint process of AFCOS. At the same time, the number of confirmed fraud cases brought forth through the complaint system did not see a significant increase. In other words, the increase in citizens’ complaints to AFCOS did not raise the number of confirmed fraud cases, but rather they have seen a decrease.

Finally, it is now common practice that MAs present any **loose ends and open cases** to AFCOS. This yielded important results in many cases, as MAs forwarded the findings and data to AFCOS that they had previously overlooked.

The practice of the NTA has received recognition from the EC and several local social and industry organisations (for example the Panhellenic Association for People with Disabilities). The practice has also shown very positive effects both in practical matters, as with the monitoring of pending complaints, but also in raising public awareness towards the matter of corruption and fraud in Greece.

Key success factors

For the practice to be deemed successful, **precise coordination and communication** between relevant institutions that deal with fraud and corruption in the country are key. In the case of the Greek NTA, the merger of such authorities and audit bodies under the same roof helped eliminate miscommunication and delays caused by possible overlapping competences of those institutions.

Furthermore, the creation of **an internal system** that correctly allocates complaints across relevant bodies and ensuring they reach AFCOS, proved to be an invaluable part of the process. Finally, **precise analysis and filing** of the gathered data is imperative.

Challenges encountered & lessons learned

The greatest challenge with this practice was at the start of the project when AFCOS became involved in the Monitoring Committees. In 2015, MAs received their first request to appoint an AFCOS representative to their Committees. Initially, some MAs did not appoint one at all, as it required them to amend their regulations to allow for that, while others appointed a representative, but gave him/her voting rights (even though the request clearly specified that representatives do not have such rights).

Only after some time, most MAs finally correctly appointed a representative, with the exception of those under European territorial programmes (ETC) in which, for now, AFCOS does not participate.

Furthermore, the activity and involvement of AFCOS in the Monitoring Committees meetings was initially rejected by higher management in the Ministry of Justice (of which AFCOS was a part before becoming an independent authority with the creation of the NTA). Following instigation from the European Commission, AFCOS became highly involved in the meetings and now enjoys bigger flexibility in the range of its responsibilities.

Potential for the transferability

An active role of AFCOS in Monitoring Committees is welcome in other EU member states, as well as a specific and clear tool extracting useful statistical data on complaints.