

Decision in case 2132/2018/PB on how the European Personnel Selection Office organised a selection procedure for EU civil servants in the building sector

Decision

Case 2132/2018/PB - Opened on 25/02/2019 - Decision on 25/02/2019 - Institution concerned European Personnel Selection Office (No maladministration found) |

The complaint to the European Personnel Selection Office

1. The complainant participated in a selection procedure organised by the European Personnel Selection Office (EPSO) for the recruitment of EU civil servants as assistants in the building sector [1] . He made it through to the ‘assessment centre’ stage of the selection procedure, at which he took part in several tests, among them a group exercise.
2. The complainant did not obtain the marks necessary to be placed on the final list from which the EU administration can recruit staff. He did not accept this outcome, and therefore requested EPSO to review its decision not to shortlist him.
3. The complainant particularly questioned having had to participate in the group exercise about the organisation of an *event* . He found the issue of organising an event irrelevant for the selection of staff who will do work that he understood to be purely technical. The complainant also challenged EPSO’s organisation and testing methods in more general terms. He essentially challenged the methods for conducting recruitment competitions, rather than pointing out specific instances of possible maladministration.

The European Personnel Selection Office’s response to the complainant

4. With regard to the complainant’s participation in the group exercise at the final stage of the procedure, EPSO informed the complainant that “[a] s regards the Group Exercise, it aims to assess the competencies as listed in the Notice of Competition, i.e. Analysing and Problem solving, Learning & Development, Prioritising & Organising, Working with others, Leadership and Resilience. To deal with the assignment and to answer the questions, no prior knowledge of the



subject is required. ”

5. With regard to the various other issues raised by the complainant, EPSO explained its working methods. Where appropriate, it referred to the wide discretion that the EU administration has for laying down the assessment methods and for carrying out the actual assessments in selection procedures for EU civil servants [2] .

6. The complainant was not satisfied with EPSO's response, and in December 2018 he therefore turned to the Ombudsman.

The European Ombudsman's findings

7. The 'notice of competition', which sets out the criteria and rules applying to a selection procedure, described a number of general competencies that would be tested through the group exercise. These competencies are clearly not related to technical knowledge only (see paragraph 4 above). Nor were the duties of the job purely technical. The duties described in the notice of competition included project management, participation in selection procedures and negotiations, contacts with contractors and national administrations, as well as initiating, monitoring, coordinating and participating in inter-institutional projects and discussions. The topic chosen for the group exercise, aiming at selecting staff with the required competencies to perform the listed duties, thus fell within the discretion that EPSO has in this regard. The same applies for the other organisational issues raised by the complainant and to which EPSO provided a comprehensive reply by describing its working methods.

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Strasbourg, 25/02/2019

[1] EPSO/AST/141/17, notice of competition available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.CA.2017.242.01.0001.01.ENG&toc=OJ:C:2017:242>

[2] Judgement of the Court of First Instance of 10 February 2004, T-19/03, *Konstantopoulou v Court of Justice* , paragraph 48 and 60

<https://eur-lex.europa.eu/legal-content/FR/TXT/HTML/?uri=CELEX:62003TJ0019&qid=1550837935186&from=EN> [Link], and Judgement of the Court of First Instance of 26 January 2005, T-267/05, *Roccato v European Commission* , paragraphs 48-49

<https://eur-lex.europa.eu/legal-content/FR/TXT/HTML/?uri=CELEX:62003TJ0267&qid=1550838111391&from=EN>