

Discharge report 2018 - Agency for the Cooperation of Energy Regulators

Observation of the Discharge Authority	Response and measures taken by the Agency
<p>Performance</p> <p>4. Welcomes the fact that the Agency has outsourced accounting services to the Commission and shares resources with other agencies in the areas of human resources management, information and communication technology management, budget and finance, procurement and facility management; considers this initiative to be a worthwhile example for other Union institutions to follow; encourages the Agency to explore ways of resources sharing on overlapping tasks among other Union agencies with similar activities; strongly encourages the Agency to actively seek further and broader cooperation with all Union agencies;</p>	<p>The Agency remains an active member of the Performance Development Network (PDN) of Agencies. It has actively contributed, inter alia, to the work of the PDN working group in charge of making proposals on the new templates from the Consolidated Annual Activity Report and Programming Document of the Agency, adopted by the European Commission in April 2020.</p> <p>The Agency is also co-chairing the Working Group on Accredited European Schools, supporting other agencies to launch successfully such projects with their host countries, sharing know-how and best practices.</p> <p>ACER regularly re-assesses, optimises and streamlines its support functions and administrative processes. Knowledge sharing and introduction of best practices from other agencies is a key aspect of this process. It also participates to inter-institutional procurement procedures.</p> <p>The Agency actively participates in the ICTAC (Information Communication Technology Advisory Committee) to streamline and align information and communication technology projects with other EUIs, exchange ideas about current and future IT needs and also on ideas of future “shared services”. ACER normally participate in ICTAC meetings with two representatives, one from CS-IT, one from REMIT.</p> <p>The Agency participates in the EU Agencies’ Advisory group on Covid19 contributing, sharing, but also exchanging a number of practical aspects and arrangements in terms of the impact of the pandemic on all the operations of the Agency.</p>

Performance

5. Encourages the Agency to pursue the digitalisation of its services;

The Agency has taken a number of steps in the area of digitalisation, so that to contribute to further efficiency gain.

To that end, a number of IT tools have been developed to improve efficiency and use of resources, by shortening the processing time, minimising human error and improving transparency.

In addition to automating the all budget and financial processes, the tools provide up-to-date, real-time information on the state of play of transactions, budget consumption, etc. ensuring business continuity of the operations and institutional memory (in cases of long-term absence or departure).

To this extent, in 2019 and 2020, the Agency began deploying Sysper and ARES tools of the European Commission. Sysper is a system used as an integrated HRM management tool used in all Commission services: its deployment brings the management of staff data to a higher standard and facilitates the interface with rights and entitlements, personal files and career management for the Agency's staff.

Sysper automates all HR-related requests (including parental and part-time leave requests), streamline the appraisal and reclassification audit trail, facilitate the presentation of statistical data at all levels.

With the Sysper deployment, electronic archive will become obsolete since the Agency is in the process of obtaining the NDP (Numérisation Dossier Personnel) - a scanning module, which allows to scan paper documents constituting the personal file of a staff member. NDP is an independent module / application, working through Sysper. Main functionalities are: scanning and managing personal files, managing accesses to the files, share (view) PDF files by authorized people/services.

ARES is the document management system in use in the Commission services: its deployment, in 2019, brings additional benefits to streamline data, document management and to integrate data and archives within the

	<p>system of the European Institutions.</p> <p>ARES integrates and streamlines the full completion, including e-signature, of the paperless workflows, to the benefit of time savings for operational departments.</p> <p>Moreover, the FTEs effort dedicated for the ICT maintenance of these well-established EC systems decreases significantly, compared to the use of the previous tools: overall, the digitalisation projects in the Agency, by adopting Sysper and ARES Commission tools amounts to a saving of 1.0 FTE, which will be redirected to core operational activities.</p>
<p>Staff Policy</p> <p>8. Reiterates its concern about the lack of gender balance among the Agency’s senior and middle management members of staff (five men and one woman); raises concerns about the geographic imbalance; asks the Agency to take measures to ensure better gender and geographic balance in its senior and middle management;</p>	<p>The Agency takes good note of the comment of the Discharge Authority: the Agency has increased its efforts to make its vacancy notices widely accessible and ensures that no gender discrimination occurs in its selection procedures, which are fully based on experience and merit, and in its appraisal and reclassification processes, which are fully based on performance.</p> <p>Therefore, the current gender composition of the Agency’s staff, including of its senior management, is the result of the gender composition of the candidates applying for positions at the Agency and of their performance in the selection procedures. In June 2020, the Agency employs staff from twenty different nationalities and the gender distribution is 67% male and 33% female.</p> <p>The geographical balance in the Agency’s senior and middle management is currently the following: Two managers are from the Netherlands and one each from Denmark, Bulgaria, France and Germany.</p> <p>The Agency’ Staff Committee is setting up a working group dedicated to diversity & inclusion. The aim of the group is to brainstorm best practices and actions fostering diversity and discuss their possible implementation at</p>

