

Proposal for a Decision of the European Parliament, the Council, the Commission, the Court of Justice, the Court of Auditors, the Economic and Social Committee, the Committee of the Regions and the Ombudsman establishing a European Communities Recruitment Office

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(Submitted by the Commission on 6 March 2002)

THE EUROPEAN PARLIAMENT, THE COUNCIL OF THE EUROPEAN UNION, THE COMMISSION OF THE EUROPEAN COMMUNITIES, THE COURT OF JUSTICE, THE COURT OF AUDITORS, THE ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS AND THE EUROPEAN OMBUDSMAN,

Having regard to the Staff Regulations of officials of the European Communities, and in particular the third paragraph of Article 2 thereof, and to the Conditions of employment of other servants of the European Communities, as laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾,

Having regard to the opinion of the Staff Regulations Committee,

Whereas:

- (1) In the interests of making efficient and economic use of resources, a single interinstitutional body should be entrusted with the means of selecting officials and other servants to serve the European Communities.
- (2) The interinstitutional body so established should have the task of drawing up aptitude lists from among candidates in open competitions in line with needs and in compliance with the Staff Regulations, the decisions to appoint successful candidates being taken by each appointing authority.
- (3) On the same terms, the interinstitutional body should also be able to assist the institutions, bodies, offices and agencies established by or in accordance with the Treaties with their internal competitions and the selection of other servants,

HAVE DECIDED AS FOLLOWS:

Article 1

Establishment

A European Communities Recruitment Office (hereinafter referred to as 'the Office') is hereby established.

⁽¹⁾ OJ L 56, 4.3.1968, p. 1.

Article 2

Powers

1. The Office shall exercise the powers of selection conferred under the first paragraph of Article 30 of the Staff Regulations and under Annex III thereto on the appointing authorities of the institutions signing this Decision. In exceptional cases only and with the agreement of the Office, the institutions may hold their own open competitions to meet specific needs for highly specialised staff.

2. Where the powers referred to in paragraph 1 are conferred on the appointing authority of a body, office or agency established by or in accordance with the Treaties, the Office may exercise such powers at the request of the latter.

3. The decisions to appoint successful candidates shall be taken by the appointing authorities of the European Parliament, the Council, the Commission, the Court of Justice, the Court of Auditors, the Economic and Social Committee, the Committee of the Regions and the Ombudsman and by any body, office or agency established by or in accordance with the Treaties which has delegated its powers to, or called on the services of, the Office.

Article 3

Duties

1. In response to requests made to it by the appointing authorities referred to in Article 2, the Office shall draw up aptitude lists from among candidates in open competitions as referred to in the first paragraph of Article 30 of the Staff Regulations and in accordance with Annex III thereto.

2. The Office may assist the institutions, bodies, offices and agencies established by or in accordance with the Treaties with internal competitions and the selection of other servants.

Article 4

Requests, complaints and appeals

In accordance with Article 91a of the Staff Regulations, requests and complaints relating to the exercise of the powers conferred under Article 2(1) and (2) of this Decision shall be lodged with the Office. Any appeal in these areas shall be made against the Commission.

*Article 5***Implementation**

The Secretaries-General of the European Parliament, the Council and the Commission, the Registrar of the Court of Justice, the Secretaries-General of the Court of Auditors, the Economic and Social Committee and the Committee of the Regions and the representative of the Ombudsman shall by

mutual agreement take the measures necessary to implement this Decision.

*Article 6***Effective date**

This Decision shall take effect on ...

