

Report on meeting in the Ombudsman's joint inquiry into complaints 1337/2017/EA and 1338/2017/EA concerning the accessibility for visually impaired candidates of competitions organised by the European Personnel Selection Office

Correspondence - 27/06/2018

Case 1337/2017/EA - **Opened on** 14/03/2018 - **Recommendation on** 14/12/2018 - **Decision on** 03/06/2019 - **Institutions concerned** European Personnel Selection Office (Maladministration found) | European Personnel Selection Office (Recommendation agreed by the institution) |

Report

on meeting in the Ombudsman's joint inquiry into complaints 1337/2017/EA and 1338/2017/EA on the accessibility for visually impaired candidates of competitions organised by the European Personnel Selection Office

Institution or body concerned: European Personnel Selection Office

Date and time: 3 May 2018, 14:30-15:30

Location: EPSO ROOM C-25 05/SDR1, Avenue de Cortenbergh 25

The Ombudsman

represented by: Mr Fergal Ó Regan, Head of Coordination of Public Interest Inquiries

Ms Elpida Apostolidou, Strategic Inquiries Unit

Mr Maximillian Kemp, Strategic Inquiries Unit

The European Personnel Selection Office

represented by: 4 persons



1. Introduction and procedural aspects

The Ombudsman inquiry team introduced themselves and presented the purpose of the joint inquiry into complaints 1337/2017/EA and 1338/2017/EA, which concerns the accessibility for visually impaired candidates of competitions organised by the European Personnel Selection Office ('EPSO'). In particular, the inquiry examines the accessibility of the online application form - including the online form for requesting accommodation for special needs - and the accessibility of the computer-based tests.

The Ombudsman opened the inquiry with a letter to EPSO containing a set of questions and requesting that a meeting be organised between EPSO and her representatives prior to EPSO sending its written reply. [1] The Ombudsman inquiry team explained that the purpose of the meeting was to provide the opportunity to exchange views and to discuss the related issues in more detail. They added that the Ombudsman will determine her next step in this inquiry on the basis of the information obtained at the meeting and the reply to be received by EPSO. The Ombudsman inquiry team also informed EPSO representatives that the Ombudsman will publish the meeting report on her website, in order to allow anyone interested to read it.

2. Discussion with EPSO

The discussion took place on the basis of the questions included in the Ombudsman's opening letter, for which she has also requested a written reply (see Annex). The questions touched upon the following concerns raised by the complainants:

- (1) Accessibility for visually impaired candidates - who use "screen readers" to read webpages - of the EPSO online application form
- (2) Accessibility for visually impaired candidates of the EPSO online form for requesting accommodation for special needs
- (3) Accessibility for visually impaired candidates of the computer-based tests; type of accommodation to be provided and related information provided to candidates

On the basis of the above, the discussion took place as following:

(1) Online application form

In July 2016, one of the complainants, who is visually impaired and an accessibility specialist, informed EPSO about a number of accessibility issues that she encountered when trying to fill in the online application form. EPSO replied at the time that it was in the process of replacing it with a new type of form that would accommodate accessibility requirements for the visually impaired. The Ombudsman inquiry team asked EPSO for an update on this procedure.

EPSO representatives informed the Ombudsman inquiry team that a fully accessible online application form for the visually impaired was to be delivered by the European Commission's Directorate-General for Informatics ('DG DIGIT'). The project was to be finalised before the launching of the 2017 'Graduate Administrators' competition (March



2017). However, two weeks before agreed to go live, DG DIGIT admitted it was unable to deliver and there are currently no concrete dates for the launch of the form. It was added that much effort was made in the last year in order to have the online application form available in 24 languages. EPSO representatives assured the Ombudsman inquiry team that EPSO was doing its utmost to achieve progress on this issue. Moreover, EPSO has been working with the Commission's Directorate-General for Communication to assess the accessibility of its website.

The Ombudsman inquiry team asked whether it would be possible that the accessibility issues identified by the complainant are addressed without the launching of a new form. EPSO representatives replied that this would be complicated and would cause delays to the delivery of the new form. Any change to the current system would be difficult without thorough analysis, as it consists of several interacting and integrated elements.

(2) Online form for requesting accommodation for special needs

The Ombudsman inquiry team asked EPSO representatives to explain how the online form for requesting accommodation for special needs works.

EPSO representatives explained that there is a specific section in the online application form requesting candidates whether they are in need of special accommodation measures. Upon completion of the online application form, candidates who have opted for such accommodation are requested to fill in a questionnaire through the EUsurvey tool. In this questionnaire, they have to provide information such as the type of their disability and the preferred accommodation measure.

EPSO representatives were eager to emphasize that EPSO offers assistance and adapted accessible formats to candidates in case documents/tests are not fully accessible. EPSO informs them about this possibility not only in the online form but also in several pages of its website from the very beginning of the selection process.

(3) Computer-based tests

The Ombudsman inquiry team asked EPSO to explain how the requests for accommodation for special needs are dealt with by EPSO and what information is provided to complainants.

