

## **Comments of the Commission on a request for complementary information from the European Ombudsman - Own initiative inquiry, ref. OI/3/2003/JMA**

Correspondence - 13/07/2009

**Case** OI/3/2003/JMA - **Opened on** 19/11/2003 - **Decision on** 04/07/2007

06-03-2006

### **I. Background**

On 19 November 2003, the European Ombudsman decided to open an own-initiative inquiry in relation to the measures adopted by the European Commission to ensure that people with disabilities were not discriminated against in their relations with the Institution.

The Ombudsman requested the Commission to report, in particular on (a) the actions it had taken or intended to take to ensure that persons with disabilities were not discriminated against in their relations with the Institution as well as (b) the timetable for their adoption.

As part of the Ombudsman's policy of wider consultation on this subject, all relevant documents pertaining to the inquiry were publicised on the Ombudsman's website. National Ombudsmen were also informed and consulted on this initiative.

The Commission sent its opinion to the Ombudsman on 3<sup>rd</sup> March 2004. The latter was also posted on the Ombudsman's website.

### **II. The request for further information**

This present request for further information is the Ombudsman's follow-up to the own initiative inquiry cited above. It takes into account the concerns of national Ombudsmen in the Member States, the public and the non-governmental organisations which responded to the consultation and/or reacted to the reply of the Commission.

Arising from their responses, the Ombudsman is now asking the Commission for further information on some aspects of the relations between people with disabilities and the Institution,



whether as candidates for recruitment competitions, employees, dependants of employees or members of the public availing of information. The further inquiries cover the following subjects (numbers in parentheses refer to the paragraph numbers in the Ombudsman's letter, where the further information has been sought):

- employment and disproportionate burden (1.2);
- financial support for officials and family members with disabilities (1.3);
- accessibility of recruitment procedures (1.4);
- the possibility of periodic reports on recruitment policy (1.5);
- positive measures to promote recruitment of people with disabilities (1.6);
- building standards in relation to accessibility (2.2);
- parking facilities (2.3);
- accessibility of information disseminated for people with disabilities (3.3);
- accessibility of websites to the public (3.4);
- alternative accessible formats for all EU public documents (3.5);
- integration of children with Special Educational Needs (SEN ) (4.2);
- analysis of disability survey (5.3);
- raising awareness of disability(5.4).

### **III. The Commission's comments to the further request of the ombudsman**

#### **- Employment and disproportionate burden (1.2)**

The Commission has provided guidelines to assist its services in deciding, among others, whether or not a measure to promote the integration of people with disabilities is deemed to impose a disproportionate burden. Rules for the implementation of Article 1d (4) of the Staff Regulations were adopted by the Commission and were published on 20 June 2004, by means of Administrative Notice N° 69-2004 (cf. annex I). The implementing rules deal with, *inter alia* , the recruitment of disabled persons, disability in the course of the official's career, reasonable accommodation and undue burden.

The Code of Good Practice for the Employment of People with Disabilities provides in its point 3 - Work-related accommodation - that " *Stringent standards... are to be applied when assessing what is a disproportionate burden for the European Institutions* ." (cf. annex II). In accordance with this principle, Article 12 of the implementing rules provides:

" *For reasonable accommodation to impose an undue burden on the institution, the costs of providing it are such that they are more than the institution can reasonably be expected to bear* ."

Examples of reasonable accommodation are provided in Article 8 of the implementing rules, as follows:

- making existing facilities, already in use by employees, readily accessible to and usable by people with disabilities;
- job re-structuring;



- provision of assistance;
- part-time working or modified work schedules;
- acquisition or modification of devices;
- adjustment of training materials;
- altering policies or practices.

For the purposes of assessing if the provision of reasonable accommodation imposes an undue burden, Article 13 of the implementing rules provides that the following considerations, *inter alia*, should be taken into account:

- the type and cost of the accommodation;
- the cost of making the accommodation, relative to the average overhead costs for each member of staff;
- the cost of making the accommodation, relative to the available budget;
- the number of people in the particular area who require accommodation;
- the health and safety needs of all staff.

