

Decision on incorrect information about a candidate's status in the contract agents selection database (CAST) managed by the European Personnel Selection Office (EPSO) (case 2090/2021/VB)

Decision

Case 2090/2021/VB - Opened on 16/02/2022 - Decision on 25/11/2022 - Institution concerned European Personnel Selection Office (Settled by the institution) |

The case concerned the status of an individual on the Contract Agent Selection Tool database (CAST database), from which EU institutions, bodies, offices or agencies may recruit contract agent staff. The complainant had passed the selection tests and was included in the database, which is administered by the European Personnel Selection Office (EPSO), but she was mistakenly indicated as 'recruited' for a period of more than four years.

The Ombudsman found that the complainant may have lost out on the opportunity to be recruited by EU institutions using the CAST database during that period. The Ombudsman proposed to EPSO, as a solution, that it extend the validity of the complainant's status in the database for the same amount of time as the time during which she had been mistakenly marked as recruited. EPSO accepted the proposal.

The Ombudsman closed the inquiry with the conclusion that EPSO had settled the issue. To prevent such issues occurring in the future, she suggested that EPSO take action to ensure that, every time a candidate's status in the CAST database is changed, they receive an automatic email informing them of the change.

Background to the complaint

1. The European Personnel Selection Office (EPSO) administers the Contract Agent Selection Tool (CAST). Candidates who succeed in the CAST selection tests are included in a database from which EU institutions, bodies, offices and agencies may recruit contract agent staff.

2. In 2007, the complainant was successful in a CAST selection procedure and was added to a list [1] in the CAST database. The validity of the complainant's list will expire at the end of 2022. [2]



3. From July 2014 to February 2015, the complainant worked as contract agent in a European Commission representation.

4. In 2016, the complainant was offered a position as contract agent in an EU Delegation starting 1 June 2016, which she initially accepted. However, in April 2016, the complainant informed the Commission that, due to family reasons, she could not take up the post.

5. In September 2020, the complainant contacted EPSO to double check the validity of her status in the CAST database. EPSO informed the complainant that she was marked as 'recruited'. Following the complainant's request, EPSO changed her status back to 'available'. EPSO also noted that it was the responsibility of the EU institution that recruits candidates from the database, in her case the Commission, to reset candidates' status to available on the list once they are no longer employed by that institution. It advised the complainant to contact directly the Commission for any further information.

6. In October 2020, the complainant contacted the Commission to request additional information. In November 2020, the Commission replied that, following an investigation by its human resources department and EPSO, the only possible explanation for the issue was an IT problem during the migration of the CAST database to a new recruitment portal that was created by EPSO.

7. The Commission added that, as the portal is managed by EPSO, the Commission cannot be held responsible for the issue.

8. In November 2021, the complainant turned to the Ombudsman.

The inquiry

9. The Ombudsman opened an inquiry into the complaint. The Ombudsman inquiry team asked EPSO to confirm whether the issue was due to an IT problem during the migration of the CAST database.

10. In the course of the inquiry, the Ombudsman received EPSO's reply. She also made a solution proposal to EPSO and received the comments of the complainant in response to EPSO's replies.

Arguments presented to the Ombudsman

11. The complainant considers that, due to the mistake with her status in the CAST database, she lost opportunities to be recruited by EU institutions as a contract agent.

12. EPSO said that the change in the complainant's status did not happen during the migration of the CAST database, in September 2015. It provided screenshots of the complainant's status



to prove that she was available in the database both before and after the migration. The complainant's status was changed to 'recruited' on 28 July 2016, following a request from the Commission of 7 July 2016 related to the position that was offered to the complainant in an EU delegation.

13. EPSO acknowledged that it is unfortunate that the complainant's status was not changed back to 'available' after she decided not to take up that post. However, it said that it would be difficult to determine to what extent the complainant's recruitment chances were affected by her status in the database. It noted that there were 885 candidates on the list at the time, out of whom only 53 have been recruited by EU institutions so far. 359 are still available for recruitment, whereas 473 are no longer available.

The Ombudsman's proposal for a solution

14. In June 2022, the Ombudsman made a solution proposal to EPSO. She acknowledged that EPSO acted on a request from the Commission when changing the complainant's status to recruited. However, as EPSO is responsible for the management of the CAST database, the Ombudsman decided to address the solution proposal to EPSO.

15. The Ombudsman noted that the complainant was mistakenly marked as recruited in the CAST database for 4 years, 1 month and 14 days (from 28 July 2016 to 11 September 2020). During this period, she may have lost out on the opportunity to be recruited by EU institutions that used the CAST database to look for candidates with her profile. In light of this, the Ombudsman made the following proposal for a solution:

EPSO should take action to ensure that the complainant remains available for recruitment in the CAST database after the expiration of her reserve list for at least the same period her profile was mistakenly marked as recruited (4 years, 1 month and 14 days).

16. The Ombudsman noted that the extension of the complainant's availability in the database would not directly remedy any lost recruitment opportunities, but she considered that this was the most appropriate action to be taken at that stage.

17. In October 2022, EPSO accepted the Ombudsman's proposal for a solution. It informed the Ombudsman that it would create an addendum to the relevant CAST list to keep the complainant available for recruitment for the period of time mentioned above.

18. The complainant accepted the solution without providing further comments.

The Ombudsman's assessment after the proposal for a solution



19. The Ombudsman welcomes EPSO's decision to accept her proposal in this case. She considers that the issue has been settled.

20. However, it is regrettable that the complainant was not informed when her status was changed to recruited in July 2016. Had this been the case, she could have immediately flagged to EPSO the mistake and the issue could have been resolved swiftly. The Ombudsman will make a suggestion for improvement to EPSO, to prevent similar problems arising in the future.

Conclusion

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

The European Personnel Selection Office has settled the issue.

The complainant and EPSO will be informed of this decision .

Suggestions for improvement

EPSO should take action to ensure that, every time a candidate's status in the CAST database is changed, they receive an automatic email informing them of the change.

Emily O'Reilly European Ombudsman

Strasbourg, 25/11/2022

[1] EPSO/CAST/27/4/07.

[2] <https://epso.europa.eu/en/successful-candidates/contract-agents-selections-lists> [Link].