



European Ombudsman

# **Annual Activity Report**

## **of the Principal Authorising Officer by delegation**

**Year 2013**

**Strasbourg  
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**EN**



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## Introduction

The Annual Activity Report (AAR) of the Principal Authorising Officer by delegation of the European Ombudsman is prepared in accordance with Article 66(9) of the Financial Regulation. That provision requires the AAR to "indicate the results of the operations by reference to the objectives set, the risks associated with these operations, the use made of the resources provided and the efficiency and effectiveness of the internal control system, including an overall assessment of the costs and benefits of controls".

The present report deals with the implementation of the Annual Management Plan for 2013 (AMP 2013) and follows the same format as previous AARs. During the course of 2013, an analysis was conducted of the key processes through which the operations of the Ombudsman's Office are carried out. These processes constitute the "Operating Framework" of the office<sup>1</sup>. The AMP 2014 is the first such plan to link the allocation of human resources to the key processes, using the analysis contained in the Operating Framework. The format of the AAR for 2014 (to be produced in 2015) will be reviewed accordingly.

The European Ombudsman seeks fair outcomes to complaints against the Union institutions, encourages transparency and promotes an administrative culture of service in the Union institutions. The Ombudsman aims to bring the European Union closer to its citizens by fostering the highest standards of administration and by building trust through dialogue. In pursuit of these objectives, the Ombudsman co-operates closely with the other EU institutions, bodies, offices and agencies and with ombudsmen in the Member States, particularly in providing a prompt and effective service to everyone who makes a complaint and in finding solutions to help citizens, residents and associations.

In 2013, the European Ombudsman was able to help directly more than 23 000 citizens. This includes individuals who complained to the Ombudsman (2 420 complaints), those who received a reply to their request for information (1 407), and those who obtained advice through the interactive guide on our website (19 418).

The Ombudsman's Annual Report for 2013, which is submitted to the European Parliament in accordance with Article 228 of the Treaty on the Functioning of the European Union (TFEU), gives a detailed account of these activities. This AAR mainly focuses on the organisational, administrative, budgetary and financial aspects of the Office's activities in 2013.

The AAR also takes into account the detailed report on budgetary and financial management for the year 2013, which was adopted by the Ombudsman on 26 March 2014. That report is attached to the present report as Annex 4.

Part I of the report explains the structure and organisation of the European Ombudsman's Office.

Part II of the report identifies the main results in each area of activity, with reference to the structure and organisation of the Office. The report ends with the declarations of assurance (Part III) concerning the financial operations carried out under the control and responsibility of the Authorising Officers by Delegation during the relevant period.

<sup>1</sup> Annex 3 below consists of the Operating Framework in the form of a PowerPoint presentation.



## Part I: The structure and organisation of the European Ombudsman's office

The organisational structure of the Ombudsman's office consists of the Ombudsman's private office (Cabinet), the Secretariat-General and two Directorates.

A table indicating the allocation of staff among the operational entities of the office is provided in annex 1 below. This table also indicates, by reference to the Operating Framework, the main category of process(es) that each operational entity delivers.

### Cabinet

The **Cabinet** works under the direct instruction of the Ombudsman. It advises and assists the Ombudsman to help ensure implementation of her vision, strategy and objectives. Cabinet members also liaise and represent the Ombudsman externally and draft speeches and articles on behalf of the Ombudsman. The Cabinet manages the Ombudsman's agenda, correspondence and records.

### Secretariat-General

The **Secretariat-General (SG)** is responsible for strategic management, policy development and coordination of the activities of the Office.

The **Communication Unit (COMM)**, which reports to the Ombudsman and the SG, is responsible for informing individuals and organisations throughout the Union of the role and activities of the Ombudsman. The Unit maintains and promotes relations with the media, organises the Ombudsman's information visits and events, and liaises with other EU institutions on outreach initiatives. It drafts and produces the Ombudsman's publications and promotional material, maintains and develops the Ombudsman's websites, implements the institution's visual identity, coordinates the European Network of Ombudsmen and, more generally, is responsible for relations with ombudsman associations in Europe and beyond.

### The two Directorates

Each of the two Directorates consists of three Units, two of which are Complaints and Inquiries Units. The two Directors thus share the tasks of dealing with complaints and inquiries. In addition, one of them is responsible for the Personnel, Administration and Budget Unit and the other is responsible for the Registry.

**The Complaints and Inquiries Units (C&I)** deal with the complaints sent to the Ombudsman. They conduct the inquiries needed to clarify possible cases of maladministration, look for solutions, and prepare proposals for friendly solutions, draft recommendations, decisions closing inquiries and special reports to the European Parliament. The Units also propose and carry out inquiries that are based on the Ombudsman's own-initiative power and deal with Queries sent by other members of the European Network of Ombudsmen.