The full text of Administrative Notice 69-2004 can be accessed at [http://www.cc.cec/guide/publications/infoadm/2004/ia04069\\_en.html](http://www.cc.cec/guide/publications/infoadm/2004/ia04069_en.html) [Link].

These implementing rules, taken in conjunction with the Staff Regulations, provide clear guidelines for services in the provision of reasonable accommodation for people with disabilities.

**- Financial support for officials and family members with disabilities (1.3)**

- As already pointed out in its reply to complaint 1391/2002, the Commission does not consider that it discriminates in relation to the support it provides for officials and family members with disabilities. The whole range of financial support provided by the sickness insurance for medical costs, by the statutory allowances and by the supplementary aid for disabled for non-medical costs is considered appropriate to compensate for supplementary costs linked to a disability. The guidelines for implementation of the budget - heading 'supplementary aid for the disabled' concerning welfare appropriations for disabled persons - which entered into force on 1 May 2004 (cf. annex III) provide that a recipient's personal contribution can range from 5% to 35%, calculated on the basis of his taxable family income (cf. annex IV). The guidelines are inter-institutional and each Institution has its own budget.

**Budgetary situation :** In 2005, all the available funds of 1.350.000 € under the budgetary heading "*supplementary aid for the disabled*" were completely spent reimbursing the 85 existing dossiers. About half the dossiers concerned costs linked to severe handicaps, the rest concerned reimbursement of costs of education or specific training necessary to offset the effects of a disability. As for the budget 2006, the budgetary authority granted an amount of 1.770.000 € (a 30 % increase in comparison with 2005). This will be sufficient to cover existing dossiers, a normal increase in the costs of those existing dossiers as well as an estimated number of about 15 new dossiers. This estimate is based on a response to an information campaign among Commission officials that was launched in 2005. Thus, the budget will cover the reimbursement of existing dossiers based on the existing regulation. Unfortunately, there will be not be sufficient funds available to provide a reimbursement of 100 % of all dossiers, which the Commission estimates would require at least 300.000 € of additional funds. Thus, taking



into consideration the budgetary limits, the beneficiaries' personal contributions facilitate more equal treatment and a reimbursement of all justified demands.

**Budgetary guarantee :** Although the Commission does not have a legal obligation to reimburse 100 % of the costs arising from a disability, it does not object in principle, from a policy point of view, to a reimbursement of this kind. However, as highlighted in its reply to complaint 1391/2002, the Commission is not able, on its own, to change the essential character of the budget ' *supplementary aid for the disabled*' which is limited in terms of amount. The Commission would possibly be prepared to provide a 100 % reimbursement of the costs linked to a handicap on the condition that the budgetary authority guaranteed the availability of sufficient funds and also on the basis of an inter-institutional agreement on a revised proposal of the guidelines referred to above which would allow the full reimbursement. Without this agreement and the budgetary guarantee and considering the obligations of the Financial Regulations, reimbursements will always be limited by the available funds and the Commission will continue to disburse such funds in the most equitable way possible. Taking into account the current budget, the latter policy avoids the implementation of the principle "first come, first served" which would create an extreme discrimination between those who would be reimbursed at 100 % and those who would not be reimbursed at the same rate, if at all, because there are no more funds available.

**Beneficiaries' personal contribution :** The Commission does not consider that the limited personal contribution provided for in the guidelines (5 % to 35 %) is socially unfair since the contribution from the beneficiaries is calculated on the basis of the taxable family income.

**Increase of the reimbursements :** The Commission has made an enormous effort to reinforce its support for disabled people. Individual financial aid has been substantially increased by higher reimbursements since 1 st May 2004, following a number of amendments to the policy on the supplementary allowance for disabled persons and by a considerable increase in the funds available. Between 2003 and 2005 the number of dossiers increased by nearly 50 % (from nearly 60 to 85 dossiers) and the funds available were increased by 130 % (from 770.000 € to 1.770.000 €). A new sector "practical help for disabled" was also established in 2004 to provide general information, counselling and support.

**New Communication in 2006 :** A new Commission Communication, dealing with assistance for people with disabilities, is likely to be presented in 2006. It will further improve and enlarge aid for parents responsible for a disabled child. This document, based on profound analyses of disabled children's needs, will tackle all essential problems including the parents' main concern: care for the disabled child after the parents' death.

