

Decision in case 2231/2019/PL on how the European Personnel Selection Office calculated a candidate's score in an interview in a selection procedure for EU staff in the field of taxation

Decision

Case 2231/2019/PL - Opened on 24/04/2020 - Decision on 23/11/2020 - Institution concerned European Personnel Selection Office (No maladministration found) |

The case concerned how the European Personnel Selection Office (EPSO) calculated the complainant's score in the field-related interview in a selection procedure for recruiting EU civil servants in the field of taxation.

The Ombudsman found nothing to suggest a manifest error in how the selection board calculated the complainant's score. The Ombudsman therefore closed the inquiry with a finding of no maladministration.

The complaint

1. The complainant took part in a selection procedure for recruiting EU civil servants, which was organised by the European Personnel Selection Office (EPSO) [1] . The selection procedure was organised to recruit experts in the field of taxation.
2. EPSO informed the complainant that she had not been placed on the shortlist from which successful candidates may be recruited, because she was not among the candidates who had obtained the highest total marks in the Assessment Centre [2] . The Assessment Centre is the last stage of the selection procedure in which the candidates' general and specific competencies are assessed through different exercises, such as the 'field-related interview'.
3. The complainant then asked EPSO to review her Competency Passport [3] and in particular her score in the 'field-related interview'. In the three domains of the interview she had obtained two 'good' and one 'excellent' remarks. She claimed that in line with the numerical scoring key in the Competency Passport, her score should have been 70/100 and not 65/100.
4. Following the review, EPSO informed the complainant that the numerical scoring key of the Competency Passport applied to general competencies only, not the field-related interview.



EPSO found no mistake in the scoring process. It thus confirmed that the results in the complainant's Competency Passport were correct and maintained its decision not to place the complainant on the shortlist.

5. Dissatisfied with the outcome of the review, the complainant turned to the Ombudsman in December 2019.

The inquiry

6. The Ombudsman opened an inquiry into how EPSO calculated the complainant's score in the field-related interview.

7. In the course of the inquiry, the Ombudsman's inquiry team inspected EPSO's file relevant to this case. The inspection report is annexed to this decision.

The Ombudsman's assessment

8. According to EU case-law, selection boards have a wide discretion in determining the assessment methods for, and in carrying out the actual assessments in, selection procedures for EU staff. [4] The Ombudsman's role is thus limited to determining if there was a manifest error by the selection board. [5]

9. In this selection procedure, the selection board had decided on evaluation criteria and a scoring grid for the field-related interview. The scoring grid included a 'weight' for each competency. The weighting, as well as the evaluation criteria, were established on the basis of the relevance of each criterion to the nature of the duties of the posts to be filled, taking into account the recruitment needs of the institutions. This process falls entirely within the selection board's discretion.

10. The documents inspected by the Ombudsman (see the inspection report annexed to this decision), show that this scoring method, including the weighting, was set out in the assessment template for the field-related interview to be applied to all candidates. Indeed, in the three competencies tested in the field-related interview, the complainant obtained the scores 6, 6 and 9. *However, each competency had a different weight in the calculation of the average score.* Applying the pre-established scoring grid and the weight given to each competency, the calculation of the complainant's average score is correct.

11. On the basis of the above, the Ombudsman finds no maladministration in how the selection board calculated the complainant's score in the field-related interview.

Conclusions



Based on the inquiry, the Ombudsman closes this case with the following conclusion [6] :

There was no maladministration in how the European Personnel Selection Office scored the complainant's field-related interview.

The complainant and EPSO will be informed of this decision .

[1] EPSO/AD/363/18 - 2 (https://epso.europa.eu/job-opportunities/competition/3351/description_en [Link].)

[2] The complainant's total score was 115/180 - 50/80 in the "general competencies" and 65/100 in the "specific competencies" (that is, the field-related interview) - whereas the score of the last successful candidate placed on the list was 116,5/180.

[3] The 'Competency Passport' is a document that EPSO issues after the selection procedure is finished. It contains the selection board's full evaluation of the candidate's competencies (https://epso.europa.eu/help/faq/2504_en [Link]).

[4] 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> [Link].

[5] See Decision of the European Ombudsman closing the inquiry into complaint 14/2010/ANA against the

European Personnel Selection Office, paragraph 14 (decision available here:

https://www.ombudsman.europa.eu/cases/decision.faces/en/10427/html.bookmark#_ftnref5 [Link]); and judgment of the Court of First Instance of 31 May 2005, Case T-294/03, *Gibault v Commission* , paragraph 41: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:62003TJ0294> [Link].

[6] This complaint has been dealt with under delegated case handling, in accordance with Article 11 of [the Decision of the European Ombudsman adopting Implementing Provisions](#) [Link]