



European Ombudsman

Secretariat-General

2016 discharge

Replies to the questionnaire 24/11/2017

The replies to the questions posed by the Committee on budgetary control in the framework of the 2016 discharge procedure appear in the text boxes under each question.

1. What has been done in order to improve the awareness of citizens of the possibility to turn to the Ombudsman in case of maladministration by any of the institutions or bodies of the Union?

In 2016, the EO again stepped up her communication activities in different areas to raise the awareness of citizens, businesses, civil society organisations and other potential complainants about her work. Most importantly, direct communication with different audiences could be increased through the EO's social media channels. The number of Twitter followers, for example, increased by 21% and the visits to our Twitter account to 3 400 per month. **In 2016, we also had the highest media coverage in the institution's history, which is a key tactic for informing citizens all over the EU about the EO's work.** Other important outreach efforts concerned stakeholder relations, for example through the EO's public stakeholder events. One such event focused on the transparency of tobacco lobbying and another on "Communicating Europe" after the Brexit referendum. On top of this, a series of bilateral stakeholder meetings with key umbrella groups took place throughout 2016, to ensure that these multipliers are aware of the EO services for their own work as well as that of their members in the Member States. As the coordinator of the European Network of Ombudsmen, the EO made great efforts to increase cooperation among ombudsmen to increase public awareness, identify areas of joint interest and strengthen the role of ombudsmen in the EU. Last but not least, the process to completely overhaul the EO's website, to make it more accessible, reader-friendly and dynamic, started at the end of 2016.

2. What were the three most important actions taken by the institution in favour of equality? What were the three most important actions taken by the institution in favour of disabled people?

Actions in favour of gender equality

The EO systematically takes gender balance into consideration in recruitment procedures. **She achieved and maintained complete gender balance in management positions as well as among administrators of the EO's Office.** Mindful of the impact of work-life balance aspects on gender equality, the EO's office further developed its teleworking and flexitime schemes and more generally



took gender balance into consideration in the preparation of the HR Policy Framework which was adopted in 2017. In 2016 the EO was represented for the first time in the Intercopec working group, which deals with gender balance within the EU institutions.

Actions in favour of disabled people

As a member of the EU framework, the EO protects, promotes and monitors the implementation of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) at the level of the EU institutions. In October 2015, the UN Expert Committee provided its first report on the implementation of the UNCRPD by the EU and issued concluding observations. The UN Committee's concluding observations have been particularly important in driving the EO's strategic work on disabilities because they indicate possible shortcomings in the EU administration.

In 2016, following a complaint by a hearing-impaired candidate in an EPSO competition and after carrying out a stakeholder consultation, the EO suggested that the European Personnel Selection Office (EPSO) reconsider whether in future cases it should allow extra time for candidates with a hearing impairment who request it for computer based and written tests.

In 2016, the EO also launched a strategic inquiry into whether the treatment of persons with disabilities under the EU Joint Sickness Insurance Scheme (JSIS) complies with the UNCRPD. The inquiry focused on the criteria for the recognition of serious illness, and thus the full reimbursement for medical expenses for persons with disabilities. The inquiry is still ongoing in 2017.

Moreover, following two of the UN Committee's concluding observations, the EO pursued two strategic initiatives in 2016. She wrote to the President of the Commission on the accessibility of websites and online tools that the Commission manages and to then Vice-President Georgieva to ask how European Schools are addressing issues raised by the UN Committee as regards implementation of the UNCRPD.

Finally, the EO continually seeks, to make her Office's website more accessible. An easy to read explanation of the EO's work and of how to complain is available online in all 24 EU official languages. In 2016, the EO asked for an assessment of accessibility of her Office's website by an external service provider. The procedure was finalised in 2017. The external service provider validated the conformity of the EO's website with the Web Content Accessibility Guidelines (WCAG 2.0), compliance level AA.

3. Which was the ratio of strategic inquiries/"traditional" inquiries initiated in 2016?

In 2016, four strategic inquiries were opened out of a total of 245 inquiries. In addition to strategic inquiries, the EO also pursued 10 strategic initiatives to encourage EU institutions, bodies, offices and agencies to be as open, accountable, ethical and responsible to citizens as possible.



