

## **Decision in case 389/2020/NH on whether a selection procedure for EU civil servants organised by the European Personnel Selection Office required knowledge that was not mentioned in the notice of competition**

Decision

**Case 389/2020/NH - Opened on 19/03/2020 - Decision on 08/09/2020 - Institution concerned** European Personnel Selection Office ( No maladministration found ) |

The case concerned a selection procedure organised by the European Personnel Selection Office (EPSO) to recruit communication experts to the EU administration. The complainant, who did not pass the selection procedure, argued that one of the tests required candidates to have prior knowledge of Brussels, which gave an unfair advantage to candidates who were familiar with the city.

The Ombudsman found that neither the test assignment, nor the scoring grid used to assess the candidates' answers, indicated that prior knowledge of Brussels was required.

The Ombudsman closed the inquiry with the finding that there had been no maladministration by EPSO in this case.

## **Background to the complaint**

1. The complainant took part in a selection procedure organised by the European Personnel Selection Office (EPSO) to recruit EU civil servants in the field of media and digital communication. [\[1\]](#) [\[Link\]](#)
2. In June 2019, EPSO informed her that she had not passed the selection procedure and that her name was therefore not placed on the shortlist from which successful candidates may be recruited by the EU civil service (the 'reserve list'). More specifically, she had failed a written test in which she had been required to draft a note regarding the organisation of a conference in Brussels.
3. The complainant asked EPSO to review its decision not to place her on the reserve list. In her request for review, the complainant argued that the written test assignment gave an unfair



advantage to candidates already working in Brussels, as it allegedly required knowledge of Belgian holidays, conference venues in Brussels and local Brussels media.

4. In reply to the review request, EPSO informed the complainant that the selection board [\[2\]](#) [\[Link\]](#) confirmed its decision not to place the complainant on the reserve list. EPSO said that there had been no mistake in the scoring process and that the selection board had followed the applicable procedures.

5. Dissatisfied with EPSO's reply to her request for review, the complainant turned to the European Ombudsman in February 2020.

## The inquiry

6. The Ombudsman opened an inquiry into EPSO's alleged failure to properly address the arguments raised by the complainant in her request for review.

7. In the course of the inquiry, the Ombudsman's inquiry team invited EPSO to reply to the complainant's argument that the assignment for the written test required Brussels-specific knowledge. EPSO replied in April 2020, saying that the selection procedure had been organised in an objective way to ensure equal treatment of all candidates. The written test assignment did not require candidates to refer to specific conference venues in Brussels or specific local Brussels media. EPSO argued that the scoring grid, used by the assessors to score the test, did not evaluate any Brussels-specific knowledge.

8. In her comments on EPSO's reply, the complainant maintained that conference venues in Brussels and local Brussels media were specifically listed as part of the numerous questions that candidates had to reply to in the written test.

9. Given that the complainant maintained her concern, the Ombudsman's inquiry team inspected the written test assignment and the scoring grid held by EPSO.

## The Ombudsman's assessment

10. The inspected documents show that the written test required candidates to prepare a note related to the organisation of a conference in Brussels. The test assignment explicitly described a fictitious scenario and did not contain any instructions to refer to Brussels-specific media organisations or venues. There is nothing in the inspected documents suggesting that the complainant (or any other candidate) was scored based on her prior knowledge (or lack of knowledge) of Brussels. The Ombudsman considers that the fictitious nature of the scenario, albeit based in the city of Brussels, allowed candidates to refer to generic or even fictional locations and media organisations.

11. Indeed, the notice of competition, which sets out the criteria and rules for the selection



procedure in question, does not require candidates to have prior knowledge of media organisations or venues in Brussels. There is nothing to suggest that the selection board, which has to respect the notice of competition, deviated from its obligations in this case.

## Conclusion

Based on the inquiry, the Ombudsman closes this case with the following conclusion:

**There was no maladministration by EPSO in this case.**

The complainant and EPSO will be informed of this decision .

Emily O'Reilly European Ombudsman

Strasbourg, 08/09/2020

[1] [Link] EPSO/AST/143/17 (AST3) - Profile 2 - Experts in Media and Digital Communication.

The notice of competition is available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:C:2017:341A:FULL&from=EN>  
[Link]

[2] [Link] Each selection procedure has a selection board, which is responsible for selecting candidates at each stage, based on pre-determined criteria, and drawing up the final list of successful candidates.