



European Ombudsman strategy: 'Towards 2024' - Sustaining Impact

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Foreword

The 2020 pandemic has refocused public and political attention on the vital importance of quality public administration.

When COVID-19 first arrived in Europe, it was predominantly the public services that were called upon to provide protection for citizens across all sectors of our lives from health to employment.

In some countries, the crisis exposed the gaps in those services or the extent to which they had been eroded or neglected in the past. In others, it was strong public services supported by effective administrations that helped to mitigate some of the worst impacts on their people.

But while most citizens looked immediately to their own administrations for help, the crisis also focused attention on the EU administration, predominantly in relation to its public health protection role but also in relation to how it will manage the distribution of the pandemic recovery funds in the years ahead.

The role of the European Ombudsman over those years will be to help the administration to the greatest extent possible to face those and other challenges on behalf of EU citizens and residents. This strategy outlines the approach that the office will take.

We continue our task – under my mandate to 2024 – with strong foundations laid. Our impact over the last seven years has been significant. The office is increasingly swiftly contacted when issues of major public interest arise. This highlights the extent to which we are seen as a trusted, independent and efficient office that gets results. The administration responds well to our interventions and our relevance is visible and acknowledged by our multiple stakeholders.

Our work practices have been overhauled and we will continue to strive to be an exemplar of good administration. The new Directorate for cases will streamline our work and make sure that colleagues are engaged in work that best suits their skills and interests.

As we roll out the strategy, we are strongly positioned to act as a positive force in assisting the EU administration in the very challenging years ahead. We are a small office with a big mandate and this strategy reflects our ambition to succeed to the greatest extent possible in the task of protecting citizens, entrusted to us by the EU Treaties and by the Charter of



Fundamental Rights.

Emily O'Reilly

Maastricht Treaty 1992

Article 8

1. Citizenship of the Union is hereby established.

Article 8d

Every citizen of the Union shall have the right to petition the European Parliament in accordance with Article 138d.

Every citizen of the Union may apply to the Ombudsman established in accordance with Article 138e.

European Parliament, plenary resolution (1994/2160)

1. Believes that, in order to improve relations between the European citizens and the institutions of the European Community, relations should be based on the respect of the rights of the European citizens, and accordingly takes the view that establishment of the Ombudsman will:

(a) protect the rights of the European citizens against maladministration by the European Community bodies and institutions,

(b) enhance relations between the institutions and the European citizens;

2. Is of the opinion that its Committee on Petitions and the Ombudsman together form an effective system of defending the interests of ordinary citizens in areas which are the responsibility of the European Community, thereby improving the democratic functioning of the Community;

1. Mission

Our mission is to help to support European citizenship.

We do this by listening to citizens, to our stakeholders, and by working with the institutions of the EU to help to create a more accountable, transparent, ethical and effective administration.

Our strategy in the context of current EU challenges

The year 2020 has been dominated by the **COVID-19** pandemic with enormous and obvious impact on the work of the entire EU administration. The pandemic and its fallout will continue in the short to medium term with consequences for many years to come.



The EU is also facing many other challenges:

- Internal EU scepticism, allied to the rise of extreme nationalist sentiment and autocratic political regimes, is an increasing feature of contemporary Europe. Other global forces threaten the European founding vision of multilateralism.
- In this more 'geopolitical EU', the EU administration is becoming increasingly involved ' *on the ground* ' on issues such as migration, security and even health. This is challenging for an EU administration traditionally focused on a technical and regulatory role. EU agencies, for example, have a more extended ' *hands on* ' role in relation to the protection of migrants in the Mediterranean while the European Commission, for the first time ever, has created an EU stockpile of medical supplies .
- At the same time, the EU is facing several policy challenges: the climate emergency, the rule of law problems within the Union, the migration crisis, Brexit, global trade disputes and digital challenges including increasing surveillance and global AI competition.
- While the global regulatory influence of the EU is now widely recognised , this makes the issues of lobbying transparency and ethics even more relevant in relation to the protection of the public interest. If the EU sets high standards in this area, it can then set the global standard for lobbying transparency and ethics, an example of the positive and influential use of its soft power.
- The EU COVID-19 economic recovery plan – which includes common EU borrowing – represents a new chapter in its evolution. This raises public expectations but also concerns about how that money is spent. Citizens will need to know the where, how and why of the distribution of the recovery funds. They also have a right to hold the EU institutions accountable for this spending, something to be achieved only if the appropriate levels of transparency are in place.
- Finally, Europeans have increasingly higher expectations of public administrations and often expect instant responses to their concerns. Given contemporary technology and social media tools, citizens have less tolerance for public administration delays.