4. What was the amount dedicated by the Institution to travel in 2016 for Members?

In 2016 the appropriations used to organise missions for Members amounted to a total of EUR 22 580.

5. How many former MEPs, Commissioners or high officials (from AD 14) still receive money from the budget of your institution as advisors, contract agents or others? What are their tasks and their respective salaries?

No former MEPs, Commissioners or high officials (from AD 14) receive money from the budget of the EO to carry out assignments for our institution.

The former Secretary-General of the EO (now retired) agreed to volunteer for assignments such as the Advisory committee for the Award for Good Administration. For such assignments, the EO only covers travel and accommodation expenses. This however applies only for 2017.

6. Has the Ombudsman adopted measures to reduce mission costs? Please identify them.

The EO makes every effort to manage and limit mission costs to the extent possible. The office therefore continues to use the video conference facilities extensively for its internal meetings and, whenever possible, for meetings with external stakeholders. The EO also reduced the number of general staff meetings to one per year as from 2017.

7. Please provide us details of two complaints made to the European Data Protection Supervisor against the Ombudsman in 2015 and information on any other new case, if there has been any.

The first complaint to the EDPS concerned the EO's refusal to give access to personal data concerning the complainant contained in a complaint to the EO. The EO re-evaluated her position based on the EDPS' request and released the data. The EDPS then closed the case.

The second EDPS complaint concerned own-initiative inquiry OI/2/2014/PD. In its decision, the EDPS held that when publishing her decision in the inquiry, the Ombudsman should omit personal data such as the name and surname of the person concerned by the inquiry. The Ombudsman complied with this view in her decision.

The EO's Office is, in close cooperation with the EDPS, reviewing the Office's procedures for handling personal data of third parties in complaints and inquiries. There has not been another such case.



8. How does the Ombudsman coordinate with OLAF, PETI, ECA and EPPO in order to avoid redundant work and overlapping?

OLAF:

The EO and OLAF inform each other on matters submitted to both the EO and OLAF in order to allow each office to act efficiently within its respective mandate. Additionally, if the EO encounters a case of alleged fraud involving EU funds, she can refer the case to OLAF. There are no recent examples of such cases. Likewise, OLAF can decide to redirect a complainant to the EO should OLAF consider that the issues raised by a complainant are best dealt with by the EO. There are no recent examples of such cases.

PETI:

As a policy matter and to avoid inefficient use of resources, the EO does not inquire into a complaint when the office is aware that PETI is dealing with the same issue. The EO normally closes such cases with the finding that there are no grounds to inquire into the matter.

Additionally, the EO may suggest to complainants to submit a petition to the EP or PETI may advise petitioners to complain to the EO if they consider that the subject matter falls under the other bodies' remit.

ECA:

No formal process is in place but the EO met with a member of the ECA in July 2017 to discuss the Court's ongoing Landscape review on how the European Commission oversees the application of EU law by Member States in accordance with Article 17(1) TEU. In October 2017, the EO met with the President of the ECA to strengthen relations between both institutions, to explore ways to exchange information, and to discuss issues of common interest. This will be followed up by further meetings.

EPPO:

No relevant actions taken since the EPPO is not yet in operation.

Staff

9. What was the amount of the highest pensions for officials of your institution paid in 2015? What was the average pension paid in 2016 for officials of your institution? What is the average pension paid for officials of your institution who retired in 2016?

As mentioned in our reply to the same question posed in the framework of the 2015 discharge process, the EO does not have this information. In reply to our request, the Pay Master's Office (PMO), which calculates and manages the payment of pensions, informed us that: "EU pension rights are acquired by staff in proportion to the service rendered throughout their whole career across all EU institutions and bodies. As the EU Pension scheme is unique and there are no specific pensions associated with individual EU institutions or bodies, the Commission will provide consolidated figures for all Institutions."



10. What were the costs in 2016 respectively for away days, closed conferences or similar events for staff? How many staff members participated in the respective events? Where exactly did these events take place?

An average of 75 out of 80 staff members, including trainees, participated in the away day and the staff meetings in 2016. Two staff meetings took place in 2016, the first one in Strasbourg, in the premises of the European Parliament, and the other one in Brussels, in the premises of the European Commission. The away day took place in Luxembourg.