#### **- Accessibility of recruitment procedures (1.4)**

Within the framework of the organisation of competitions, and as far as procedures in practice are concerned, particularly at the European Personnel Selection Office (EPSO), several practical measures are in place in order to facilitate the participation of candidates with disabilities in the various tests, and which are adapted to the disability concerned.



In the notices of competition, candidates are assured that:

*" The European Union institutions apply a policy of equal opportunities and accept applications without distinction on the grounds of sex, race, colour, ethnic or social origin, genetic characteristics, language, religious, political or other convictions or opinions, belonging to a national minority, financial situation, birth, disability, age, sexual orientation, marital status or family situation ".*

What is more, candidates with a disability are reminded in the notice of competition that:

*" If you have a disability that prevents you from registering online, you may request, preferably by fax, a paper version of the form, which you should fill in, sign and return by registered mail, postmarked no later than the closing date for registration. All subsequent communication between EPSO and you will be by post. You must enclose with your application form a certificate attesting your disability, issued by a recognised body. You should also set out on a separate sheet of paper any special arrangements you think are needed to make it easier for you to take part in the tests ".*

In the "Guide for Applicants", published at the same time as each notice of competition, candidates with a disability are further reminded of the opportunity to ask for special arrangements on account of their disability. Annex 2 of this guide, entitled "Instructions for filling in the electronic registration form", stipulates that candidates with a disability must:

*" Write "YES" if you have a disability that might make it difficult for you to do the tests. This will help EPSO make whatever arrangements it can to help you".*

Finally, on the ESPO website, direct reference is made to equal opportunities - to which EPSO attaches great importance. The same applies for all advertisements inserted in the Press when a competition is announced.

*"EPSO is firmly committed to the principle that the organisation must be a true reflection of the society it serves. Posts in the EU Institutions are open to all citizens of Member States who meet the eligibility criteria, irrespective of gender, age, nationality, race, religion or sexual orientation. Wherever reasonable and practical, special arrangements are made to enable candidates with disabilities to compete on an equal basis with others in recruitment competitions, and to facilitate the effective integration of successful candidates into the working environment. Discrimination is not tolerated in the EU Institutions. While preserving the overarching principle of selection on merit, we aim to establish appropriate national balance within the workforce and have policies in place to encourage better representation of women in more senior positions. The European Union embraces diversity in its widest sense".*

In practical terms, numerous measures have already been undertaken at the time of organising tests for competitions at the request of the candidates themselves and on the basis of explanations provided as to what they deem necessary in order to participate in the tests.



In order to comply with these requests, EPSO has the option of inviting those candidates with a disability to separate test centres.

Below are examples of measures already undertaken by EPSO, depending on the type of disability presented by a candidate:

- disability involving problems with sight : text in Braille; text written in bigger font; the candidate may bring his/her own PC which can read Braille; for the tests, the invigilator may read the questions and answers proposed, the candidate gives his/her answer and the invigilator indicates this on the optical reader form; audio recording; extra time given;
- disability involving hearing: (deaf or partially deaf candidates): possibility of being seated at the front of the examination centre to lip-read the spokesperson; have a copy of the spokesperson's text and have an individual invigilator at their disposal;
- disability involving the hands: either have a PC at the candidate's disposal and be able to print off answers; or the candidate may give their answer verbally to an invigilator with audio recording used;
- wheelchair: EPSO makes sure that the candidate has access to the examination centre without any obstacle;
- debilitating illness/cerebral handicap: extra time given to do the tests; a PC, a document holder, a parking place put at the candidate's disposal; ergonomic chair may be provided;
- dyslexia: a PC is put at the candidate's disposal in order to write the test and extra time is given.

In relation to producing reports on the accessibility of the recruitment procedures for candidates with disabilities, other than visual impairments, in the follow-up to the disability survey - referred to below in greater detail - an examination by the Commission and EPSO of the content of publicity for recruitment is already proposed, with a view to encouraging more applications from people with disabilities. The question of preparing reports on specific disabilities will be examined in this context.

**- The possibility of periodic reports on recruitment policy (1.5)**

The Commission sees anonymity as a guarantee of equal treatment for candidates and its selection procedures are organised, to the greatest extent possible, to ensure equal treatment.

