

Ms Emily O'Reilly
European Ombudsman
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Sent by e-mail only

Our ref: 21159/26.11.2013

Warsaw, 26 November 2013

Subject: Response to the own-initiative inquiry of the European Ombudsman on the policy of EU Agencies related to disclosure of the names of selection board members

Dear Ms O'Reilly,

In a letter of 12 August 2013 (Ref. no. OI/4/2013/CK), the EU Ombudsman presented the developments in the own-initiative inquiry on European Union Agencies' practices regarding the issue of disclosure of the names of selection board members, pointing out that the standards of transparency and pro-activeness in that regard varies substantially amongst the Agencies and other bodies of the EU.

Frontex wishes to contribute to the findings of this inquiry by providing a reply to the following questions, as indicated in the aforementioned letter, i.e.:

1) Are the names of selection board members disclosed to candidates? If so, at which stage of the selection procedure? Are the names published proactively, or are they made available upon request?

The composition of the selection board for each particular recruitment procedure is established by a Decision of the Deputy Executive Director of Frontex. These Decisions are available internally in Frontex and are accessible to Frontex staff members. Frontex does not publish the names of members of the selection board on its website, nor are they included in the letter of invitation to an interview sent out to candidates following a short listing of the applicants.

The names of the selection board members are disclosed to the candidate at the beginning of the interview, when the members of selection board introduce themselves.

The names or contact details of the members of the selection board are not disclosed earlier to the candidates in order to ensure that they do not attempt to contact the members of the selection board during the selection procedure. This requirement of confidentiality of the selection board members, proceedings, and deliberations is communicated to potential candidates in every vacancy notice.

However, subject to the requirements of transparency and openness of performance, as well as to avoid perception of possible conflicts of interests, Frontex may consider the possibility of revealing the names of the selection board members upon request, after the selection procedure is finalised. The precondition to considering such a request is that the candidate provides motivated reasons. Moreover, the disclosure of such data will always be preceded by an internal assessment and decision under the supervision of the Head of Human Resources and the Data Protection Officer of Frontex.

2) In case your Agency has adopted a proactive policy of disclosing the names of selection board members, what are the measures it has taken in order to ensure compliance with data protection requirements?

Frontex does not have in place internal rules on disclosing the names of selection board members. However, when possible deciding about developing of such policy and ahead of disclosing this type of personal data, as explained in the above answer, personal data protection requirements will be respected, including previous express consent from the persons concerned.

Frontex welcomes the European Ombudsman's initiative of consulting EU agencies, in particular Frontex, as regards the policy on disclosure of the names of selection board members, which we consider of added-value for the harmonisation of EU best practices and EU agencies' cooperation.

I remain at your disposal should you require further information.

Yours sincerely,



Sakari Vuorensola

Director of Administration Division