It should be recalled that the EO Office has collaborators working in Strasbourg and in Brussels.

Event	Type of expense	Amount (EUR)
Away day	Missions	3.086,70
	Accommodation and catering	19.915,50
	Transportation	2.410,00
Staff meetings	Missions	5.693,05
	Accommodation	4.785,00
	Transportation	2.220,00
Total		38.110,25

11. How many officials in which functions and grades were retired in 2016 in the interest of service according to Article 50 of the staff regulations?

None.

12. How many working days were granted as vacation days in 2016 for years of service in your institution? How many persons were concerned?

None.

13. We would appreciate a comprehensive overview of staff on sick leave in 2016 broken down by the number of staff members that were on sick leaves and by how many days they were on sick leave? How many days lasted the three longest cases of sick leave? How many days of sick leave concerned Mondays and Fridays in 2016?

In 2016, out of 78 staff members who worked in the EO's office for all or part of the year, 64 were absent for medical reasons for a total of 1175 working days. Mindful of the limitations imposed by the protection of personal data we propose the following breakdown:



Workdays of absence	Number of staff
more than 60	6
51 to 60	0
41 to 50	0
31 to 40	0
21 to 30	2
11 to 20	11
05 to 10	16
less than 5	29

The three longest absences were respectively, 152, 137 and 133 workdays.

Breakdown by days of the week:

	Mon	Tue	Wed	Thu	Fri
Nr. of days	234	247	245	246	203

14. What were the cost for the expatriation allowance in 2016? How many persons received such an expatriation allowance?

The expatriation allowances paid in 2016 amounted to EUR 646 903. 52 staff members received this allowance.

15. What was the amount dedicated by the Institution to travel in 2016 for staff?

The 2016 appropriations intended to cover mission expenses for staff amounted to EUR 155 333.

16. What was the amount dedicated by the Institution to training for staff inside and outside the EU?

The EO spent EUR 165 095 for the staff's training costs inside the EU and EUR 7 166 outside the EU.

17. What is the average overtime of the Institution's staff in 2016? And in 2013?

The EO's office introduced a flexitime scheme in 2009 and revised it at the end of 2016. Due to this scheme the amount of overtime worked in the office is very low. Longer working days may be compensated at a later stage by shorter working days or since 2017 by half days or full days of recuperation.

The EO's office only records overtime that gives rise to compensation in the sense of Annex VI if to the Staff Regulations, namely overtime worked by colleagues in grade SC 1 to SC 6 or grade AST 1 to AST 4. For each hour of overtime, staff shall be entitled to one hour and a half off as compensatory leave; if the hour of overtime is worked between 22:00 hours and 07:00 hours or on a Sunday or on a public holiday, the entitlement to compensatory leave shall be two hours off. When the



compensatory leave cannot be taken within a period of 2 months that leave is compensated by remuneration.

For 2013, the records for overtime compensated through leave are no longer available. The payment of overtime represented EUR 1 544 for the full year and approximately 46 hours for the whole institution.

In 2016, the total number of hours of overtime worked in the office amounted to 143 and concerned 13 staff members out of 78. Each of the 13 staff members therefore worked an average of 55 minutes of overtime per month. Most of the overtime was linked to involvement of staff in the annual “Open Days” of the EU institutions that are held over a weekend. All the overtime was compensated by leave and no payment for overtime compensation was necessary in 2016.

Finally, the EO employs one contract agent who, since 2016, is granted a fixed monthly allowance for overtime. The overtime of this agent is brought about by the staff-member’s assignment as a chauffeur of the Ombudsman. The staff member in question combines this assignment with other assignments which include the management of the Office’s furniture and enrolment in professional development.

18. Were there any special leaves requested by members of staff in 2016 because of overworking? In this case how many were there?

None.

Services

19. What were the costs of the institution for interpretation, translation and languages classes?

The EO spent EUR 292 247.25 for translations in 2016 and EUR 7 959 for language classes. An amount of EUR 13 500 was spent on interpretation of the European Network of Ombudsmen conference. This amount was however paid from the conference budget.