**The Personnel, Administration and Budget Unit (PAB)** is the internal service provider of the Office. The Unit is responsible for all administrative matters



related to the institution's personnel, human resources, budget and finance and represents the Ombudsman in a number of interinstitutional committees.

As regards personnel and human resources, the Unit deals with recruitment, management of individual rights, internal communication and training.

As regards other administrative matters, the Unit deals with buildings, office space and equipment and coordinates translation requests.

As regards budget and finance, the Unit prepares the budget estimates for presentation to the budget authorities and ensures that the Ombudsman's Office complies with the applicable financial rules. It guarantees that available resources are used economically and efficiently, and are protected adequately. Additionally, the Unit establishes and implements the appropriate internal control mechanisms and prepares information for the various budgetary control authorities.

The **Registry (REG)** deals with the registration, distribution and transmission of all complaint-related documents received or sent by the office. It is also responsible for dealing with the complaints that fall outside the Ombudsman's mandate. The Registry is also in charge of the Ombudsman's archives and library and the development and implementation of a public register of documents, as well as playing an important role in the handling of requests for information and access to documents. Finally, the Registry also coordinates the development and implementation of a new complaint management system for the office.

The provision of IT support for the office is coordinated by the **IT Management Group (ITMG)**, consisting of the heads of PAB, COMM and REG. The remit and tasks of the ITMG include (i) drafting and subsequently making proposals for updating an overall multi-year IT plan for the office; (ii) co-ordinating the provision of information for preparation of the annual budget, the Annual Management Plan and the Annual Activity Report, in relation to IT matters; and (iii) ensuring operational cooperation in relation to IT matters.

## Part II: Policy results by activities

The Ombudsman's Annual Management Plan for 2013 ("the AMP 2013") included a series of targets or reference figures for the Key Performance Indicators (KPIs) used to measure the office's performance in achieving its objectives. It also identified, with reference to the Ombudsman's Strategy for the current Mandate, the 2013 priorities for each core activity, as well as the relevant indicators of results.

The scoreboard below shows, in a synthetic form, the overall results achieved by the office in light of the priorities and KPIs set out in the AMP. The following chapters and sections provide an analysis of these results.



## Scoreboard January-December 2013

	Subject matter	Measurement / Evaluation criteria	Targets or reference figures for 2013	Results 2013
<b>KPI 1<sup>2</sup></b>	Strategy and Governance	Assessment by the European Ombudsman's staff and external stakeholders.	Reference figure: 76%	72%
<b>KPI 2</b>	Complaints and inquiries	Number of inquiries closed in relation to the number of ongoing inquiries at the end of the previous exercise.	1.1	1.1
		Proportion of cases in which the admissibility decision is taken within one month.	90%	89% <sup>3</sup>
<b>KPI 3</b>	Complaints and inquiries	Proportion of inquiries closed within (i) 12 and (ii) 18 months.	12-m: 70% 18-m: 90%	73% 81%
<b>KPI 4</b>	Complaints and inquiries	Relation between (i) the number of friendly solutions and draft recommendations and (ii) the number of decisions in which maladministration is found.	2.5 <sup>4</sup>	1.5
<b>KPI 5</b>	Complaints and inquiries	Number of systemic own-initiative inquiries launched.	6	8

<sup>2</sup> The score takes account of the results of an assessment by the staff.

<sup>3</sup> Breakdown: 95% in complaints outside the mandate, 83% in cases within the mandate but inadmissible, 76% in cases where an inquiry is opened and 69% in 'no grounds' cases.

<sup>4</sup> To obtain this figure, the sum of friendly solutions and draft recommendations proposed is divided by the number of cases closed with a critical remark in which no friendly solution proposal or draft recommendation was made.



	Subject matter	Measurement / Evaluation criteria	Targets or reference figures for 2013	Results 2013
<b>KPI 6</b>	Provide our external stakeholders with timely, useful and easily accessible information	External stakeholders contacted (frequency and significance).	Press releases: 20	23
			Press cuttings: 1 750	2 016
			Events involving multipliers: 150	176
			Advice given through the Interactive Guide to contact a member of the European Network of Ombudsmen: 12 500	11 100
			Unique visitors to the website: 325 000	435 086
			Queries: 5	2
			Contributions to discussions on the European Network of Ombudsmen Extranet: 150	125
<b>KPI 7</b>	Support Services (HR)	Staffing levels, measured as a proportion of maximum full time equivalents (FTEs)	88.2% (on the basis of 78 FTEs)	88.2% (on the basis of 78 FTEs)
<b>KPI 8<sup>5</sup></b>	Support Services (HR)	Average professional training days per person.	4 days	4 days
<b>KPI 9</b>	Support Services	Degree of satisfaction of the European Ombudsman's staff.	Reference figure: 87%	82.4% <sup>6</sup>
<b>KPI 10</b>	Support Services (finance)	Implementation of the budget (composite indicator).	Budget implementation: 89.7%	91.8%
			Carried-over appropriations paid: 96.4%	92.7%
			Number of payments beyond 30 days: 0	18

<sup>5</sup> KPI 8 is based on training days (excluding language training) for all staff (including contractual agents and trainees).

