

## **Decision on how the European Personnel Selection Office (EPSO) assessed the application of a candidate in a selection procedure for administrators in the field of agriculture (case 381/2022/FA)**

Decision

**Case 381/2022/FA - Opened on 07/03/2022 - Decision on 30/01/2023 - Institution concerned** European Personnel Selection Office ( No maladministration found ) |

The case concerned how the European Personnel Selection Office (EPSO) assessed the education and professional experience of a candidate in a selection procedure for recruiting EU staff in the field of agriculture.

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.

### **Background to the complaint**

1. The complainant took part in a selection procedure for recruiting EU staff [1] , which was organised by the European Personnel Selection Office (EPSO). The selection procedure was organised for administrators in the field of agriculture.
2. EPSO informed the complainant that he was not admitted to the final stage of the selection procedure (the 'assessment centre'), as he 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 him a score below the threshold required to be admitted to the next stage of the selection procedure.
3. The complainant considered that he should have received a higher score in the talent screener, in particular for selection criteria 1, 4 and 6, which relate to his professional experience and academic background, and asked EPSO to review its decision. Following the review, the complainant's score was increased by one point. However, once the weightings



were applied, the revised score was still below the threshold, and EPSO informed the complainant that the selection board had confirmed its decision not to admit him to the final stage of the selection procedure.

4. Dissatisfied with the outcome of the review, the complainant turned to the Ombudsman in February 2022.

## **The inquiry**

5. The Ombudsman opened an inquiry into the complaint about how EPSO assessed the complainant's education and professional experience in the selection procedure, in particular for selection criteria 1, 4 and 6.

6. In the course of the inquiry, the Ombudsman inquiry team inspected EPSO's file relevant to this case, and asked EPSO twice for clarifications on the complainant's scores in the talent screener. The inspection report is enclosed with 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 Ombudsman acknowledges that, without knowing the details of the relevant scoring grid, it is sometimes difficult for the candidates to understand the scores given to their talent screener answers. EPSO is currently working on increasing transparency for candidates.

10. Moreover, 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. [7]

11. Following his request for review, EPSO increased the score attributed to his talent screener, demonstrating that the review process was meaningful. While the Ombudsman understands the complainant's disappointment, there is nothing in the inspected documents or the explanations provided by EPSO that suggests any manifest error in how his talent screener



was assessed.

12. 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.

## Conclusion

Based on the inquiry, the Ombudsman closes this case with the following conclusion [8] :

**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, 30/01/2023

[1] EPSO/AD/389/21 - *Administrators (AD 7) in the field of sustainable agriculture and rural development* , available at:

<https://epso.europa.eu/en/job-opportunities/competition/7728/description> [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](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:



<https://eur-lex.europa.eu/legal-content/IT/TXT/?uri=CELEX:62003TJ0025> [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](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] 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: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62000TJ0053> [Link].

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