RESOLUTION (EU) 2017/1706 OF THE EUROPEAN PARLIAMENT

of 27 April 2017

with observations forming an integral part of the decision on discharge in respect of the implementation of the budget of the European Agency for Safety and Health at Work for the financial year 2015

THE EUROPEAN PARLIAMENT,

— having regard to its decision on discharge in respect of the implementation of the budget of the European Agency for Safety and Health at Work for the financial year 2015,

— having regard to Rule 94 of and Annex IV to its Rules of Procedure,

— having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Employment and Social Affairs (A8-0116/2017),

A. whereas according to its financial statements the final budget of the European Agency for Safety and Health at Work (the 'Agency') for the financial year 2015 was EUR 16 852 526, representing a decrease of 2,34 % compared to 2014,

B. whereas the Union's contribution for the financial year 2015 to the Agency's budget amounted to EUR 14 732 995, representing an increase of 3,54 % compared to 2014,

C. whereas the Court of Auditors (the 'Court'), in its report on the Agency's annual accounts for financial year 2015 (the 'Court's report'), stated that it has obtained reasonable assurances that the Agency's annual accounts are reliable and that the underlying transactions are legal and regular,

D. whereas, in the context of the discharge procedure, the discharge authority stresses the particular importance of further strengthening the democratic legitimacy of the Union institutions by improving transparency and accountability, and implementing the concept of the performance-based budgeting and good governance of human resources,

Follow-up of 2014 discharge

1. Notes that, according to the Court's report, regarding two comments made in its 2014 report, corrective actions were taken and the two comments are now marked as 'not applicable' or 'completed';

Budget and financial management

2. Notes that the budget monitoring efforts during the financial year 2015 resulted in a budget implementation rate of 97,5 %, representing a decrease of 1,2 % compared to 2014, and that the payment appropriations execution rate was at 72,1 %, representing a decrease of 3,50 % compared to 2014;

3. Acknowledges the fact that the Agency's activity-based approach to budgeting, piloted in 2014, was fully implemented in 2015, allowing the Agency to plan further ahead as well as to put greater emphasis on collaboration and teamwork within the organisation; acknowledges, moreover, that the Agency made a great deal of progress on the development of an e-tool for activity-based management and budgeting which was to be implemented in 2016; calls on the Agency to inform the discharge authority on the effects the e-tool's implementation will have on its organisation;

Commitments and carry-overs

4. Notes that the budget allocated under Title II (administrative expenditure) was implemented to 97,4 %; notes that, according to the Court's report, the level of committed appropriations for Title II amounted to 25,56 %, mainly due to the services that are contracted for a period covering two calendar years, as well as IT services which had not yet been fully delivered or been invoiced by the end of 2015;

5. Notes, moreover, that the budget allocated under Title III (operational expenditure) was implemented to 98,36 %; notes from the Court's report that the level of committed appropriations for Title III amounted to 40,80 %, mainly due to the large-scale research projects with a duration of more than one year, and a board meeting held in January 2016 which was supposed to be organised in the last quarter of 2015;

6. Notes that carry-overs may often be partly or fully justified by the multiannual nature of the agencies' operational programmes, do not necessarily indicate weaknesses in budget planning and implementation and are not always at odds with the budgetary principle of annuality, in particular if they are planned in advance by the Agency and communicated to the Court;

Transfers

7. Notes that during the financial year 2015, 10 budgetary transfers, totalling EUR 723 300, were carried out in order to reallocate resources from areas where budgetary savings were identified towards areas of scarce resources, to ensure the achievement of the year's objectives; notes with satisfaction that, according to the annual activity report, the level and nature of transfers in 2015 remained within the limits of the financial rules;

Procurement and recruitment procedures

8. Notes that in 2015 the Agency contracted out goods and services for a total amount of EUR 7 926 184; notes, moreover, that 16,64 % of the procurement amount was awarded through four open procedures and 11,41 % through 77 negotiated procedures; notes that 64,73 % of the procurement amount was committed through 170 specific contracts or purchase orders under framework contracts and 7,22 % through Commission service-level agreements and framework contracts;

9. Observes that in 2015 the Agency made significant progress regarding the implementation of the 2013 Staff Regulations, making sure that its internal rules and procedures were aligned; notes that a procurement process was launched for external consultants to advise on the Agency's structure and work organisation and to identify options for maximising human and financial resources by improving efficiency and effectiveness to best meet the objectives set out in the Agency's multi-annual strategic programme 2014 to 2020; notes that the Agency filled six vacancies during 2015 while two recruitment procedures were to be completed in 2016;