<sup>6</sup> This figure was calculated on the basis of the number of positive replies given to a question about 'overall job satisfaction' asked in the framework of a general staff survey as a proportion of the total number of replies given to this question.



## Chapter I: Strategy and Governance

The actions assigned to the Secretariat-General in the AMP 2013 were all completed successfully.

Two consultations were carried out in relation to future actions by the Ombudsman to monitor and promote the implementation, by the EU institutions, of the United Nations Convention on the Rights of Persons with Disabilities (CRPD). The results of the consultations should help identify good practices so that the European Ombudsman can fulfil her role under the CRPD as effectively as possible.

In November 2013, the Ombudsman adopted procedures through which to respond to complaints about the Ombudsman's services. Relevant information for the public has been made available on the Ombudsman's website: <http://www.ombudsman.europa.eu/en/atyourservice/dissatisfied.faces>

To enhance the management and control mechanisms of the office, a new instrument was developed to assess and manage the risks related to our activities. Furthermore, sensitive posts in the office were identified as well as criteria for the prolonged occupation of such posts.

An additional action carried out by the Secretariat-General as a result of the Ombudsman's involvement with the European Foundation for Quality Management was the development of an Operating Framework.

The Operating Framework sets out the Ombudsman's main processes in the form of a PowerPoint presentation. A copy is attached to the present report as Annex 3.

The Operating Framework has become a useful tool for planning and organising the activities of the office. It also forms the basis of the analysis of how the resources provided by the budget authority are allocated among the various processes (see Annex 1).

The reference figure score for KPI 1, which is relevant to the Secretariat-General's activities, was calculated on the basis of the replies to questions related to strategy and governance in a general staff survey conducted in December 2013.

## Chapter II: Complaints and Inquiries

### **Activities related to complaints and inquiries**

In 2013, the Ombudsman received slightly fewer complaints (2420) than in 2012 (2444). Of these, 544 fell within the Ombudsman's mandate and were admissible. During the same period, 638 cases that fell within the Ombudsman's mandate and were admissible were closed.

Moreover, a record number of inquiries based on complaints (441) were completed in 2013. This compares to 390 such decisions in 2012. The Ombudsman also completed a record number of own initiative inquiries (20). This compares to 10 such decisions in 2012.





These figures show that efforts to speed up the handling of cases were successful, although for reasons explained below, this success is not fully captured by the relevant Key Performance Indicator (KPI 3). This outstanding result was made possible by a determined and sustained effort on the part of the staff of the Complaints & Inquiries Units. The fact that these units were able to work at full strength for most of the year, after the successful completion of a number of recruitment procedures, played a significant role in this respect.

Thanks to the interactive guide, which provides helpful advice to citizens, the number of complaints falling outside the Ombudsman's mandate decreased again to 1 665 in 2013, the lowest number in ten years.

As regards the Key Performance Indicators ('KPIs'), the target set for the number of inquiries closed in relation to the number of ongoing inquiries at the end of the previous exercise (KPI 2, first aspect) was met in 2013.

The percentage of cases in which the admissibility decision was taken within one month again increased significantly and has now reached 89%. This means that the relevant target of 90% (KPI 2, second aspect) has nearly been attained. It is thus highly likely that the relevant target will be reached or even surpassed in 2014. In this context, it should be stressed that, in so far as complaints outside the Ombudsman's mandate are concerned, the percentage of decisions on admissibility taken within one month was as high as 95% in 2013, a further improvement compared to the already high level of the previous year (92%).

The ratio of (i) the number of proposals for friendly solutions and draft recommendations calculated against (ii) the number of decisions in which maladministration was found but where no proposal for a friendly solution or draft recommendation was made (KPI 4) increased from 1.2 in 2012 to 1.5 in 2013, i.e., an improvement of 25%. However, this is still below the target of 2.5, which was achieved in 2011. It is thus clear that a further effort needs to be made in order to improve this figure. It should nevertheless be noted that KPI 4, as currently constructed, does not fully reflect our increasing efforts to persuade institutions to resolve matters themselves at an early stage, without having to resort to a friendly solution proposal or a draft recommendation. In this regard it is worth pointing out that the 'Putting it right' Report published in December 2013, which aims at assessing the overall compliance of EU institutions with the Ombudsman's suggestions, proposals and recommendations, concluded that the compliance rate in 2012 amounted to 80%. Taking into account those cases that were settled by the institutions after an informal approach by the Ombudsman, the relevant figure is even higher, that is to say, 85%. However, even this higher figure does not reflect those cases in which the guidance given by the Ombudsman in letters opening inquiries or in letters sent during the inquiry leads an institution to settle a case.