In this respect, EPSO arranges special facilities to enable disabled persons to compete in the competitions.

In the context of the survey results (referred to below in further detail), the Commission has undertaken to examine how existing and future statistics on the employment of people with disabilities in the Commission can be made more reliable and regularly updated, while



respecting the obligations of [Regulation \(EC\) 45/2001 \[Link\]](#) on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. The Commission will consider the question of publishing such statistics in the future, as part of the examination to improve the reliability of statistics.

**- Positive measures to promote recruitment of people with disabilities (1.6)**

The selection procedures, involving anonymous tests and the provision of reasonable accommodation to participate in these tests, are considered to be the best guarantee of equal treatment in the recruitment process. Apart from the future actions to be taken to ensure more targeted advertising of employment opportunities at people with disabilities, the Commission does not see a need to further intervene by providing positive action measures specifically for people with disabilities at this stage of the recruitment procedures.

As was notified to the Ombudsman in response to his previous inquiry, the Personnel and Administration Directorate-General (DG ADMIN) is notified when laureates from recruitment competitions have indicated that they had a disability requiring special accommodation in the recruitment process. DG ADMIN adopts a proactive approach to their recruitment by services on a case by case basis and this is currently seen as the most appropriate point to adopt positive measures.

In the context of the survey results, the Commission has undertaken to explore, with other relevant groups, the various means by which the recruitment of people with disabilities could be promoted within the institution. This review will consider the question of developing positive measures to promote the recruitment of people with disabilities in more detail, such as establishing and monitoring some form of employment target for people with disabilities, individual follow-up by the administration after the medical exam to ensure appropriate assignments and equipment. In addition, the question of disability is addressed in courses on selection interviewing and 'jury de concours' training, to ensure sensitisation to the issues.

**- Building standards in relation to accessibility (2.2)**

The latest version (no. 5) of the Commission's buildings standards manual (commonly called the MIT - *Manuel d'Immeuble Type* ) was adopted by the Management Committee of the Office for Infrastructures and Logistics - Brussels (OIB) on 29 June 2004 after broad internal consultation. Chapter B.III. specifically concerns requirements for the disabled, covering general access issues, dedicated parking spaces, mobility, lighting and signposting in buildings, sanitary installations and emergency evacuation.

Over and above this dedicated chapter, there are about 30 references to disabled requirements throughout the manual. The MIT respects both Belgian [including the Brussels' 'Règlement Régional d'Urbanisme' (RRU) (1) [\[Link\]](#)] and European legislation in this matter and also the Commission's Code of Good Conduct for the employment of people with disabilities (2) [\[Link\]](#).

Further revision of the MIT is not planned in the short term. The current document was only adopted mid-2004 and is up to date in terms of accessibility standards. Further, the specialist provided for in the Code of Good Conduct for the employment of people with disabilities, to





make ergonomic appraisals of the office environment of people with disabilities, was recently appointed. The matter will, of course, be kept under review in the light of the new MIT standards and the experience of the specialist.

#### **- Parking facilities (2.3)**

In line with the Commission's Code of Good Conduct for the employment of people with disabilities, a minimum of two parking spaces are reserved for disabled visitors either inside or outside (3) [Link] each Commission building except for the Berlaymont building; in all the Commission has 114 such reserved spaces.

Access to the Berlaymont building, because of security issues, is restricted; it is for this reason that the Commission requested the Brussels authorities to reserve disabled parking spaces in the Boulevard Charlemagne, which runs alongside the Berlaymont. In October 2005, the Police Commissioner for Brussels-Capital agreed to reserve three such places in the Boulevard Charlemagne and has requested the department of public works to carry out the necessary work.

In addition to the above-mentioned parking spaces specifically reserved for disabled visitors, the Commission has also 216 reserved parking places within its buildings for its own staff with medical problems (staff suffering from permanent or temporary disabilities/health-related difficulties). Each of these parking spaces is allocated on the basis of an individual request, based on a medical certificate.

