

Strategy for the mandate

Annual Management Plan - 21/09/2010

Foreword

The European Ombudsman's strategy, presented here, seeks to provide a clear statement of the Ombudsman's mission, aspirations and guiding principles. Building on what has been accomplished so far, the strategy outlines a series of objectives and priorities, which are designed to achieve the Ombudsman's overarching aim of, first, ensuring that EU citizens enjoy their rights fully, and, second, enhancing the quality of the EU administration.

This strategy is ambitious and far-reaching but, hopefully, it is also realistic and feasible. It has been developed through an extensive process of consultation with internal and external stakeholders. I am very grateful to all those who contributed to this exercise in institutional self-reflexivity for their many positive and creative suggestions.

I hope that the strategy will serve as a useful guide both in fulfilling the Ombudsman's commitments towards citizens and institutions alike and in rendering such commitments more readily intelligible. It is also my hope that, in seeking continuously to improve our own services, we will meet and perhaps exceed the expectations of our interlocutors.

P. Nikiforos Diamandouros September 2010

1. About the European Ombudsman

The mandate

The office of European Ombudsman was created in 1993, as part of the citizenship of the Union. The idea was to help bridge the gap between citizens and the Union's institutions. The European Parliament elected the first Ombudsman in 1995.

The Ombudsman has power to carry out inquiries into maladministration in the activities of the



Union's institutions, bodies, offices and agencies, with the exception of the Court of Justice in its judicial role, either on his own initiative or in response to complaints. He is completely independent in the performance of his duties.

Every citizen of the Union has the right to complain to the Ombudsman. Residents, companies and associations may also complain.

If a complaint is justified, the Ombudsman seeks a friendly solution whenever possible. This may involve a suitable remedy, such as changing a decision, offering an apology, or providing compensation. The Ombudsman cannot compel an institution to put maladministration right, but if an institution fails to comply with his recommendations he can criticise it publicly. If the issue is serious enough, he may make a special report to the European Parliament.

As well as providing an independent and impartial service to complainants, the Ombudsman also works proactively to improve the quality of administration and encourage full respect for citizens' rights.

Achievements to date

Since the creation of the office, the Ombudsman has answered more than 36,000 complainants and completed more than 3,800 inquiries into possible maladministration.

Promoting good administration

From the outset, the Ombudsman has been guided by a vision of citizenship that results in the empowerment of citizens, respect for their rights and an administrative culture of service.

Concrete measures taken, or successfully proposed, by the Ombudsman include:

- a broad concept of maladministration, encompassing legality, fundamental rights and principles of good administration
- a fundamental right to good administration (Article 41 of the Charter of Fundamental Rights of the European Union)
- the *European Code of Good Administrative Behaviour*
- full and fair procedural rights for complainants to the Ombudsman.

Empowering citizens



To empower citizens and strengthen their confidence in the institutions, the Ombudsman has made transparency a central theme of his work. Concrete measures include:

- promoting rules on public access to documents that ensure transparency in all EU institutions
- improving the transparency of the European Commission's procedure for dealing with complaints against Member States
- making the EU's procedures - in areas such as recruitment, tenders and grants - fairer and more transparent
- working with the European Data Protection Supervisor in balancing the right to data protection and the right of public access to documents
- regularly providing stakeholders with information in all 23 official EU languages and publishing the Ombudsman's decisions on his website.

Helping complainants

In order to reinforce his ability to help complainants, the Ombudsman has:

- developed an increasing focus on finding solutions for complainants and securing redress
- encouraged the use of mechanisms of alternative dispute resolution by the Commission in contractual cases
- successfully made the case for strengthening his powers of inquiry
- developed close co-operation with ombudsmen and similar bodies in the Member States, through the European Network of Ombudsmen
- produced an interactive on-line guide to non-judicial remedies for the protection of rights under EU law.

Working proactively

In addition to responding to complaints, the Ombudsman has also worked proactively to raise the quality of EU administration. Concrete measures include:

- own-initiative inquiries, in areas such as late payment, disabilities and age discrimination aiming to identify possible systemic maladministration and find appropriate solutions
- systematic analysis of the follow-up given by the institutions to critical and further remarks made by the Ombudsman
- cooperation with the European Investment Bank to ensure it provides information to stakeholders on its social and environmental policies and internal complaints procedure
- responding to public consultations by the Commission on access to documents, the Financial Regulation and the European Citizens' Initiative
- engaging in structured and regular dialogue with the institutions.

The present strategy, which covers the current mandate of the Ombudsman, commencing in 2009, builds on what has already been achieved. By doing so, the Ombudsman aims to help the Union to deliver on the promises it has made to citizens in the Treaty of Lisbon concerning fundamental rights, enhanced transparency and greater opportunities for participation in the Union's policy-making.



2. Mission, aspirations and guiding principles

Our mission statement

In 2009, the European Ombudsman adopted the following mission statement:

The European Ombudsman seeks fair outcomes to complaints against European Union institutions, encourages transparency and promotes an administrative culture of service. He aims to build trust through dialogue between citizens and the European Union and to foster the highest standards of behaviour in the Union's institutions.

Our aspirations

By the end of the current mandate, we aspire to:

- measurably increase our effectiveness as an alternative means of resolving disputes with the Union institutions
- be recognised as a driving force to put citizens at the centre of the Union's administrative culture
- more fully demonstrate our on-going commitment to identifying and meeting the expectations of complainants and of other stakeholders.

Our guiding principles

Five guiding principles constitute the framework for all our activities, internal and external.

Integrity

- We deal with complaints objectively and impartially.
- We are honest, trustworthy and guided by a sense of propriety.

Fairness

- We regard fairness as a key principle of good administration.
- We aim to strike a reasonable and fair balance between conflicting rights and interests and to help others to do so as well.