The figure concerning the proportion of inquiries closed within 12 months (KPI 3, first aspect) increased to 73% and is well above the target of 70%. The corresponding figure for the proportion of inquiries closed within 18 months (KPI 3, second aspect) also increased to 81%. This is still clearly below the target of 90%. It should be noted, however, that, in 2013, and for the second year running, efforts were made to try and complete as many inquiries that had been pending for more than two years as possible. As a result, only a small number of such cases were still pending at the end of 2013. Paradoxically, however, the very success of this effort had a negative effect on the relevant KPI as cases that had been open for a long time were closed and thus taken into account in



calculating the average length of inquiries. The result that will be achieved in 2014 as regards this KPI is likely to be much closer to the target.

### **The Registry**

The Registry completed its first full year of handling complaints that fall outside the Ombudsman's mandate; i.e., approximately 70% of all complaints received. The success of this arrangement was again confirmed by the relevant result of KPI 2. As mentioned above, in so far as complaints outside the Ombudsman's mandate are concerned, the percentage of decisions on admissibility taken within one month was as high as 95% in 2013.

The Registry also successfully completed the preparatory work for the Ombudsman's public register of non-complaints-related documents and has taken on an increased role in centralising and dealing with public access and information requests.

The Registry is furthermore cooperating with the European Parliament on a project to establish a classification framework for the institution's historical archives.

Finally, the Registry continued to work throughout 2013, on the implementation of a new Complaint Management System that is expected to go live in 2014.

## **Chapter III: Communication and outreach**

The Communication Unit carried out the priority actions identified in the AMP 2013 and achieved, or surpassed, four of its seven KPI targets.

### **Media Activity**

The KPI targets for press releases and press cuttings were exceeded as a result of a more proactive approach to the media, especially in the last quarter of the year after the election of the new Ombudsman. This led to a significant increase in the visibility of the institution.

The number of unique visitors to the website increased from 311 586 in 2012 to 435 086 in 2013, far exceeding the target of 325 000. This 40% increase can be directly attributed to the launch and growing impact of the Ombudsman's social media activities.

The 11 100 figure for 'advice given through the Interactive Guide' was lower than the target of 12 500. The most likely reason is the slowness of the website in the first six months of the year, which meant fewer users took the time to answer the questions needed in order to obtain advice. The slowness was caused by a complex technical problem. A solution, which more than tripled the speed of the site, was implemented at the end of June 2013.

### **Events**

The 176 events with multipliers represent a significant increase compared to the 135 events in 2012 and surpassed the target of 150. The availability of the new Ombudsman to meet with multipliers from the moment she took office was key to achieving this target.



The Ombudsman's annual spring event, organised in 2013 as a part of the European Year of Citizens, was an interactive seminar entitled "It's our Europe: Let's get active!". The main speakers were the Vice-President of the European Parliament and two Vice-Presidents of the European Commission. Over 1 000 people in total participated either via the Internet, or by attending the event itself in Brussels or live screenings in 30 cities throughout Europe. The Ombudsman's International Right to Know Day event, held for the fourth year running at the end of September, attracted 175 participants, a significant increase compared to previous years.

## **Publications**

A new edition of the European Code of Good Administrative Behaviour was produced and launched in 2013. The Ombudsman's regular publications, that is, the Annual Report, the Overview, and two editions of the newsletter of the European Network of Ombudsmen, were also produced and distributed as foreseen. In addition, the needs of persons with disabilities continued to be addressed by actively publicising and providing, on-demand, large print and audio versions of Ombudsman publications.

## **European Network of Ombudsmen**

In 2013, the national ombudsmen discussed "Good Administration and the rights of citizens in a time of austerity" in the framework of the Ninth National Seminar of the European Network of Ombudsmen. The seminar was held in Dublin and was organised jointly by the European Ombudsman and the National Ombudsman of Ireland.

Only two queries were submitted to the European Ombudsman by members of the European Network of Ombudsmen in 2013, compared to a target of five. A survey of members of the Network was launched in December 2013 and contained questions regarding the various services provided by the Network to its members, including the query procedure. The results of the survey should help to explain why the number of queries submitted is so low and what action might be taken in this regard.

With 125 contributions to discussions on the European Network of Ombudsmen Extranet recorded in 2013 compared to 122 in 2012, activity in the 'Forum' section of the Extranet was largely stable but lower than the target of 150. Informal feedback from members of the Network suggests that the staff cuts experienced by many offices within the Network, combined with ever-increasing workloads, has led to Network members having less time available to contribute to discussions on the Extranet. The discussion tool is, however, most appreciated by many Network members and is unique as a collaboration tool between ombudsman offices.