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Decision of the Secretaries-General of the European Parliament, the Council and the Commission, the Registrar of the Court of Justice, the Secretaries-General of the Court of Auditors, the Economic and Social Committee and the Committee of the Regions, and the representative of the Ombudsman on the organisation and operation of the European Communities Recruitment Office

The Secretaries-General of
the European Parliament,
the Council,
the Commission,
The Registrar of the Court of Justice,
The Secretaries-General of
the Court of Auditors,
the Economic and Social Committee,
the Committee of the Regions,
and the representative of the Ombudsman,

Having regard to the Staff Regulations of officials of the European Communities and the Conditions of employment of other servants of the European Communities, as laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾,

Having regard to the Decision of the European Parliament, the Council, the Commission, the Court of Justice, the Court of Auditors, the Economic and Social Committee, the Committee of the Regions and the Ombudsman of ... establishing a European Communities Recruitment Office, and in particular Article 5 thereof,

Whereas:

- (1) Pursuant to Article 27 of the Staff Regulations, the institutions are committed to ensuring that recruitment is directed to securing the services of officials of the highest standard of ability, efficiency and integrity, recruited on the broadest possible geographical basis from among nationals of Member States of the Communities, without distinction as to race, political, philosophical or religious beliefs, sex or sexual orientation and without reference to their marital status or family situation.
- (2) The second subparagraph of Article 1(1) of Annex III to the Staff Regulations sets out the area of responsibility of the common Joint Committee and the second paragraph of Article 3 of that Annex outlines the way the members of the Selection Board are to be appointed for the purpose of organising open competitions,

⁽¹⁾ OJ L 56, 4.3.1968.

HAVE DECIDED AS FOLLOWS:

Article 1

Tasks of the Office

1. The Office shall organise open competitions with a view to securing the services of officials on optimal professional and financial terms for the institutions of the European Communities. The Office shall draw up reserve lists enabling the institutions to recruit highly qualified staff meeting the needs determined by the institutions.
2. More specifically, the Office's tasks shall be to:
 - (a) organise open competitions at the request of individual institutions with a view to drawing up reserve lists of suitable applicants for appointment as officials. The competitions shall be organised in compliance with the Staff Regulations, on the basis of harmonised criteria laid down in accordance with Article 6(c) and in compliance with the work programme approved by the Management Board;
 - (b) cooperate closely with the institutions with a view to assessing future staff needs and preparing and implementing a programme of competitions to meet those needs in a timely manner;
 - (c) develop selection methods and techniques on the basis of best practice and in line with the skills profiles laid down for the various categories of staff of the institutions;
 - (d) administer and check the use of reserve lists;
 - (e) submit annual reports to the institutions on its activities.

Article 2

Responsibilities of the institutions

The Appointing Authority of each institution shall make available to the Office a sufficient number of Selection Board members, examiners and invigilators on the basis of the 'quota' approved by the Management Board as provided for in Article 6(i), to enable the selection procedures to proceed smoothly in accordance with Article 3 of Annex III to the Staff Regulations.

Article 3

Other services

1. Under an agreement between the Head of the Office and any body, office or agency, the Office may organise selection procedures for staff to be recruited by such bodies, offices or agencies. Before concluding such an agreement, the Head of the Office shall seek the approval of the Management Board. Any such agreement shall cover the financial arrangements relating to the services provided by the Office.
2. Where requested, the Office may provide technical support for internal competitions organised by individual institutions, bodies, offices or agencies.
3. At the request of individual institutions, the Office shall organise the selection procedure for other servants with a view to drawing up reserve lists of suitable applicants and/or databases from which the individual institutions may recruit other servants.
4. These activities shall be included in the Office's work programme in accordance with Article 6(f), provided that the request is submitted in a timely manner by the institution in question.

*Article 4***Complaints and requests**

1. The Head of the Office shall exercise the powers conferred on the Appointing Authority under Article 90 of the Staff Regulations in respect of all requests or complaints relating to the tasks of the Office.
2. In the event of any such complaints, the Head of the Office shall consult the Chairman of the Management Board where he or she intends to endorse the original decision.
3. The Office shall answer requests from the European Ombudsman concerning any matter falling within its area of responsibility under this Decision.

