



Letter to the European Banking Authority (EBA) from the European Ombudsman on how the European Banking Authority handled the move of its former Executive Director to become CEO of a financial industry lobby group

Correspondence - 07/05/2020

Case 2168/2019/KR - **Opened on** 16/01/2020 - **Recommendation on** 07/05/2020 - **Decision on** 18/11/2020 - **Institution concerned** European Banking Authority (Recommendation agreed by the institution) |

Mr José Manuel Campa

Chairman

European Banking Authority

Strasbourg, 07/05/2020

Complaint 2168/2019/KR

Subject: Recommendation of the European Ombudsman in the above case on how the European Banking Authority handled the move of its former Executive Director to become CEO of a financial industry lobby group

Dear Mr Campa,

Please find enclosed my recommendation in the above case, made in accordance with Article 3(6) of the Statute of the European Ombudsman.

Following my inquiry into this case, I have made the following findings of maladministration:

- 1. The EBA's decision not to forbid its Executive Director from becoming the CEO of a financial industry lobby was maladministration. Forbidding the job move would have been a necessary and proportionate measure in this particular case.**
- 2. There was maladministration in that the EBA did not immediately withdraw its Executive Director's access to confidential information.**



My corresponding recommendations are as follows:

- **For the future, the European Banking Authority (EBA) should, where necessary, invoke the option of forbidding its senior staff from taking up certain positions after their term-of-office. Any such prohibition should be time-limited, for example, for two years.**
- **To give clarity to senior staff, the EBA should set out criteria for when it will forbid such moves in future. Applicants for senior EBA posts should be informed of the criteria when they apply.**
- **The EBA should put in place internal procedures so that once it is known that a member of its staff is moving to another job, their access to confidential information is cut off with immediate effect.**

In accordance with the Statute of the European Ombudsman, the EBA shall send a detailed opinion before 31 August 2020.

A copy of my recommendation will be sent to the complainant and also to Mr Adam Farkas, for his information.

Yours sincerely,

Emily O'Reilly

European Ombudsman

Enclosure:

⌘ Recommendation to the European Banking Authority in case 2168/2019/KR.