### *Allocation of resources*

<b>Outreach activities</b>	<b>Expenditure in EUR</b>	<b>Budget line</b>
Publications, events, etc.	160 818	3210
Translation	32 023	2310
<b>TOTAL</b>	<b>192 841</b>	



<b>European Network of Ombudsmen</b>	<b>Expenditure in EUR</b>	<b>Budget line</b>
Publications	17 054	3210
Translation	65 339	2310
National Ombudsman Seminar	6 591	3301
<b>TOTAL</b>	<b>88 984</b>	

<b>Annual Report and Overview</b>	<b>Expenditure in EUR</b>	<b>Budget line</b>
Production	92 634	3210
Translation <sup>7</sup>	211 879	2310
<b>TOTAL</b>	<b>304 513</b>	

In terms of human resources, the work of approximately eight full-time equivalents (FTEs) was devoted to outreach activities and two FTEs to the European Network of Ombudsmen.

<sup>7</sup> This figure does not include the cost (148 711 EUR in 2013) of the translation of summaries of decisions that are only published on the website.



## Chapter IV: Support services

### **The Personnel, Administration and Budget Unit**

#### Human resources and Administration

The staff policy adopted by the Ombudsman in 2010, which provided for a gradual move from temporary to permanent posts, continued to be successfully implemented in 2013.

The two internal competitions (at AD 5 and AST 1 level) launched in 2012 were completed in February 2013. Three further competitions were organised (AD 6, AD 9 and AD 12) and successfully completed during 2013.

As a result of the above policy, by 1 January 2014, 26 new officials had been appointed on permanent posts.

As regards the KPIs, the score for KPI 7 (staffing levels) increased by 1% compared to 2012 and reached the target set for 2013. This is due to a better use of the posts made available in the establishment plan and of the budget for contract agents. Elements which contributed to that are a greater reactivity in case of foreseen vacancies as well as the availability of reserve lists following the organisation of internal competitions.

The target for KPI 8 (average number of training days per person) was also reached. Language training is not included in the figure.

Even though the figure for overall staff satisfaction (KPI 9) slightly decreased compared to last year, the result (82.4%) is still very positive.

#### Budget and Finance

The main results for 2013 are presented in detail in the Report on budgetary and financial management for the financial year 2013, which is attached to the present report as Annex 4.

The total final appropriations available in the Ombudsman's budget for 2013 amounted to EUR 9 731 371. Title 1 (Expenditure relating to persons working for the institution) amounted to EUR 7 567 371. Title 2 (Buildings, equipment and miscellaneous operating expenditure) amounted to EUR 1 606 700. Title 3 (Expenditure resulting from special functions carried out by the institution) amounted to EUR 557 300.

The following table shows expenditure in 2013 in terms of appropriations committed and paid (in Euros).



<b>Title</b>	<b>Initial budget 2013</b>	<b>Final budget 2013<sup>8</sup></b>	<b>Committed</b>	<b>Paid</b>
Title 1	7 583 371	7 567 371	7 445 494	7 430 024
Title 2	1 574 500	1 606 700	1 586 550	1 174 379
Title 3	573 500	557 300	524 520	331 412
<b>Total</b>	<b>9 731 371</b>	<b>9 731 371</b>	<b>9 556 565</b>	<b>8 935 815</b>

Of the total appropriations, 98.20 % were committed (compared to 98.30 % in 2012) and 91.82 % paid (compared to 88.69 % in 2012). The appropriations carried over from 2013 to 2014 amounted to EUR 620 750. The utilisation rate (including appropriations carried over from 2013 to 2014) was 98.20 % (compared to 95.88 % for 2012).

Furthermore, 92.7 % of the appropriations carried over to 2013 from 2012 were used (compared to 95.4 % in 2012).

### **Other elements of implementation**

During 2013, one modification of the establishment plan and seven transfers of appropriations were necessary. These modifications of the initial budget are presented in detail in the annexed 'Report on budgetary and financial management for the financial year'.

The total amount of these transfers was EUR 362 500 (3.73 % of the total appropriations for 2013).

The Ombudsman's office launched 8 procurement procedures (low-value contracts) in 2013 (compared to 13 in 2012, and 16 in 2011).

### **Indicators 2013**

In the following table, all totals are cumulative.

<b>Indicators</b>	<b>Target 2013</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>2012/2013</b>
F1: Percentage of budget implementation	Total : 89.7 %	25.4 %	47.99 %	69.55 %	91.80 %	+ 3.11 %
F2: Percentage of carryover appropriations paid	Total : 96.4 %	44.7 %	57.39 %	58.07 %	92.70 %	- 2.70 %
F3: Number of operations paid over the 30-day time limit	Total : 0	5	6	15	18	13

<sup>8</sup> After transfers.