#### **- Accessibility of information disseminated for people with disabilities (3.3)**

The Commission's position regarding the accessibility of information is explained on the "EUROPA - Web Accessibility Policy" page ([http://europa.eu.int/geninfo/accessibility\\_policy\\_en.htm](http://europa.eu.int/geninfo/accessibility_policy_en.htm) [Link]), as follows: "with respect to the EUROPA server, the European Commission has decided to adopt level A (Priority 1) conformity for new and updated websites." The WAI-A contains rules concern not only visually impaired persons but people with other impairments and disabilities. In addition, the Directorate-General for Employment, Social Affairs and Equal Opportunities maintains the official website of the European Year of People with Disabilities on the Europa server, which can be accesses at [http://europa.eu.int/comm/employment\\_social/disability/index\\_en.html](http://europa.eu.int/comm/employment_social/disability/index_en.html) [Link].

#### **- Accessibility of websites to the public (3.4)**

The Information Providers Guide (IPG) is intended for authors of pages on the EUROPA website (coordinators, webmasters, contractors, etc.) and covers editorial, technical and graphic aspects. The rules set out in the IPG (4) [Link] are compulsory, in order to ensure a coherent and user-friendly service.

According to the IPG, the pages prepared for publishing on EUROPA should meet the Level A accessibility criteria. The webmasters of Directorate Generals and Services are responsible for the assessment of the accessibility of their respective websites and for assuring that the sites/pages are IPG and WAI-A compliant. There are a number of tools available that can evaluate a website for compliance with the current accessibility standards. Furthermore, the





EUROPA coordination team of Directorate General PRESS provides systematic assistance to the Webmasters in their task of validation of the sites and pages against the WAI-A (as well as some of WAI-AA) checkpoints.

#### **- Alternative accessible formats for all EU public documents (3.5)**

WAI-compliant EUROPA pages can, with the appropriate end-user software, be used to create large prints, Braille, and audio. The problem with a multilingual site such as EUROPA is that not all languages can be read by assistive software. The way the Commission could improve the already WAI-compliant pages is to provide audio files or sign language files generated from these pages. However, this could cause more problems than provide solutions, as the technique in question is machine translation: an automatic translation into sign language would not make sense, just like machine translation is rarely of good quality. An alternative would be for a sign language translator to be hired in order to provide sign language files. However, in that case, since there is no universal sign language, (e.g. Belgian French sign language is different to the French one). The implementation of this approach seems unrealistic.

A possible solution that would require several additional resources would be to provide a link to an audio output next to introductory texts of any long articles/information in order for impaired people to understand quickly whether the information is of interest to them and proceed or skip it. Other than that, in a multilingual site as EUROPA the ongoing process of creating WAI-compliant content and checking the content to verify its accessibility has so far proved to be the best way to ensure the maximum level of accessibility. The Commission has adopted a Web Content Management system which, when used in the future, will guarantee conformity with the minimum accessibility requirements on all its pages.

Another alternative accessible format is 'easy reading'. On the occasion of European Day of People with Disabilities in 2005, the Commission issued working documents in this format.

#### **- Integration of Special Educational Needs (SEN) children (4.2)**

As the Ombudsman knows, the Commission has no competence in educational matters and cannot therefore assess or evaluate the new SEN programme in the European Schools (ES) nor give instructions to the ES. All decisions in this area are taken by the Board of Governors of the European Schools (BoG), on which the Commission has only one of the 29 votes (5) [\[Link\]](#). However, as a member of the BoG and a responsible employer whose staff is expressing dissatisfaction with this service of the ES (which is funded to a large extent by Community money), the Commission is actively pursuing the matter by requesting that an evaluation is made of the SEN programme.

In March 2004, at the meeting of the ES's Pedagogical Committee (a preparatory sub-committee of the BoG, where educational matters are discussed and prepared for the Board's consideration and approval) certain statistics on SEN cases were presented for the first time. The Commission requested to have the SEN programme evaluated by the relevant inspectors/coordinators and that the next report (in the following year) on the SEN programme should provide the results of that evaluation. The last report on the SEN programme was similar to the first, however and the Commission, at the Pedagogical Committee meeting in November



2005, repeated the request for an evaluation of the SEN programme.