10. Acknowledges the fact that, by cancelling two temporary agent AST posts in 2015, the Agency reduced the number of its staff members by 5 %, in line with the overall principles laid down in the Interinstitutional Agreement on budgetary discipline ([1]); notes that the Commission classified the Agency as a 'cruising speed agency', implying an additional 5 % reduction and cancellation of one AST post in 2016; calls on the Commission to ensure that potential further cost-saving measures do not hinder the Agency's ability to fulfil its mandate;

Prevention and management of conflicts of interests and transparency

11. Acknowledges that the Agency's governing board adopted an anti-fraud strategy on the basis of the guidelines issued by the European Anti-Fraud Office (OLAF) for the Union agencies; notes that the objectives of the anti-fraud strategy, which covers 2015 to 2018, were operationalised by a detailed action plan and its implementation is being monitored by the Agency's bureau; notes with satisfaction that during 2015, no cases were transmitted to OLAF and OLAF did not initiate any cases concerning the Agency's activity on the basis of other sources of information;

12. Notes that the Agency has yet to implement internal rules on whistleblowing; notes that the Agency is awaiting guidelines from the Commission; calls on the Agency to adopt the rules that will allow its internal whistleblowing policy to foster a culture of transparency and accountability in the workplace, to inform and train employees regularly of their duties and rights with regard to that policy, to ensure protection of whistleblowers from reprisal, to follow up on the substance of whistleblowers' alerts in a timely manner and to put in place a channel for anonymous internal reporting; calls on the Agency to publish annual reports on the number of whistleblower cases and on how they were followed up and to provide those annual reports to the discharge authority; asks the Agency to report to the discharge authority when its whistleblowing rules have been established and implemented;

13. Notes with concern that the Agency's policy on the prevention and management of conflicts of interests does not take into account external staff members, interim staff and seconded national experts; calls on the Agency to update its policy to include external members of staff, interim staff and seconded national experts and to report back to the discharge authority;

([1]) Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (OJ C 373, 20.12.2013, p. 1).

14. Notes that the Agency's website was completely redesigned and re-launched in 2015, is available in 25 languages, and has been complemented by an 'OSH wiki', which provides detailed information across a wide range of safety and health topics; notes with satisfaction that, as part of the project, the Agency worked with the Translation Centre to develop a new functionality in the website's back office that greatly facilitates the management of translations, and that this functionality is now being made available to other agencies and bodies;

Internal audit

15. Notes that, the Agency had no 'critical' or 'very important' open recommendations from the audits performed by the Commission's internal audit service (IAS) at the end of 2015; acknowledges the fact that IAS marked the last open recommendation, marked as 'very important' and arising from its 2013 audit on 'reporting and building blocks of assurance' as 'closed' in June 2015; notes, moreover, that the Agency followed up on the last open recommendations from the 2012 and 2013 IAS audits, which were submitted to the IAS for review;

Performance

16. Acknowledges the fact that the Agency's business continuity plan was fully revised, tested, and the final version was adopted; notes that the Agency's ICT team entered into a collaboration with the Union's Computer Emergency Response Team to improve IT security; observes that the Agency implemented its own tool for recording software issues, thereby making suppliers more accountable and allowing the history of an issue to be accessed more easily;

Other comments

17. Recognises the role that the Agency is playing in the implementation of the EU Strategic Framework on Health and Safety at Work 2014 to 2020; notes the value of the Agency's work in this regard, as well as the work carried out by the Scientific Committee on Occupational Exposure Limits' and the Advisory Committee on safety and health at work in the context of the binding occupational exposure limits for carcinogens and mutagens in Directive 2004/37/EC ([1]).

18. Appreciates the Agency's contribution to promoting healthy and safe workplaces across the Union and beyond; notes the progress in the implementation of its Multiannual Strategic Programme, in particular the pilot project on 'Safer and healthier work at any age' and the online interactive risk assessment (OiRA);

19. Calls on the Agency to continue to monitor closely, analyse and report on health and safety conditions at work and to propose initiatives for improving them;

20. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 27 April 2017 ([2]) on the performance, financial management and control of the agencies.).

([1]) Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (OJ L 158, 30.4.2004, p. 50).

([2]) Texts adopted, P8_TA(2017)0155 (see page 372 of this Official Journal).