The average time for payment of invoices from private providers of goods and services was 15.6 days (10.77 days in 2012).

The increase in the number of payments beyond 30 days is the result of two factors. First, certain invoices arrived very close to the end of the year and could not be paid rapidly due to the holiday period and the unavailability of accounting systems until mid-January. Second, the transition to a new accounting system (ABAC) during the year interrupted the payment process for approximately three weeks. In most cases, the delay in payment was limited to a few days.

### **Preparation and presentation of the 2014 budget**

The 2014 budget, which was prepared during 2013, provides for an establishment plan of 67 posts.

Total appropriations for 2014 are EUR 9 857 002. Title 1 (Expenditure relating to persons working with the institution) amounts to EUR 7 709 002. Title 2 (Buildings, equipment and miscellaneous operating expenditure) amounts to EUR 1 550 000. Title 3 (Expenditure resulting from general functions carried out by the institution) amounts to EUR 598 000.

The 2014 budget provides for total revenue of EUR 1 190 225.



## Chapter V: Management of internal controls

### Section 1 - Recommendations from the Internal Auditor

In 2013, the Ombudsman's Internal Auditor issued two audit reports:

Report N°13/01: Internal auditor's annual report for 2012.

The Internal Auditor's report on the 2012 audit work concluded that, subject to full implementation of agreed actions, the Institution's internal management and control systems are effective and efficient and provide reasonable assurance of attaining its control objectives on a consistent basis.

Report N°13/02: Transversal follow-up of open actions from internal audit reports.

This report is a follow-up to audits performed in 2010, 2011 and 2012 in the areas of (i) Internal Control Framework, (ii) public procurement process, (iii) complaints and inquiries process, and (iv) recruitment process.

In his report (13/02), the Internal Auditor concluded that the Ombudsman had successfully implemented all the remaining open actions. Internal Audit considered that the residual exposure to risk was low and therefore closed all the actions.

### Section 2 - Observations from the Court of Auditors

In the framework of the DAS 2012, the Court of Auditors indicated in its annual report that the audit did not give rise to any significant observations as regards the European Ombudsman.

### Section 3 - Follow-up of recommendations from the Committee on Budgetary Control in the framework of the discharge procedures

#### *2011 discharge*

In its decision of 17 April 2013 on discharge in respect of the implementation of the European Union general budget for the financial year 2011, Section VIII – European Ombudsman, Parliament made the following recommendations:

- It called for improved financial planning to ensure more efficient budget implementation, for further efforts to improve the utilisation rate and for changes made to be monitored.

The Ombudsman's office seeks constant improvement in financial planning so as to ensure the most efficient possible budget implementation. As mentioned in the AAR for 2012, the utilisation rate of 92.54% achieved in 2011 was considerably higher than the corresponding rates for previous years. Further efforts were made in this regard in 2012 and resulted in a utilisation rate of 95.88%. As reported above, in 2013, the utilisation rate rose again to 98.20 %.

The Ombudsman's office will continue its efforts and monitor the results.





- It called for a sustainable increase of the percentage of decisions on admissibility taken within one month of receiving a complaint which attained a figure of 70% in 2011.

As mentioned in the AAR for 2012, the percentage of cases in which the decision on admissibility was taken within one month increased to 85 % in 2012. It further increased to 89% in 2013.

- It called for the rate of cases closed within 12 months (66% in 2011) and 18 months (80% in 2011) to be substantially improved and called on the Ombudsman to clarify what percentage of cases involve more than one round of inquiries and when there is a need for a second round of inquiries;

In 2012, the percentage of cases closed within 12 months increased to 69 %, i.e. an increase of 3%. The corresponding figure for the proportion of inquiries closed within 18 months was 79% and thus slightly lower than the figure achieved in 2011.

In 2013, the relevant rates increased respectively to 73% (thereby exceeding the target of 70%) and 81% (an increase of 2% compared to 2012).

The percentage of inquiries that were closed in 2012 after having required more than one round of inquiries was 40%. The corresponding rate for inquiries closed in 2013 was 36%.

- It called on the Ombudsman, with a view to reducing the length of procedures, to include an indication of the percentage of resources affecting the handling of complaints submitted by the public, and the measures he considers necessary in order to make services more rapid and effective, in particular through the reallocation of resources, in his annual report.

In 2013, the Ombudsman developed an Operating Framework which identifies the institution's main processes. As a first step towards quantifying the percentage of resources allocated to the core activities of the office, a table, which shows the allocation of human resources in the various operational entities and the categories of processes of the Operating Framework that each of these entities predominantly delivers, was developed and included in Annex 1.

- It called on the Ombudsman to set out the ways in which it addresses citizens of the Union and the amount of funding it draws from the budget to this end in its annual report.

Information on the amount of funding allocated to informing Parliament and citizens of the Ombudsman's role and activities is included in Chapter III, above.