In addition, the Commission has asked the Office of the Secretary General for the ES for more information on the application of the SEN programme, arising from other requests for information from the Ombudsman, and has stated in writing the type of information that should be collected by the ES. To date, no data have yet been provided to the Commission.

The Commission has formally requested an evaluation of the implementation of the SEN programme to the BoG at the end of January 2006. An evaluation report should follow later in the next school year.

#### **- Analysis of disability survey (5.3)**

The survey regarding disabilities conducted by the Commission in December 2004 has been analysed and the results have been posted on the intranet of the Commission. The text of the full results is provided in Annex V and it is summarised below. Arising from the analysis of the 3,526 replies (6) [\[Link\]](#), specific actions are also proposed. These are included in the information posted on the intranet site and are also summarised below.

The low number of responses from people with disabilities (216 which represents 6 % of the respondents) made it difficult to draw definite conclusions from the results of the survey, as it was not clear if the responses were representative of a small number of people with disabilities employed in the Commission or a low response rate from a higher proportion. However, some points were made with regularity and would benefit from further action, such as the difficulties some staff said they experienced in getting relatively simple accommodations to facilitate them in their work, like appropriate chairs or office tables or adapted IT equipment. These would appear to be "reasonable accommodations", within the terms of the Staff Regulations (Article 1d 4), which the institution is obliged to provide to staff with disabilities to facilitate them in the exercise of their official duties. Attention of the Commission was also drawn to the difficulties encountered by some disabled persons in accessing to or within buildings (routes being blocked by storage items, too-heavy fire doors, etc).

108 replies referred to possible discrimination with regard to career opportunities or career development. Staff felt that they had experienced less favourable treatment because of their disability, resulting in slower career development, less interesting work or lack of access to training while, on an interpersonal level, a number of staff experienced behaviour that they felt was humiliating, intimidating or offensive, from superiors and colleagues. The Commission paid great attention to these concerns expressed by staff. In consequence, proposal for actions have been agreed, as follows:

- The findings of the summary report have been brought to the attention of all Human Resources Directors, the Medical Service, the Health and Safety Unit, the Central Career Guidance Unit (SCOP) and the Inter-service Group on Disability, where useful follow-up can be pursued to ensure greater awareness of the issues. It was ensured that the relevant services were made aware of the comments made in the survey that relate to those services.
- It must be ensured that all staff is aware that discrimination on the basis of disability is specifically prohibited in the Staff Regulations. As a result, the survey and its outcome, seen as



important tools to sensitise staff to the issues and to influence change have, accordingly, been placed on the disability site on the intranet.

- The statutory provisions relating to non-discrimination (Article 1d 1) are highlighted on the Commission's intranet site on disability.
- Additionally, staff are reminded on the intranet site that, under the terms of the Code of Good Practice for the Employment of People with Disabilities, the Equal Opportunities and Non-discrimination Unit of DG ADMIN may be approached on a confidential basis if matters of dissatisfaction arise in relation to the implementation of the Code. The Unit will pursue the issues discreetly, with due regard to the level of confidentiality sought.
- The delay in the provision of accommodations, or their non-provision, was a recurring theme in the responses to the survey. Less favourable treatment because of a disability, such as slower career development or less interesting job opportunities, were also identified in responses. The Code of Good Practice provides that a counsellor specialised in vocational and rehabilitation counselling should be part of the team providing the SCOP and that the Commission will designate a specialist to make ergonomic appraisals of the office environment of staff with disabilities. The appointment/designation of the specialists was a follow-up priority to be pursued by DG ADMIN during 2005, with a view to enabling a proactive approach to career development, the appraisal of the office environment and the provision of reasonable accommodations in a timely manner. These specialists, in SCOP and the Health and Safety Unit of DG ADMIN, have now been designated. In addition, an examination of the various budgetary provisions available for the benefit of staff with disabilities will be conducted, as will the question of the need for dedicated budgetary resources for the provision of reasonable accommodations, to ensure that maximum benefit is achieved.
- DG ADMIN, in consultation with the relevant services, will examine the position in relation to the various budgetary provisions available for the benefit of staff with disabilities, to ensure that maximum benefit is achieved for the staff for whom these resources are provided. In particular, DG ADMIN will examine the question of the need for dedicated budgetary resources for the provision of reasonable accommodations in the workplace and whether such resources should be available centrally or at the level of the DGs.
- The question of establishing and monitoring some form of target for the employment of people with disabilities also needs to be examined. DG ADMIN, in co-operation with the Interservice Group on Disability and EPSO (and other relevant groups), will explore the various means by which the recruitment of people with disabilities can be increased. Additionally, they will examine how existing and future statistics on the employment of people with disabilities in the Commission can be made more reliable and regularly updated, while respecting the obligations of Regulation No 45/2001.
- As part of the process of establishing a more visible and active policy in this area, DG ADMIN will, in January 2006, consult with the Member States regarding the procedures, if any, adopted in their national administrations to promote the recruitment and accommodation of people with disabilities, with a view to establishing existing best practices in the Member States that might also be pursued within the Commission.

