



## Decision on how the European Parliament evaluated a written test in a selection procedure for recruiting 'intercultural and language professionals' (736/2022/PL)

Decision

**Case** 736/2022/PL - **Opened on** 11/04/2022 - **Decision on** 12/09/2022 - **Institution concerned** European Parliament ( No maladministration found ) |

The case concerned how the European Parliament assessed the complainant's written test in a selection procedure for recruiting 'intercultural and language professionals'.

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

The complaint

**1.** The complainant took part in a selection procedure, which was organised by the European Parliament, to recruit 'intercultural and language professionals'. [1]

**2.** The Parliament informed the complainant that she had not passed the written test, which consisted of three translations. The complainant's lowest score was in her translation from English into Spanish. The complainant considered that she should have received a higher score in this translation and asked the Parliament to review its decision. Following the review, the Parliament informed the complainant that the selection board had confirmed its decision not to admit her to the next stage of the selection procedure.

**3.** Dissatisfied with the outcome of the review, the complainant turned to the Ombudsman on 29 March 2022.

The inquiry

**4.** The Ombudsman opened an inquiry into how the Parliament assessed the complainant's written test.

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

The Ombudsman's assessment

**6.** A selection board's assessment of the knowledge and abilities of candidates is an expression of a value judgment. EU case-law has established that selection boards have a wide margin of discretion in carrying out such assessments. [2] The Ombudsman's role is thus limited to determining if there was a manifest error by the selection board or a breach



of the rules governing the selection board's work. [3]

7. The documents made available to the Ombudsman during the inspection of the Parliament's file (see the inspection report annexed to this decision) show that the complainant's translation was marked by two evaluators in accordance with the applicable guidelines and marking grid. Both evaluators identified weaknesses in the text and other minor mistakes. Following the request for review, a third evaluator checked the translation and agreed with the lower of the two scores.

8. In view of this, the Ombudsman finds that the evaluation of the complainant's translation is consistent between the different evaluators and there is nothing to indicate that there was a manifest error in how the selection board assessed the complainant's written test.

9. In addition, a candidate's personal belief about how they performed cannot call into question the selection board's assessment and does not constitute evidence of manifest error by the selection board. [4]

10. On the basis of the above, the Ombudsman finds no maladministration in how the selection board assessed the complainant's translation.

Conclusions

Based on the inquiry, the Ombudsman closes this case with the following conclusion [5] :

**There was no maladministration in how the European Parliament assessed the complainant's written test.**

The complainant and the Parliament will be informed of this decision .

Tina Nilsson Head of the Case-handling Unit

Strasbourg, 12/09/2022

[1] PE/AD/260/2021 – Intercultural and language professional (AD 5):

<https://op.europa.eu/en/publication-detail/-/publication/edd25fc2-ae3c-11eb-9767-01aa75ed71a1/language>

[2] Judgment of the General Court (Third Chamber) of 14 July 2005, Case T-371/03, *Vincenzo Le Voci v Council of the European Union* , paragraph 102:

<https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=CELEX:62003TJ0371> ;

[3] 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](https://www.ombudsman.europa.eu/cases/decision.faces/en/10427/html.bookmark#_ftnref5)); 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>.

[4] Judgment of the Court of First Instance (Third Chamber) of 15 July 1993 in Joined Cases T-17/90, T-28/91 and T-17/92, *Camara Alloisio e.a. v Commission*, paragraph 90:

<https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:61990TJ0017>; judgment of the Court of First Instance of 23 January 2003, Case T-53/00, *Angioli v Commission*, paragraph 94:

<http://curia.europa.eu/juris/document/document.jsf?text=&docid=47998&pageIndex=0&doclang=FR&...>

[5] This complaint has been dealt with under delegated case handling, in accordance with the Decision of the European Ombudsman adopting Implementing Provisions