- It called on the Ombudsman's office to include an exhaustive table of all the human resources at the Ombudsman's disposal, broken down by category, grade, sex, participation in professional training and nationality.

Tables comprising information on the human resources available to the Ombudsman, broken down by category, grade and gender, participation in



professional training and nationality were annexed to the AAR for 2012 and are also available in Annex 1 of this report.

### *2012 Discharge*

At the time of the drafting of this report, the European Parliament's decision on discharge in respect of the implementation of the European Union general budget for the financial year 2012, Section VIII – European Ombudsman was not yet available.

## **Section 4 - Management of the internal control systems**

Three areas of control were upgraded significantly in 2013. The development of the Ombudsman's Operating Framework helped reinforce our overall processes and procedures (Internal Control 8-processes and procedures). The adoption of a business continuity plan was a major development and increases the office's capacity to deal with a potential crisis situation (Internal Control 10-business continuity). Finally, Internal Control 3 - staffing and mobility was also upgraded as a result of the successful completion of the internal competitions which makes mobility possible for a significant number of staff appointed as officials.

## **Section 5 - Quality management**

The Ombudsman achieved EFQM's (European Foundation for Quality Management) first level of recognition 'Committed to Excellence' in 2012.

EFQM provides us with a methodology and tools that can help us achieve a sustainable level of quality.

During the 2013 staff retreat, the whole staff were involved in a self-assessment based on EFQM's fundamental concepts.

On the basis of actions taken as a follow-up to the results of the self-assessment, the office intends to take steps in 2014 to apply for the next level of recognition.



## **Part III: Declarations of the Authorising Officers by Delegation**

### **1- Declaration of the Authorising Officer by Sub-Delegation**

I, the undersigned,

Head of the Personnel, Administration and Budget Unit of the Ombudsman

In my capacity as Authorising Officer by Sub-Delegation:

- 1.** Hereby declare that the information contained in this report is provided in good faith;
- 2.** Certify that I am reasonably certain that the resources allocated to the activities described in this report have been used for the intended purposes and in accordance with the principle of sound financial management and that the control procedures established afford the requisite guarantees as to the legality and regularity of the underlying transactions. This reasonable assurance is based on my own judgment and on the information at my disposal, such as the results of self-assessment, ex-post controls and remarks by the Internal Auditor of the Ombudsman, as well as information derived from the reports of the Court of Auditors on financial years preceding that in which this declaration is made;
- 3.** Certify that I am not aware of any fact which has not been stated which could damage the interests of the institution of the Ombudsman.

Done at Strasbourg, on 28 March 2014

Alessandro Del Bon

Head of the Personnel, Administration, and Budget Unit



## 2- Declaration of the Authorising Officer by Delegation

I, the undersigned,

Director of Directorate B (in charge of Personnel, Administration and Budget) of the Ombudsman

In my capacity as Authorising Officer by Sub-Delegation:

1. Hereby declare that the information contained in this report is provided in good faith;
2. Certify that I am reasonably certain that the resources allocated to the activities described in this report have been used for the intended purposes and in accordance with the principle of sound financial management and that the control procedures established afford the requisite guarantees as to the legality and regularity of the underlying transactions. This reasonable assurance is based on my own judgment and on the information at my disposal, such as the results of self-assessment, ex-post controls and remarks by the Internal Auditor of the Ombudsman, as well as information derived from the reports of the Court of Auditors on financial years preceding that in which this declaration is made;
3. Certify that I am not aware of any fact which has not been stated which could damage the interests of the institution of the Ombudsman.

Done at Strasbourg, on 28 March 2014

Gerhard Grill  
Director



### 3- Declaration of the Principal Authorising Officer by Delegation

I, the undersigned,

Secretary-General of the Ombudsman

In my capacity as Principal Authorising Officer by Delegation:

1. Hereby declare that the information contained in this report is provided in good faith;
2. Certify that I am reasonably certain that the resources allocated to the activities described in this report have been used for the intended purposes and in accordance with the principle of sound financial management and that the control procedures established afford the requisite guarantees as to the legality and regularity of the underlying transactions. This reasonable assurance is based on my own judgment and on the information at my disposal, such as the results of self-assessment, ex-post controls and remarks by the Internal Auditor of the Ombudsman, as well as information derived from the reports of the Court of Auditors on financial years preceding that in which this declaration is made;
3. Certify that I am not aware of any fact which has not been stated which could damage the interests of the institution of the Ombudsman.