Implications for our work

- The COVID-19 pandemic has increased citizens' concerns and fears, strained public budgets and has major implications for public administrations in Europe and beyond. The EU administration must respond to this challenge, and we must play our part in helping not only European citizens and residents, but also the EU institutions, to the very best of our ability.
- We recognise that the EU has, in general, high standards of administration, ethics and transparency, when compared to other global actors and even many Member States. However, the EU institutions – acting as role models – should themselves set global administrative standards. Pluralist democracy is part of what sets Europe apart from many others in the world, and a good administration is a vital support to our democratic structures.
- The EU has already set itself the goal of transforming Europe in a green, digital and fair way. The first Strategic Foresight Report of the European Commission, which provides a longer-term perspective on EU policymaking, views this goal through the prism of resilience.

"Resilience is the ability not only to withstand and cope with challenges but also to undergo



transitions in a sustainable, fair, and democratic manner.”

The report highlights several strengths and vulnerabilities of the EU during the COVID-19 crisis. The Ombudsman believes the high quality of the EU administration is a strength, but its vulnerabilities include the lack of citizen participation and the potential for undue lobbying influence. Legitimacy is boosted by transparency and participation – their absence erodes it.

If the EU is to become more resilient, the EU administration must become more resilient through strengthening its transparency, ethics and democratic accountability. It needs to understand and act on the lessons of the links between their absence and the rise of Euroscepticism.

2. The Strategy

Our strategy is to combine and achieve four **mutually re-enforcing** objectives.

1. We aim to achieve **lasting positive impact** on the EU administration, to the benefit of all European citizens and residents.
2. To help achieve that, our work must continue to be of **real-life relevance** to all of us.
3. To enable this impact, we must continue to increase **citizens' awareness** of our work Europe wide.
4. Given our limited resources, we have become very **efficient** in recent years. However, more can be done.

Our strategy serves multiple purposes:

- Creates a shared understanding among all staff of what we are doing and why ;
- Sets objectives to be achieved through each *Annual Management Plan* ;
- Provides a multi-year framework for efficient use of our resources;
- Helps boost our external transparency and accountability.

Objective 1 – achieve lasting impact on the EU administration

Priorities

1. Provide leadership as an acknowledged, trusted and independent authority on issues relevant to the Ombudsman's mandate.
2. Identify how we can best help the EU administration to learn the lessons of the COVID-19 crisis and become more resilient.



3. Use the full scope of the Ombudsman's formal and soft powers to achieve positive outcomes and improvements in the EU administration.
4. Develop a more systematic and substantive follow-up of our work. Revise how we assess the medium to longer-term impact of our recommendations, suggestions and every other tool we use in order to influence positive change.
5. Strengthen co-operation and dialogue with the EU institutions to ensure the continued improvement of administrative practices by building trust and engaged collaboration.

Objective 2 – ensure real-life relevance to European citizens

Priorities

1. Continue to help people who seek redress and to identify proactively and research areas of key importance to European citizens and residents for possible systemic inquiries and initiatives.
2. Increase our awareness of the changing dynamics of the EU and the political, social, economic and legal context in which we operate, and where appropriate, to engage in, and contribute to, relevant debates and developments on European democracy.
3. Identify the systemic trends in public administration, at EU and national levels, over several years, for example, *remote working*, *e-citizenship*, *use of AI*. Reflect and draw conclusions as to the implications for European democracy.
4. Engage with, and learn from, our stakeholders, including Europe's top academic researchers and legal experts.
5. Cooperate with the *European Network of Ombudsmen*, other Member States' bodies and international networks and organisations to identify and promote the highest standards and best practices, for example in relation to fundamental rights and governance issues.

Objective 3 – increase citizens' awareness of our work

Priorities

1. Ensure that we continue to communicate our work online and offline in a clear manner, using language that is accessible, easy to understand and compelling.
2. Further engage with the European Parliament and its committees on the broad range of issues of mutual concern, while always maintaining our independence.