*Article 5***Management Board**

1. A Management Board shall be set up for the Office, comprising one member appointed by each institution and three staff representatives with observer status appointed by common assent by the staff committees of the institutions.
2. The Management Board shall elect a Chairman for a two-year term by a simple majority from among its members.
3. The Management Board shall adopt its rules of procedure by a simple majority after submitting them to the institutions.
4. The Management Board shall meet at the initiative of the Chairman or at the request of one of its members.
5. Where the Management Board takes a decision by a simple majority, each institution shall have one vote. Where votes are tied, the Chairman shall have the casting vote.
6. Where the Management Board takes a decision by a qualified majority, the votes allotted to the institutions shall be as follows: Commission, 18 votes; European Parliament, 7 votes; Council, 7 votes; Court of Justice, 3 votes; Court of Auditors, 2 votes; Economic and Social Committee, 2 votes; Committee of the Regions, 2 votes; Ombudsman, 1 vote. A qualified majority shall be 24 votes cast in favour.

*Article 6***Tasks of the Management Board**

In the common interest of the institutions, the Management Board shall:

- (a) acting by a qualified majority, approve the rules governing the running of the Office;
- (b) acting by a simple majority on a proposal from the Head of the Office, approve the organisational structure of the Office;
- (c) acting by a simple majority on proposals from the Head of the Office, approve the principles governing the selection policy to be followed by the Office;
- (d) acting by a simple majority under the budget procedure on the basis of a draft drawn up by the Head of the Office, draw up an estimate of the Office's revenue and expenditure and send it to the Commission with a view to the drawing-up of the estimate of the Commission's revenue and expenditure; at the same time it shall propose to the Commission any adjustments to the Office's establishment plan that it deems necessary;
- (e) acting by a simple majority, approve the type of and the rates chargeable for additional services that the Office may perform against payment for the institutions, bodies, offices and agencies and the conditions under which the Office may perform them;

- (f) acting unanimously on a proposal from the Head of the Office, approve the work programme, and in particular the scheduling of and timetable for competitions to be organised. The work programme shall also cover services not relating to open competitions organised for the institutions, bodies, offices and agencies;
- (g) acting by a qualified majority on the basis of a draft prepared by the Head of the Office, approve an annual management report covering all individual revenue and expenditure headings relating to work performed and services provided by the Office. Before 1 May each year, it shall send the institutions the report on the preceding financial year, drawn up in the light of the analytical accounts;
- (h) acting by a simple majority, approve a fair, balanced breakdown of the variable and direct costs to be charged for analytical purposes to the individual institutions and update it every three years;
- (i) acting by a simple majority on the basis of recruitment needs, agree on rules whereby each institution is to make a suitable number of Selection Board members, examiners and invigilators available to the Office;
- (j) acting by a simple majority, approve the conditions under which the Office may grant agreement to the institutions to organise their own competitions in accordance with Article 2(1) of the Decision of the institutions.

Article 7

Appointment of staff

1. The Office shall be administered by a Head appointed by the Commission after the Management Board has issued a favourable opinion by a simple majority. The Management Board shall be closely involved in any procedures to be followed before the Head of the Office is appointed, and in particular in the drafting of a notice of vacancy and the consideration of the applications.
2. The Head of the Office shall be the Appointing Authority for the staff of the Office.
3. The Commission, as far as the Head of the Office is concerned, and the Head of the Office, as far as the staff for whom the latter is the Appointing Authority are concerned, shall inform the Management Board of appointments made, contracts signed, promotions granted and disciplinary proceedings initiated against officials or other servants.
4. The officials of all Community institutions shall be informed of posts vacant within the Office as soon as the Appointing Authority decides to fill those posts.
5. The Head of the Office shall be appointed for a term of five years, renewable for one further term.