20. How many call for tenders did you organised in 2016? Please indicate the value and the number of applicants for each tender.

Thirteen low-value contracts not exceeding EUR 60 000 were awarded following procurement procedures launched in 2016.

Tender nr	Number of applicants	Value (in EUR)
2/2016	1	4 500
3/2016	1	8 000
4/2016	1	14 000
5/2016	1	3 000
6/2016	3	60 000
7/2016	3	54 000
8/2016	1	3 900
9/2016	1	3 520
10/2016	1	2 500
11/2016	1	15 000
14/2016	1	15 000
15/2016	1	4 000
16/2016	1	10 800

21. How much have you spent in internal events and meetings with external stakeholders?

The EO spent respectively EUR 38 110 for the organisation of internal events, primarily for the staff meetings and the away-day (see reply to question 10 for details) and EUR 109 620 for the organisation of meetings with external stakeholders (e.g. ENO conference, outreach events).

Building

22. Were there any improvements done to the organization of workspaces? What changes have there been in 2016?

At the EP's request, the EO's Strasbourg offices moved to new EP premises in Strasbourg, i.e. to the HAV building, in early 2017. The premises provide adequate office, meeting and collaboration space for staff, including two dedicated meeting rooms equipped with video-conferencing facilities.

In the premises made available by the EP to the EO in Brussels, we reorganised the space in order to improve the occupation of the surface made available, for instance by replacing a waiting hall with regular office space and by encouraging office sharing.



23. How many buildings/office space were you renting in 2016? Under which type of contract? Were those contracts celebrated through real state agencies? If not, could you provide the data about the property owners?

In 2016, the EO permanently occupied office space in two buildings of the European Parliament in Strasbourg (SDM) and Brussels (MTS). In these buildings, the EO occupied 1575 m² and 937 m² respectively. Since the move in 2017, the office space in the HAV building in Strasbourg is 1250 m².

24. How much have you spent with the maintenance of the buildings? And the furniture costs, how much are they?

The European Parliament takes care of the maintenance of the buildings in which the offices of the EO are located. The EO pays lump sums for the rent and maintenance and we are therefore unable to provide an answer as to the amount of maintenance costs.

In view of the move to a new building, the EO exceptionally spent close to EUR 48 000 on furniture in 2016. The move which was expected to take place by the end of 2016 eventually took place in 2017. The costs for furniture does normally not exceed EUR 15 000 per year.

Harassment

25. What were the expenditure in 2016 for the management/Court sentences of harassment cases?

None.

26. What progress has been made regarding the introduction of rules on the prevention and fight against harassment? Were there any cases related to harassment reported, investigated and concluded in 2016?

There were no cases of harassment reported, investigated or concluded in 2016.

After the current EO was elected in 2013 and re-elected in 2014, it was determined to review and revise all of the office's HR functions. As the EO takes the prevention and fight against harassment very seriously, she has made it a priority in her office. She also places a priority on a gender balanced organisation, which she has already achieved, which is one of the effective safeguards against harassment in the workplace.

In 2015, the EO re-structured the office management and recruited a new Secretary General with a mandate to revise a range of HR policies. This included training, recruitment, flexi-time for staff, part-time working, ethics correspondents, the use of contract staff to cover for maternity leave and the move to a new office in Strasbourg.



The guidelines for staff conduct were also part of this HR policy review, and the goal is to introduce an advanced anti-harassment policy. Given the amount of HR policy revisions undertaken, and given the lack of HR resources internally, this particular policy revision is still ongoing. It will be very soon sent to the Staff Committee for consultation, and then sent to the EO for adoption.

Whistle-blowing protection

27. What improvements were made regarding procedures for whistleblowing?

The EO adopted the decision on internal rules concerning whistleblowing on 20/2/2015. As a further follow-up measure, a practical compulsory training on whistleblowing for all staff was held in November 2017.

28. How many whistle-blower cases did the institution have in 2016?

None.

29. What were the results of the procedure?

N/A

30. What percentage of cases have been solved in 2016 and how are they broken down across the year? How do numbers perform compared to other years?

N/A - the office has not had to deal with such cases so far.