3. Develop a participatory approach with our stakeholders and multipliers, such as civil society organisations, media, businesses, and other organisations.
4. Co-operate with our stakeholders and other organisations relevant to our work, as far as possible, to facilitate equal access [1] to EU institutions by the most under-represented groups in Europe.
5. Expand our work with the UN CRPD , to help the EU administration to become a global leader as an employer of persons with disabilities.

Objective 4 – continue to improve our efficiency

Priorities

1. Ensure the Ombudsman's budgetary resources are aligned with this strategy.
2. Continue to improve as much of our processes as possible, to maximise the effectiveness and efficiency of our work, for example using digitalisation. Where appropriate, consider adopting solutions of larger scale EU administrations.
3. Encourage an internal culture of transparency, ethics, innovation and service to citizens.
4. Further develop the Office as an attractive, dynamic and important place to work for motivated, talented and ambitious people.
5. Continue to structure our office, work processes and outreach in a flexible and adaptive way, while testing and learning new ways to make an impact [2] .

3. Implementation and measurement

Concrete actions to achieve the above objectives and priorities are planned and evaluated on an annual basis through the *Annual Management Plan* (AMP) and the *Annual Activity Report* (AAR). Some objectives are achieved in the course of our complaint-handling work, which should be guided by this Strategy. In the period covered by the current Strategy, the process for establishing the AMP is as follows:

Every Autumn, the Ombudsman's Secretary-General invites the leadership team, with input from staff, to propose concrete actions to implement the Strategy based on the financial and human resources expected to be available to the Office in the following year. The proposals will detail:

- how the actions will contribute to achieving the objectives and priorities of the Strategy;
- the resources necessary; and
- how the resources will be realised (for example, through efficiency gains and/or by reducing the resources devoted to other activities).



Following internal discussion and coordination, the Ombudsman decides on the AMP.

Evaluation, measurement and reporting

Progress in achieving our objectives is measured using Key Performance Indicators (KPIs). The KPIs adopted are set out below, together with the targets.

The KPIs and relevant targets are reviewed and, if necessary, revised on an annual basis.

KPI Measurement Targets Strategy objectives

KPI 1 Percentage of complaints within the mandate 35% Real-life Relevance Citizens' Awareness

KPI 2 Number of inquiries opened in cases of public importance (complaints, strategic inquiries and strategic initiatives) 50 Impact on EU Administration Real-life Relevance

KPI 3 Acceptance rate (previous year's results – composite indicator) Rate of positive follow-up to solution proposals, recommendations and suggestions Impact on EU Administration Real-life Relevance

3a - Overall acceptance rate 80% 3b - Acceptance rate in cases of public importance 80% 3c - Acceptance rate in Covid-19 related cases (for as long as relevant) 80%

KPI 4 Perception of our key stakeholders (rate of positive evaluation) To be established in 2021 Impact on EU Administration Real-life Relevance

KPI 5 Web activities (composite indicator) Citizens' Awareness Real-life Relevance

5a - Visitors to the website 500 000 5b - Advice given through the interactive guide to contact a member of the European Network of Ombudsmen 8 000

KPI 6 Social media activities (composite indicator) Citizens' Awareness Real-life Relevance

6a - Increase of followers on social media Twitter +10% LinkedIn +25% Instagram +45%

6b - Number of visits to the website through links posted on our social media channels 1200

KPI 7 Handling of complaints and inquiries (composite indicator) Efficiency

7a - Proportion of cases in which the admissibility decision is taken in one month 95%

7b - Average duration of inquiries 150 days

7c - Clearance rate (cases closed compared to new cases registered in the reference period) 100%

KPI 8 Budget implementation (composite indicator) Efficiency

8a - Rate of budget implementation 94%

8b - Proportion of payments made within 30 days 100%

KPI 9 Management of Human Resources (composite indicator) Efficiency

9a - Occupation rate of establishment plan posts 98%

9b - Percentage of workforce dedicated to core activities 65%

9c - Average number of training days per staff member 5

[1] See Article 9, TEU

[2] For background, read here about 'design thinking':

<https://www.innovations.harvard.edu/blog/design-thinking-better-government-services-human-centered>