Article 8

Tasks of the Head of the Office; management of staff

1. The Head of the Office shall be responsible for the smooth running of the Office. Within the area of responsibility of the Management Board, he or she shall act under the authority of the latter. He or she shall provide secretarial services for the Management Board, shall report to it on the performance of his or her duties and shall submit to it any suggestion for the smooth running of the Office.
2. Administrative procedures connected with the day-to-day management of personnel, such as salaries, leave, and sickness, accident and retirement insurance, shall be carried out under the same conditions as for the officials and other servants of the Commission. That list shall not be exhaustive and the Office may extend it to cover other areas in agreement with the Commission.

*Article 9***Financial matters**

1. The appropriations allocated to the Office, the total amount of which shall be entered in a separate budget heading within the section of the budget relating to the Commission, shall be set out in detail in an annex to that section. That annex shall take the form of a statement of revenue and expenditure, subdivided in the same way as the sections of the budget.
2. The establishment plan of the Office shall be annexed to the Commission's establishment plan.
3. On the basis of a proposal from the Management Board, the Commission shall, as regards the appropriations for the Office entered in the annex, delegate the powers of authorising officer to the Head of the Office and shall set the limits and conditions applying to that delegation of powers. At the end of the financial year the Management Board shall inform the budget authority of the breakdown of amounts obtained in return for extra services provided by the Office, within the budget heading in the annex.
4. The Office's accounts shall be drawn up in accordance with the accounting rules and methods laid down by the Commission accounting officer. The Office shall keep separate accounts of revenue from payments for services provided.

*Article 10***Review**

This Decision shall be reviewed after a period of three years following the establishment of the Office.

*Article 11***Effective date**

This Decision shall take effect on . . .

DRAFT**Agreement between the Secretaries-General of the European Parliament, the Council and the Commission, the Registrar of the Court of Justice, the Secretaries-General of the Court of Auditors, the Economic and Social Committee and the Committee of the Regions, together with the representative of the mediator setting out the common principles for a shared selection and recruitment policy and the principles for managing reserve lists**

In the context of establishing a Recruitment Office for the European Communities, the Secretaries-General of the Institutions hereby undertake to promote a steady improvement in the staff selection processes of the Union, based on common, transparent and efficient procedures.

In this connection, they call on the members of the Management Board, in collaboration with the Director of the Office, to institute a shared selection system on the basis of the principles set out below.

The Secretaries-General also undertake to cooperate closely in areas involving the preparation of competitions, the management of reserve lists and the harmonisation of classification criteria in line with the principles set out below.

1. PREPARATION OF COMPETITIONS

- The Recruitment Office shall hold regular meetings with the Institutions in order to coordinate the preparation of competitions and the drafting of notices of competition.
- The Recruitment Office shall draw up and implement a programme of open competitions on the basis of the needs and requirements indicated by the Institutions. Appropriate machinery shall be set up between the Recruitment Office and the Institutions to guarantee that the needs of the Institutions in terms of generalist and specialist staff, including linguists and specialists in the field of research, are met in a timely fashion.
- Each Institution shall inform the Office of its recruitment needs for the next three years. The Office shall draw up a rolling three-year forward programme, to be updated at least every six months, with a view to meeting the needs of the Institutions in the best way possible.
- The work programme shall consist of an indicative timetable for each competition to be organised as well as a target length for the reserve list.
- The Institutions hereby commit themselves to improving their forward planning and to providing staff members to sit on selection boards sufficiently early for the Office to be able to programme its tasks, identify priorities and meet its timetable.
- Without prejudice to Article 2(2) of the Decision of the Secretaries-General of [date], all competitions shall be published as inter-institutional competitions even where one or more Institutions have not asked to be able to recruit candidates from the reserve list.

2. SELECTION POLICY AND PROCEDURES**2.1. Transparency for candidates**

- A shared user-friendly website on recruitment and an electronic mailing list for future competitions shall be set up so that potential applicants can be informed regularly about the opportunities available.
- A shared and more streamlined application form and a more straightforward standard notice of competition shall be devised.