Accountability



- We regard being accountable to others as integral to the independence of the Ombudsman.
- We work as openly as possible.
- We explain our decisions and actions and give reasons for what we do.

Dialogue

- We are open-minded, listen carefully and respectfully to others and try to see things from their point of view.
- We engage proactively with our stakeholders, be they citizens, associations, or institutions.
- We use language that is as clear and easy to understand as possible.

Service

- We are conscious that the Ombudsman exists to serve citizens and our stakeholders and we aim to provide the highest possible quality of service.
- We learn from our own experience and that of others and are proactive in seeking to identify, develop, and apply best practices.
- We apologise for our mistakes and do our best to put them right.

3. Objectives and priorities

Objective 1 -

Listen

We want to listen to our stakeholders, be open to their suggestions and identify best practices

Priorities:

1. Obtain regular feedback from complainants on their experiences and their views about the quality of service we provide.
2. Further develop contacts with EU institutions at all levels to understand better how we can help them nurture and promote a culture of service.
3. Engage with civil society organisations in order to take account of their concerns.
4. Look outward to examine how others achieve their performance levels and understand the



processes which engender them.

5. Learn from the European Network of Ombudsmen about best practices in the Member States that could be adopted at EU level.

Objective 2 -

Deliver

We want to find ways to achieve results faster

Priorities:

1. Strengthen the capacity of the office to handle complaints even more effectively and efficiently.
2. Reduce the time needed to close inquiries by better monitoring of deadlines and, where possible, setting shorter deadlines.
3. Develop alternative and simplified procedures to promote, wherever possible, a rapid resolution of complaints without resorting to a lengthy investigation.
4. Review the handling of complaints that are outside the mandate.

Objective 3 -

Persuade

We want to have a positive impact on the administrative culture of the EU institutions

Priorities:

1. Explore ways to make the Ombudsman's proposals for friendly solutions, draft recommendations and remarks more persuasive.
2. Emphasise the Ombudsman's role as a rich resource to help institutions improve their administrative practices.
3. Persuade the institutions that reaching out to citizens and civil society organisations should be part of the culture of service and has high returns for them.
4. Focus more on systemic questions, by identifying areas of malfunctioning in the EU administration and opportunities for improvement and by using the Ombudsman's power to open own-initiative inquiries.



5. Contribute to policy debates in areas relevant to the Ombudsman's mandate.

Objective 4 -

Communicate

We want to provide our stakeholders and the public with timely, useful and easily accessible information

Priorities:

1. Develop a range of publications in paper and electronic format, targeted to the needs of our specific audiences.
2. Find new and improved ways to inform citizens about how the European Ombudsman and the European Network of Ombudsmen can help them enjoy their rights.
3. Raise public awareness of the Ombudsman's ongoing inquiries and results in high-impact cases.
4. Ensure that our information policy covers our initiatives to improve the quality of administration, as well as our work with complaints, and encourages full respect for citizens' rights.
5. Build on our internal communication policy better to inform staff of developments within the institution in a timely fashion.

Objective 5 -

Adapt

We want constantly to rethink how we use our resources, in order to improve the efficiency and effectiveness of our work

Priorities:

1. Enhance management and control mechanisms to ensure optimal use of human and financial resources and the highest standards of administration internally.
2. Consistently monitor and increase the quality of our work.
3. Put in place an effective integrated IT system to manage the office's overall workflow.



4. Develop an effective and ongoing human resources policy to attract and maintain a highly qualified and motivated staff.
5. Explore possibilities for better use of inter-institutional cooperation.

4. Implementation and measurement

Concrete actions will be needed in order to achieve, by the end of the present mandate, the objectives and priorities set out in this document. These actions will be determined each year through the process for establishing the Annual Management Plan (AMP).

The objectives and priorities in the Strategy will provide the point of departure for the AMPs for 2011, 2012, 2013 and 2014. During the consultations that contributed to the present strategy, our stakeholders made a rich variety of suggestions for concrete actions that they believe the Ombudsman should pursue. These suggestions have been synthesised into a catalogue, which will serve as a reservoir of possible actions to be fed into the AMP process during the coming years.

To measure our progress in achieving our priorities and objectives, the following key performance indicators (KPIs) have been established. Their usefulness and relevance will be reviewed in the light of experience and, if necessary, they will be revised.

Key performance indicators and corresponding objectives

KPI 1

Strategy and governance

Assessment by the European Ombudsman's staff and external stakeholders.

Objective 1

Objective 3

Objective 4

KPI 2

Complaints and investigations

Number of inquiries closed in relation to the number of ongoing inquiries at the end of the previous exercise.



Number and proportion of cases in which the admissibility decision is taken within one month as compared with the previous exercise.

Objective 2

KPI 3

Complaints and investigations

Proportion of inquiries closed within (i) 12 and (ii) 18 months, as compared with the previous exercise.

Objective 2

KPI 4

Complaints and investigations

Number of friendly solutions and draft recommendations proposed, as a proportion of all cases in which maladministration is found, as compared with the previous exercise.

Objective 3

KPI 5

Complaints and investigations

Number of systemic own-initiative inquiries launched, as compared with the previous exercise.

Objective 3

KPI 6

Communication and outreach

External stakeholders contacted

(frequency and significance).

Objective 1

Objective 4

KPI 7



Support services (HR)

Staffing levels, measured as whole time equivalents (composite indicator).

Objective 5

KPI 8

Support services (HR)

Average professional training days per person, as compared with the previous exercise.

Objective 5

KPI 9

Support services

Degree of satisfaction of the European Ombudsman's staff.

Objective 5

KPI 10

Support services (finance)

Implementation of the budget

(composite indicator).

Objective 5

A scoreboard reporting performance in achieving the objectives and priorities will be published on the website each year.