Additionally, in order to assess progress, the question of conducting a second disability survey in 2007-2008 will be considered towards the end of 2006. Depending on its results, priorities can be re-directed as required and new priorities can be set.



#### **- Raising awareness of disability (5.4)**

The primary means of raising awareness and sensitising staff to disabilities has been the publicity gained by the adoption of the revised Code of Good Practice and the conduct of the survey of all Commission staff on disability matters. Both events were widely publicised. The former was publicised in the European Commission's weekly internal newspaper, "Commission en Direct", which is circulated to all staff, is available in the intranet and has a print run of over 50,000 among all EU Institutions. The latter was publicised by a note from the Director-General addressed to all Commission staff.

The next step in the awareness-raising process will be the publication of the results of the survey on the Commission's intranet. This will provide information on the analysis of the replies, together with the follow-up actions planned for 2006.

Staff involved in selection interviewing or in "*jury de concours*" training already receive awareness training in this area and a practical guide on good practice in the area of non-discrimination (including disability), aimed at trainees on the courses and at managers who have responsibilities for recruitment in the Directorates-General, will be available in early 2006.

Furthermore, the Commission is considering the possibility of specific actions on sensitisation through training sessions or through organising a conference or seminar for staff, in 2006 or 2007, to coincide with the annual European Day of Disabled People on 3 December. Such actions will depend on the availability of financial resources.

## **IV. Conclusion**

The Commission has adopted a broad, progressive and proactive approach to its policies in relation to people with disabilities. The new Staff Regulations, the revised Code of Good Practice and the various services provided, take account of the special needs that people with disabilities may have in their dealings with the Commission.

The aim of the Commission is to ensure that the principle of non-discrimination is applied to all its dealings with people with disabilities and to regularly review its arrangements in this regard. The Commission will continue to consult with its specialist services and with the representatives of staff with disabilities, in particular through the Interservice Group on Disability, to ensure that this aim is fulfilled.

#### **List of enclosures**

[Annex I \[Link\]](#): Commission Decision implementing article 1d (4) of the Staff Regulations

[Annex II \[Link\]](#): Commission Decision of 25 th November 2003 on a revised Code of Good Practice for the Employment of People with Disabilities



[Annex III \[Link\]](#): Provisional guidelines for implementation of the budget heading 'supplementary aid for the disabled' concerning welfare appropriations for disabled persons

[Annex IV \[Link\]](#): Guidelines on the personal contribution to the costs linked to a disability

[Annex V \[Link\]](#): Analysis of staff survey regarding disabilities

(1) [\[Link\]](#) The R.R.U. is a regional regulation which applies to the territory of the Region. Its purpose is, in view of simplification, to unify the existing regulations as regards urban developments standards applicable to the Brussels-Capital region.

(2) [\[Link\]](#) C(2003) 4362 of 18.11.2003.

(3) [\[Link\]](#) Outside parking places are subject to the agreement and public works of the Brussels authorities.

(4) [\[Link\]](#)[http://europa.eu.int/comm/ipg/index\\_en.htm](http://europa.eu.int/comm/ipg/index_en.htm) [\[Link\]](#).

(5) [\[Link\]](#) 25 Members States, the Commission, parents associations, the European Patent Office (for matters relating to the European School in Munich), staff representatives.

(6) [\[Link\]](#) The total employment of permanent and temporary staff in the Commission is around 25,0000 people.