- Applicants shall be informed in an appropriate way of the assessment criteria to be applied in competitions.
- Applicants shall be informed clearly about their rights of appeal, in particular recourse to the European Mediator.
- Applicants sitting written multiple-choice tests shall be allowed to keep the test paper on leaving the examination room (unless the contents are protected by copyright) and to obtain a copy of the correct answers on request from the Office.
- The names of selection-board members shall be published in the *Official Journal of the European Communities*, as well as the list of successful applicants at the end of the competition procedure, subject to provisions on the protection of personal data.
- Applicants shall be allowed access on request to their test papers and the assessment of the selection board, subject to provisions on the confidentiality of the board's deliberations.

2.2. Language skills

- Applicants must know one official language other than their native language, but they shall be informed that some positions and some Institutions may demand specific language qualifications when recruiting from the reserve lists and that each Institution will consequently be recruiting on the basis of its own requirements regarding language and other skills. (To ensure proper transparency, where some Institutions have particular language preferences these must be clearly indicated to applicants before they submit their application.)
- Native and second-language skills shall be assessed at the time of the preliminary selection or written tests (as necessary) and at the time of the oral tests (as is current general practice), and any other languages claimed shall be assessed at the time of the oral tests.

2.3. Language(s) of competitions

- The Management Board shall decide whether or not the Office needs to organise specific competitions by language.

2.4. Professional standards in selection procedures

- Constant attention shall be paid to best practice and to developments in recruitment techniques.

2.4.1. Content of competitions

The content of competitions shall be regularly reviewed and modified if necessary to ensure that the selection process continues to identify the applicants who best meet the stipulated profile. A number of examples follow (relating to relevant grades):

- As a minimum during the preliminary selection tests, an assessment shall be made of applicants' proficiency in their second official language and their verbal and numerical reasoning abilities.
- During the written tests, an assessment shall be made of applicants' knowledge in the field covered by the competition and European Union affairs. The tests shall seek to assess the ability of applicants to understand a wide and sometimes contradictory range of data about the European Union and its policies, and to produce clear, well-reasoned analysis and recommendations.

- At interviews, a set of prepared oral questions shall be used enabling a structured approach and objective comparisons to be made between the applicants' answers. Interviews should enable the selection board to assess applicants' suitability for working in a multilingual and multicultural organisation, their ability to adapt to the various tasks which may be assigned to them, their knowledge of their subject area and any relevant professional experience.
- The interview stage should include a component about 'Europe' subject to proper qualitative testing in order to assess applicants' knowledge of European issues and their powers of analysis and reasoning, their ability to consider the different sides of an issue, their capacity for original thinking and their oral communication skills (including in languages other than their native language).

2.4.2. *Selection boards*

- Selection boards shall include outside recruitment experts as assessors.
- Membership of a selection board shall be made conditional on having successfully completed a training programme for selection-board members. This training should cover such aspects as the legal framework, testing and selection techniques and equal opportunities and help to ensure consistent standards for all members of a board throughout the recruitment process.
- In the case of applicants called for interview, the selection board shall not be told their marks in the written tests until the final marks for the interview have been decided.

2.5. **Computer-assisted preliminary selection**

- The possibility shall be investigated of setting up computer-assisted preliminary selection tests and using them where appropriate.

2.6. **Equal treatment**

2.6.1. *General considerations and geographical balance*

- The mix of selection techniques used shall continue to ensure that staff are recruited on a broad geographical basis reflecting the multilingual and multicultural character of the Institutions.
- Future advertising of competitions shall be improved so as to reach all circles in the Member States, with strategic media targeting of circles currently under-represented in the relevant groups and categories within the staff of the Institutions.
- Selection and recruitment procedures shall be actively monitored and regular reports shall be sent to the Institutions (at least every six months) on this subject (including take-up from reserve lists), with a view in particular to identifying emergent trends and following the evolution of recruitment from groups currently under-represented in the relevant groups and categories within the staff of the Institutions.

