

## **Decision of the European Ombudsman in the case 1896/2019/AMF on how the Education, Audiovisual and Culture Executive Agency and the European Commission dealt with staff matters involving alleged harassment, administrative inquiries, as well as a disciplinary procedure resulting in a reprimand**

Decision

**Case 1896/2019/AMF - Opened on 16/12/2019 - Decision on 16/12/2019 - Institution concerned** European Education and Culture Executive Agency ( No maladministration found )  
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Dear Mr X,

On 10 October 2019, you submitted a complaint to the European Ombudsman against the Education, Audiovisual and Culture Executive Agency (EACEA) and the European Commission concerning the above issues. The Ombudsman has asked me to deal with your complaint and reply to you on her behalf.

We understand that you have been through difficult times.

The EACEA, with the legitimate assistance of the Commission's IDOC [1] , has dealt with your requests by conducting administrative inquiries. EU institutions enjoy a wide margin of discretion with regard to the opening of administrative inquiries and how they are conducted [2] . The Ombudsman, like the EU Courts, will put into question the manner in which such an inquiry was conducted only in case of a manifest error of assessment, misuse of powers [3] , or breach of a procedural rule. Having carefully assessed the information provided by you, including EACEA's detailed reply to your administrative complaint, we have found nothing to suggest that EACEA or the Commission made a manifest error of assessment, misused their powers or breached any procedural rule. EACEA's reply to your administrative complaint addresses all relevant points in a comprehensive and convincing manner.

Based on the above, we regret to inform you that the Ombudsman cannot help you and the case has been closed [4] .

Yours sincerely,



Tina Nilsson

Head of Inquiries - Unit 4

Strasbourg, 16/12/2019

[1] IDOC is the Investigation and Disciplinary Office of the European Commission. Its mission is to ensure compliance by (former) officials and other agents with their obligations as laid down in the Staff Regulations by conducting administrative inquiries and disciplinary proceedings.

[2] See Judgement of the European Union Civil Service Tribunal of 13 January 2010 in joined cases F-124/05 and F-96/06, *A and G v European Commission*, paragraph 188. See: <http://curia.europa.eu/juris/document/document.jsf?jsessionid=B7D3AAAE5EA1537F45B1C0EA0CE31F10?text=&d>

[3] See Judgement of the European Union Civil Service Tribunal of 13 January 2010 in joined cases F-124/05 and F-96/06, *A and G v European Commission*, paragraph 367.

[4] Full information on the procedure and rights pertaining to complaints can be found at <https://www.ombudsman.europa.eu/en/document/70707> [Link] .