

Decision in case 92/2016/JN on EPSO's failure to properly address the complainant's concerns regarding his placement on a reserve list and technical issues with his EPSO account

Decision

Case 92/2016/JN - Opened on 01/02/2016 - Decision on 19/12/2016 - Institution concerned European Personnel Selection Office (Settled by the institution) |

The case concerned the adequacy of EPSO's responses to the complainant's concerns that he may have missed recruitment opportunities due to a technical issue with his EPSO account. The Ombudsman inquired into the issue and found that EPSO's reply provided in the course of the inquiry adequately addressed the complainant's concerns. EPSO addressed the technical issue and provided assurances that the complainant had not missed any opportunities.

The background to the complaint

1. The complainant successfully passed an EPSO competition and was placed on a reserve list. In January 2016, the complainant requested clarifications from EPSO concerning some technical issues with his EPSO account. It appeared that the complainant's EPSO account was showing vacancies for which he was not eligible and may not have shown vacancies for which he was eligible. The complainant was concerned that he may have missed some job opportunities. Since he was not satisfied with EPSO's replies, the complainant turned to the Ombudsman.

The inquiry

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

EPSO failed to give a satisfactory reply to the following questions of the complainant: (i) whether he may have missed opportunities to be invited for interviews ; (ii) to whom he should address question (i) if EPSO could not answer it.

EPSO should provide the complainant with a satisfactory reply to his questions.

3. In the course of the inquiry, the Ombudsman duly considered the information provided in the



complaint and in the correspondence between EPSO and the complainant. In conducting the inquiry, the Ombudsman has taken into account the arguments and opinions put forward by the parties.

Allegation of an inadequate response to the complainant's concerns

Arguments made by the complainant and the institution

4. In the course of the inquiry, EPSO sent a reply to the complainant and provided assurances that he had not missed any opportunities. He was placed on the correct reserve list which was sent to the institutions for which people on the reserve list were eligible. There had been only two recruitments from the list so far and the complainant took an interview for one of the positions concerned. The complainant had been available for recruitment just like other candidates. Reserve lists serve the purpose of fulfilling the Institution's needs in the short and medium term and being on a reserve list is not a guarantee of recruitment.

5. EPSO apologised for the confusion that may have resulted from its previous correspondence. It explained that there had been a technical problem with the complainant's account which was showing vacancies at the European Commission although the reserve list concerned Parliament and the Council only. EPSO corrected this shortcoming as soon as it was discovered. EPSO said that the complainant “ *could have been given a better and quicker explanation for what [he] seemed to have experienced as odd and faulty* ”. Moreover, EPSO provided contact details of persons responsible for recruitment whom the complainant could contact with further questions.

6. The Ombudsman invited the complainant to comment on EPSO's reply but the complainant never replied.

The Ombudsman's assessment

7. EPSO's reply to the complainant addresses the issues raised by the complainant. Since the complainant has not used the opportunity to send comments on EPSO's reply, it appears that he is satisfied with it. Accordingly, there are no reasons to pursue this inquiry.

Conclusion

On the basis of the inquiry into this complaint, the Ombudsman closes it with the following conclusion [1] :

EPSO has settled the allegation that it inadequately responded to the complainant's concerns. No further inquiries are justified.

The complainant and EPSO will be informed of this decision.



Marta Hirsch- Ziembinska

Unit 1- Inquiries and ICT

Strasbourg, 19/12/2016

[1] Information on the review procedure can be found on the Ombudsman's [website \[Link\]](http://www.ombudsman.europa.eu/en/resources/otherdocument.faces/en/70669/html.bookmark):
<http://www.ombudsman.europa.eu/en/resources/otherdocument.faces/en/70669/html.bookmark>
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