2.6.2. *Detailed considerations: gender balance and age limits*

- The selection tests, especially preliminary selection tests, shall be so devised and constantly monitored (with the help of experts) as to ensure that there is no statistically significant difference between the success of men and women.
- Both sexes shall be represented on every selection board.
- All decisions concerning the age limits set in notices of competition shall be taken by the Management Board.

3. PRINCIPLES GOVERNING THE USE OF RESERVE LISTS

- All reserve lists shall be available on a database to which the Institutions have on-line access.
- Each reserve list shall remain valid for two years but may be extended on the basis of the needs of the Institutions.
- To ensure that an Institution which has expressed a wish to recruit a number of applicants from a given reserve list will indeed be able to recruit this number, a set of measures to ensure a fair use of reserve lists shall be introduced, namely:
 1. The Office is to function as the clearing house between applicants and the Institutions and play a proactive role in managing and monitoring the use made of the lists.
 2. Each Institution is to centralise its recruitment procedures. While every Directorate-General or other department of an Institution has access to the reserve lists (including *curricula vitae*), information needed in order to contact applicants (telephone numbers, e-mail addresses and postal addresses) will only be available to the administrations of the individual Institutions.
 3. Applicants are to be asked at the application stage about their preferences as to the Institution and geographical location they wish to work in (in order of priority).
 4. Applicants are to be informed about the progress of recruitment procedures.
 5. Reserve lists are to consist, as a general rule, of three or four 'merit classes'. Within each class, applicants will appear in alphabetical order and the Institutions are free to choose any applicant. In principle, the second and following classes will be available for recruitment only once all applicants in the preceding group have been recruited (or have declined a recruitment offer). However, exceptions to this general principle, duly reasoned and demonstrated, will be possible taking into account the specific profiles required by an Institution and the general principles laid down in Article 27 of the Staff Regulations. Exceptions will be decided on by individual Institutions.
 6. The heads of unit responsible for recruitment in the individual Institutions are to meet regularly under the chairmanship of the Office with a view to coordinating the use of reserve lists and identifying specific priorities of the individual Institutions. This process should take into account the institutional and geographical preferences of applicants, their profiles and the needs of different Institutions.
 7. On the basis of the outcome of the meetings referred to above, the following general principles are to apply:
 - In the first six months after a reserve list has become available, an Institution may recruit from this list only the number of applicants originally asked for at the preparatory stage.
 - After six months, the heads of unit responsible for recruitment shall meet with a view to discussing and agreeing whether to maintain these 'quotas' for another six months, taking into account the original requests and numbers actually recruited. At this stage it will also be decided whether Institutions which did not indicate a request at the preparatory stage are to be able to recruit from the list.
 - A reserve list will become available to all Institutions (without quotas) at the latest twelve months after it first becomes available.

8. A system of 'best recruitment practice' is to be introduced. The basic feature is that an Institution and an applicant, having agreed in principle on a recruitment, will sign a 'letter of intent' indicating the applicant's intention of taking up a specific position and the Institution's intention of making an official offer of employment within two months. The Office must receive a copy of this letter and the applicant will be 'blocked' on the reserve list. If, after two months, a final offer of employment has not been made (or has been declined by the applicant), the applicant will again become available on the reserve list. Applicants are to have this system explained to them when they are informed that they are included on a reserve list.

4. **HARMONISATION OF CLASSIFICATION CRITERIA**

The Secretaries-General hereby undertake to harmonise the criteria used by the Institutions for classifying newly recruited staff in order to ensure that the principle of equal treatment is respected and avoid competition between Institutions. Particular attention should be paid to drawing up identical criteria for allocating grade and step to each successful applicant upon recruitment.

5. **REVIEW OF THIS AGREEMENT**

This Agreement shall be reviewed three years after the creation of the Recruitment Office.