	ACER.
<p>Staff Policy</p> <p>10. Asks the Agency to report back to the discharge authority on the figures for harassment cases in total and report back on the results of closed harassment cases;</p>	<p>Have there been any harassment cases reported, investigated or taken before the court in 2018?</p> <p>Yes, one case (due to confidentiality no further information disclosed).</p>
<p>Procurement</p> <p>11. Notes from the Court's report that in 2018 the Agency introduced e-submission, but had not yet introduced the e-tendering or e-invoicing tools developed by the Commission to introduce a single solution for the electronic exchange of information with third parties participating in public procurement procedures (e-procurement); calls on the Agency to introduce all of the necessary tools to manage procurement procedures and report to the discharge authority on the progress made in that field;</p>	<p>In 2018, the Agency introduced e-Invoicing for all Commission contracts used by the Agency. In 2019 the Agency implemented and is using e-Tendering for all low and middle value and open procurement procedures. In the course of 2020, the Agency plans to employ also e-Submission for all open procurement procedures. Once DIGIT will open e-Submission to low and middle value procurement procedures, the Agency will expand the use of e-Submission to these.</p>
<p>Internal Control</p> <p>14. Notes that the Agency adopted its own internal control framework in December 2018; calls on the Agency to report to the discharge authority on the implementation of those internal control standards;</p>	<p>The Internal Control Framework of the Agency, adopted by the Administrative Board on Decision No 17/2018, is effective and the annual assessment of its implementation did not highlight deficiencies besides a minor deficiency in IC Principle No 11 (control over technology). The ICT Steering Committee exercises oversight and provides strategic directions in the ICT domain in light of Internal Control Framework of the Agency.</p>
<p>Internal Control</p> <p>15. Notes that the Commission's internal audit service (IAS)</p>	<p>The Agency reported to the IAS on the state-of-play of the Action Plan regarding the processes classified as high risk following the risk</p>

<p>conducted a full risk assessment, including with regard to IT, in 2016 resulting in a new strategic audit plan for the Agency for the period 2017 to 2019 and formulated the audit topics for the following planning period; notes that in 2018 the IAS performed an audit on IT security in the Agency and information security in the “REMIT” domain and that the Agency prepared an action plan, scheduled for implementation in 2019, to address the recommendations contained in the final audit report; calls on the Agency to report to the discharge authority on developments in that regard;</p>	<p>assessment exercise performed by the IAS in 2016.</p> <p>The status is as follows:</p> <ul style="list-style-type: none"> - Three out of five actions are fully implemented in the areas of business continuity and monitoring of the implementation of network codes. Third action on document management is now fully implemented as following: <ul style="list-style-type: none"> • Document management: The Agency migrated to the HAN (the document management system of the European Commission) and ARES (the document management tool of the European Commission). - Two actions are on-going, in the areas: <ul style="list-style-type: none"> • IT governance: IAS audit on it security and information security in the “REMIT” domain has been performed in 2018 and resulted in eight recommendations by IAS, all marked as "important". One recommendation on the Implementation of ACER's overall information security policy has been fully implemented and closed by IAS. The remaining seven recommendations are on-going according to the Action plan approved by IAS and will be implemented by Q4 2020. • REMIT market surveillance: IAS Audit on the implementation of REMIT has been performed in 2019. Final report of the audit is expected in 2020. An action plan prepared by the Agency and approved by the IAS will follow.
<p>Other comments</p> <p>17. Calls on the Agency to disseminate the results of its research to the public and to reach out to the public by means of the social media and other media outlets;</p>	<p>The Agency is in the process of establishing its Communications and stakeholders’ engagement strategies. To this purpose it has established a Strategic Delivery and Communications Team to enhance its focus and impact. It is striving to increase its activity on its social media, most notably Twitter and LinkedIn, to communicate with the wider public.</p>



Efforts are being made to revamp and modernise the Agency's website, focusing in particular to a more general public-friendly approach highlighting the Agency's value added.

The Agency is also striving to ensure that its press releases and news flashes are more accessible to the general public, bearing in mind however the limitations to this approach, since ACER deals with matters that are of a very technical nature.