

Decision on how the European Personnel Selection Office (EPSO) assessed the professional experience of a candidate in a selection procedure for EU staff in the field of international cooperation (case 270/2021/KT)

Decision

Case 270/2021/KT - Opened on 09/03/2021 - Decision on 20/06/2022 - Institution concerned European Personnel Selection Office (No maladministration found) |

The case concerned how the European Personnel Selection Office (EPSO) assessed the complainant's professional experience in a selection procedure for recruiting EU staff in the field of international cooperation.

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

The complaint

1. The complainant took part in a selection procedure for recruiting EU staff, which was organised by the European Personnel Selection Office (EPSO) [1] . The selection procedure was organised to recruit administrators in the field of international cooperation.
2. EPSO informed the complainant that she was not admitted to the final stage of the selection procedure (the assessment centre), as she had not obtained a sufficient score in the 'talent screener' stage. In the talent screener, candidates have to answer questions about their professional experience and qualifications. The questions are based on the selection criteria [2] for the selection procedure. The 'selection board' [3] then assesses and scores the candidates' answers. [4] On the basis of the complainant's answers in the talent screener, the selection board gave the complainant a score below the threshold required to be admitted to the next stage of the selection procedure.
3. The complainant considered that she should have received a higher score in the talent screener and asked EPSO to review its decision. Following the review, the complainant's score was increased by two points. However, the revised score was still below the threshold and EPSO informed the complainant that the selection board had confirmed its decision not to admit



her to the final stage of the selection procedure.

4. Dissatisfied with the outcome of the review, the complainant turned to the Ombudsman in February 2021.

The inquiry

5. The Ombudsman opened an inquiry into the complaint about how EPSO assessed the complainant's professional experience in the selection procedure.

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

The Ombudsman's assessment

7. In assessing candidates, selection boards are bound by the selection criteria for the selection procedure in question. At the same time, according to EU case-law, selection boards have a wide margin of discretion when assessing a candidate's qualifications and professional experience against those criteria. [5] The Ombudsman's role is thus limited to determining whether there was a manifest error by the selection board. [6]

8. The talent screener aims to select those eligible candidates whose profiles best match the duties to be performed. In order to make that choice, the selection board first determines evaluation criteria and a scoring grid for each talent screener question.

9. The selection board assesses candidates *solely* on the basis of the information provided in the talent screener section. The notice of open competition thus instructs candidates to include all relevant information in their talent screener answers, even if already mentioned in other sections of their application. [7] This information is also given in the introductory part of the talent screener, which clearly states: "*Scoring is based SOLELY on the information you provide in your answers within this Talent Screener section. References to other answers within Talent Screener or to other parts of your application will not be taken into account.*"

10. The Ombudsman notes that, while the complainant was more precise as regards her professional experience in her application form, she failed to be equally precise in some of her answers in the talent screener (as regards, for example, the start and end dates of her work experiences and short-term assignments). It was, however, the complainant's responsibility to provide the selection board with clear and comprehensive information in the talent screener part of the application.

11. The documents and explanations given to the Ombudsman during the inspection of EPSO's file (see the inspection report annexed to this decision) do not indicate any manifest error in how the selection board assessed the complainant's answers in the talent screener. The initial



mistakes were corrected at the review stage, the purpose of which is precisely to allow the selection board to correct such mistakes [8] .

12. A candidate's personal belief about the relevance of their experience and how they answered the talent screener questions cannot call into question the selection board's assessment and does not constitute evidence of manifest error by the selection board. [9]

13. On the basis of the above, the Ombudsman finds no maladministration in how the selection board assessed the complainant's answers to the talent screener.

Conclusions

Based on the inquiry, the Ombudsman closes this case with the following conclusion [10] :

There was no maladministration in how the European Personnel Selection Office assessed the complainant's answers to the talent screener.

The complainant and EPSO will be informed of this decision .

Tina Nilsson Head of the Case-handling Unit

Strasbourg, 20/06/2022

[1] EPSO/AD/380/19 – *Administrators (AD 7/AD 9) in the field of international cooperation and managing aid to non-EU countries* , available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:C2019/409A/01&from=EN>
[Link]

[2] The selection criteria are defined in the 'notice of competition', which sets out the criteria and rules applying to the selection procedure.

[3] 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.

[4] For more information on the talent screener, see https://epso.europa.eu/help/faq/2711_en
[Link].

[5] Judgment of the General Court of 11 February 1999, *Mertens v Commission* , T-244/97, paragraph 44: <https://eur-lex.europa.eu/legal-content/HR/TXT/?uri=CELEX:61997TJ0244> [Link];



judgment of the General Court of 11 May 2005, *De Stefano v Commission*, T-25/03, paragraph 34: <http://curia.europa.eu/juris/celex.jsf?celex=62003TJ0025&lang1=en&type=TXT&ancre> [Link] =.

[6] 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, *Gibault v Commission*, T-294/03, paragraph 41: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:62003TJ0294> [Link].

[7] See, in this case, page 4 of the notice of open competition.

[8] See point 4.2.2. of Annex III to the notice of open competition.

[9] Judgment of the Court of First Instance of 15 July 1993, *Camara Alloisio e.a. v Commission*, joined cases T-17/90, T-28/91 and T-17/92, paragraph 90:

<https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:61990TJ0017> [Link]; judgment of the Court of First Instance of 23 January 2003, *Angioli v Commission*, T-53/00, paragraph 94: <http://curia.europa.eu/juris/document/document.jsf?text=&docid=47998&pageIndex=0&doclang=FR&mode=lst&dir=> [Link].

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