According to EPSO representatives, a range of "accommodation" options is provided to candidates, using a flexible system based on the analysis of past requests. This includes options such as additional time to sit the tests, enlarged texts or magnifying software, print outs in Braille or Braille keyboard, screen readers, sign language interpretation, adapted lighting height-adjustable desks, individual assistance, etc. Candidates may opt for more than one accommodation option.

EPSO representatives said that applicants are informed that the options selected may differ from those ultimately available through a note in the online form for requesting



accommodation for special needs, as well as through the general rules governing EPSO competitions and through EPSO's website.

The requests for accommodation for special needs are evaluated by EPSO with the applicant as a starting point, based on the principle that they will be best informed on how to deal with their disability. The final decision is achieved through a detailed procedure aiming at tailor made accommodation, taking into account applicants' wants and needs, the documentation provided, internal or external expertise, the opinion of the medical service, the type of test to be sat, and the type of appropriate support.

EPSO representatives informed the Ombudsman inquiry team that certain accommodation options are available at certain stages of a competition. The Ombudsman inquiry team asked whether assistive technology is ever provided in the context of the computer-based tests. EPSO representatives clarified that guaranteeing assistive technologies and giving candidates exactly what they are used to (personal choices of software) is just impossible because tests are carried out all over the world. Assistive technology is currently not available during the computer-based tests but it can be provided at the phase of the assessment centre which takes place at EPSO premises. EPSO representatives added that a possible solution is being worked on using a mobile laptop containing different assistive software in the computer-based tests. The Ombudsman inquiry team commented that it would be useful for candidates to know in advance that certain accommodation options, such as the assistive technologies, are available only during certain stages of the competitions.

The Ombudsman inquiry team asked whether any information was available on the average success rates of persons with disabilities in the selection procedures. EPSO representatives stated that it was difficult to say because the only data currently available concerns the number of requests for accommodation for special needs, which is insufficient as there is no necessary overlap between disability and requests for accommodation for special needs. However, the available information suggested that the rate of success for persons requiring accommodation for special needs was higher than average. In particular, visually impaired candidates (blind), they outperform other candidates without special accommodation on numerical reasoning (significant difference), and they reach slightly higher scores on verbal reasoning.

The Ombudsman inquiry team further asked whether EPSO representatives could provide information on the approximate number of requests for accommodation for special needs that EPSO receives. EPSO representatives replied that they used to receive around 250 requests per year. Following an information campaign conducted by EPSO in order to attract more candidates with disabilities under the UNCRPD and following the recommendations of the UN committee regarding the increase of employment of persons with disabilities, the number of such requests has increased to around 420 per year.

The Ombudsman inquiry team was also informed that the Commission's Directorate-General for Communication ('DG COMM') had carried out an accessibility audit



of Commission websites, which will be forwarded to the Ombudsman.

Brussels, 27/06/2018

Mr Fergal O'Regan

Ms Elpida Apostolidou

ANNEX: Ombudsman's questions to EPSO in the context of her joint inquiry into complaints 1337/2017/EA and 1338/2017/EA

A. In July 2016, one of the complainants contacted EPSO to raise a number of accessibility issues that she had encountered when trying to fill out the online application form. She was informed that EPSO was in the process of replacing it with a new type of form that would accommodate accessibility requirements for the visually impaired. However, it seems that the online application form was still not fully accessible for users of screen readers in May 2017. Could EPSO provide an update on this procedure, and say when the new online application form will be launched? If this project has been delayed, could EPSO address these accessibility issues in the current version of the online application form?

B. Both complainants contend that the online form for requesting accommodation for special needs is not fully accessible for users of screen readers. The complainants either needed to fill it out with the help of a sighted person or to contact EPSO for assistance to do so. Could EPSO update the online form to make it fully accessible for users of screen readers?

C. One of the complainants says that when she accessed the online form for requesting accommodation for special needs, it included the options of "*screen reader*" and "*refreshable braille display*". She stated that she selected these options. The other complainant says that he contacted EPSO and requested a screen reader. During the tests, they were both provided with braille transcripts and a sighted assistant. In view of the above, would EPSO please answer the following:

i) What specific "accommodation" options are offered to candidates on the online form or in their related contact with EPSO?

ii) Are candidates sufficiently informed, when filling out the form or in other contacts with EPSO, that the "accommodation" measures actually provided may differ from the options selected?

iii) Upon receipt of such requests, how does EPSO assess and determine the type of measure to be provided to candidates to accommodate their special needs during the tests? Is the choice of test centre by the candidate a determining factor for this?

iv) Could EPSO say whether each of the "accommodation" measures (listed either on EPSO's



webpage and/or in the online form) is actually available and has been provided to candidates in at least some cases?

D. In structuring the computer-based tests, how does EPSO understand the concept of 'reasonable accommodation' for persons with disabilities? Has EPSO consulted organisations representing persons with disabilities on this issue? Is EPSO willing to provide "accommodation" measures, such as assistive technologies, which would enable candidates with special needs to participate independently in the computer-based tests?

[1] The Ombudsman's letter opening the inquiry can be found here:

<https://www.ombudsman.europa.eu/en/cases/correspondence.faces/en/93846/html.bookmark>