

Decision of the European Ombudsman closing the inquiry into complaint 2228/2013/TN against the European Centre for the Development of Vocational Training (Cedefop)

Decision

Case 2228/2013/TN - Opened on 17/12/2013 - Decision on 02/12/2014 - Institution concerned European Centre for the Development of Vocational Training (No maladministration found) |

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The complaint concerned the lack of accessibility of the Europass CV for persons with visual impairments. The idea behind the Europass CV is to create a template allowing European citizens to present their skills and qualifications effectively and clearly throughout Europe. In response to the complaint, the European Centre for the Development of Vocational Training (Cedefop), which is in charge of the Europass web portal, put in place an action plan to improve the accessibility of the Europass CV for persons with visual impairments. The Ombudsman welcomed Cedefop's reaction to the complaint and she closed the case. The Ombudsman will continue to monitor the matter and will ask Cedefop to inform her of the progress made in improving accessibility.

The background to the complaint

1. The complaint against Cedefop concerned the inaccessibility of the Europass [1] CV to persons with visual impairments. The idea behind the Europass CV is to create a template allowing European citizens to present their skills and qualifications effectively and clearly throughout Europe. However, the complainant noted that neither the online nor the downloadable version of the Europass CV was accessible to people who need to use screen readers [2] .
2. Cedefop had informed the complainant that it considered it technically too difficult to solve the problem. Instead, Cedefop had asked the complainant to send it her personal information so that it would create the CV for her. The complainant did not consider Cedefop's suggestion to be reasonable. She was of the view that it would not be difficult for Cedefop to create an online data capture form to solve the problem. She therefore complained to the European Ombudsman in November 2013.



The inquiry

3. The Ombudsman opened an inquiry into the complaint and identified the following allegation and claim.

Allegation:

Cedefop has failed to make the Europass CV accessible to persons with visual impairments who need to use a screen reader.

Claim:

Cedefop should make the Europass CV accessible to persons with visual impairments.

4. In the letter opening the inquiry, the Ombudsman asked Cedefop to consider the matter in light of the relevant articles of the Charter of Fundamental Rights of the EU and the UN Convention on the Rights of Persons with Disabilities.

5. In the course of the inquiry, the Ombudsman received Cedefop's opinion on the complaint. The complainant was invited to submit observations on the opinion by 31 May 2014. The Ombudsman did not receive any observations from the complainant.

Alleged inaccessibility of the Europass CV to persons with visual impairments

Arguments presented to the Ombudsman

6. The complainant argued that it would not be a fair solution for persons with visual impairments to have to submit their personal and private data to Cedefop in order to have their Europass CV created. Being visually impaired herself, she argued that (i) as she cannot read the CV template, she does not know what information she needs to submit; (ii) every time she would like to make a change in her CV, she would have to ask Cedefop to effect it on her behalf; (iii) given that she cannot read the template, she assumes that she will not be able to read the finished result (that is, her own CV) either; (iv) she does not want to send Cedefop her personal and private data in an e-mail, which is not a secure medium; and (v) she deserves the same access rights as every other European citizen.

7. In its opinion, Cedefop expressed its sincere commitment to take the necessary measures that are " *technically and financially viable to facilitate access to persons with impairments* " to the Europass CV. Cedefop stated that, in February 2014, it completed a study to assess the level of accessibility of the Europass web portal and editors. As a result, it proposed to take the



following steps to enhance the accessibility of the Europass CV for visually impaired people by the end of 2014:

- the accessibility of the Europass portal (with the exception of the online editor) will be "*enhanced towards Level A (or AA if possible) of standard for Web Content Accessibility Guidelines (WCAG2.0)*"; and
- the accessibility of downloadable offline CV templates (Word and LibreOffice ODT formats) and CVs generated online in PDF format will be improved to ensure legibility by tools used by visually impaired people to interface with software applications. This task will be implemented in cooperation with the school for blind people in Thessaloniki.

8. Cedefop expressed its commitment to explore the possibilities of improving the online CV editor in the course of 2015.

The Ombudsman's assessment

9. The Charter of Fundamental Rights of the European Union prohibits any discrimination on grounds of disability [3] and binds the Union to respect the right of persons with disabilities to benefit from measures designed to ensure their independence and occupational integration [4] .

10. Furthermore , the UN Convention on the Rights of Persons with Disabilities [5] , to which the EU is a party, sets out minimum standards for a range of rights for people with disabilities. The UN Convention lays emphasis on the right of persons with disabilities to work. Parties to the Convention must safeguard the right to work by, for instance, taking appropriate steps to promote assistance to persons with disabilities in finding employment. States Parties are also obliged to take appropriate measures to ensure that persons with disabilities have access, on an equal basis with others, to information and communications, including information and communications technologies and systems [6] .

11. The Ombudsman considers that the EU should be at the forefront of the movement to promote and safeguard the rights of persons with disabilities. In order to fulfil the above-mentioned obligations to ensure independence and access to information technologies, and to assist in finding employment, the Ombudsman considers that Cedefop must do its utmost to ensure that persons with visual impairments have the same access to the Europass CV as persons not having such impairments. In other words, persons with visual impairments should be able to manage their Europass CVs themselves.

12. The Ombudsman therefore welcomes Cedefop's receptivity to the concern brought to its attention through this complaint. The Ombudsman notes that Cedefop appears to have taken immediate action to examine the matter and that it has put in place an action plan, with a clear time-line, to improve the accessibility of the Europass portal for persons with visual impairments. She considers it very positive that improvements are being developed in cooperation with the school for blind people in Thessaloniki, thereby involving persons with visual impairments



directly in the process.

13. In light of the measures taken by Cedefop in response to the Ombudsman's inquiry into this complaint, the Ombudsman finds no maladministration by Cedefop.

14. The Ombudsman will continue to monitor the matter and will ask Cedefop to inform her of the progress made in improving the accessibility of the Europass CV for persons with visual impairments.

Conclusion

On the basis of the inquiry into this complaint, the Ombudsman closes it with the following conclusion:

The Ombudsman finds no maladministration by Cedefop.

The complainant and Cedefop will be informed of this decision.

Emily O'Reilly

Done in Strasbourg on 2 December 2014

[1] <https://europass.cedefop.europa.eu/en/home> [Link]

[2] A screen reader is a software application that enables people with visual impairments to use a computer. A screen reader translates on-screen information into speech or Braille.

[3] Article 21(1) of the Charter states the following: "*Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited*".

[4] Article 26 of the Charter states the following: "*The Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community*".

[5] UN General Assembly, *Convention on the Rights of Persons with Disabilities* : resolution adopted by the General Assembly, 24 January 2007, A/RES/61/106, available at: <http://www.un.org/disabilities/convention/conventionfull.shtml> [Link]

[6] Articles 9 and 27 of the UN Convention on the Rights of Persons with Disabilities.