Done at Strasbourg, on 28 March 2014

Ian Harden  
Secretary-General



## **Annexes**

Annex 1: Human resources and professional training charts

Annex 2: Internal control assessment chart

Annex 3: The European Ombudsman's Operating Framework

Annex 4: Report on budgetary and financial management for the financial year 2013



## Annex 1: Human resources and professional training charts

### A. Breakdown of human resources available to the Ombudsman

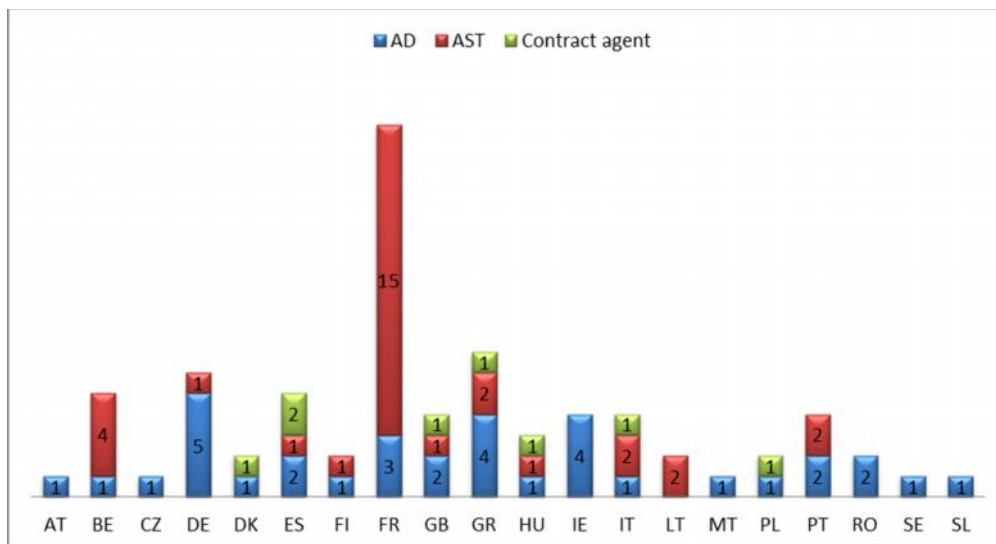
The table below shows the allocation of human resources among the operational entities of the office in December 2013 and the category of process(es) of the Operating Framework that each of these entities predominantly delivered.

	Allocation of resources	Management processes	Core processes	Supporting processes
<b>Ombudsman Cabinet</b>	AD: 3 AST: 2		X	
<b>Secretariat-General</b>	AD: 2 AST: 1	X	X	
<b>Directors</b>	AD: 2 AST: 1	X	X	
<b>Complaints and inquiries</b>	AD: 21 Contract agents: 2 Trainees: 4		X	
<b>Communication</b>	AD: 3 AST: 6 Contract agent: 1		X	
<b>Registry</b>	AD: 1 AST: 9 Contract agents: 3		X	X
<b>Personnel, Administration and Budget</b>	AD: 3 AST: 10 Contract agents: 2			X

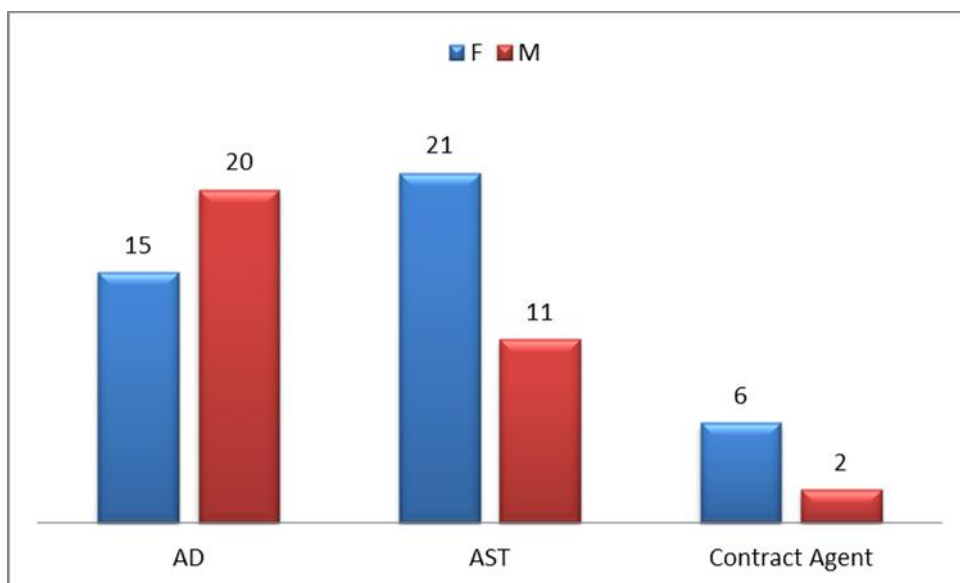


Graphs 1 and 2 below show the breakdown of the various categories of staff by nationality and by gender.

Graph 1 - Nationality per grade: Snapshot on 31 December 2013



Graph 2 - Gender per grade: Snapshot on 31 December 2013

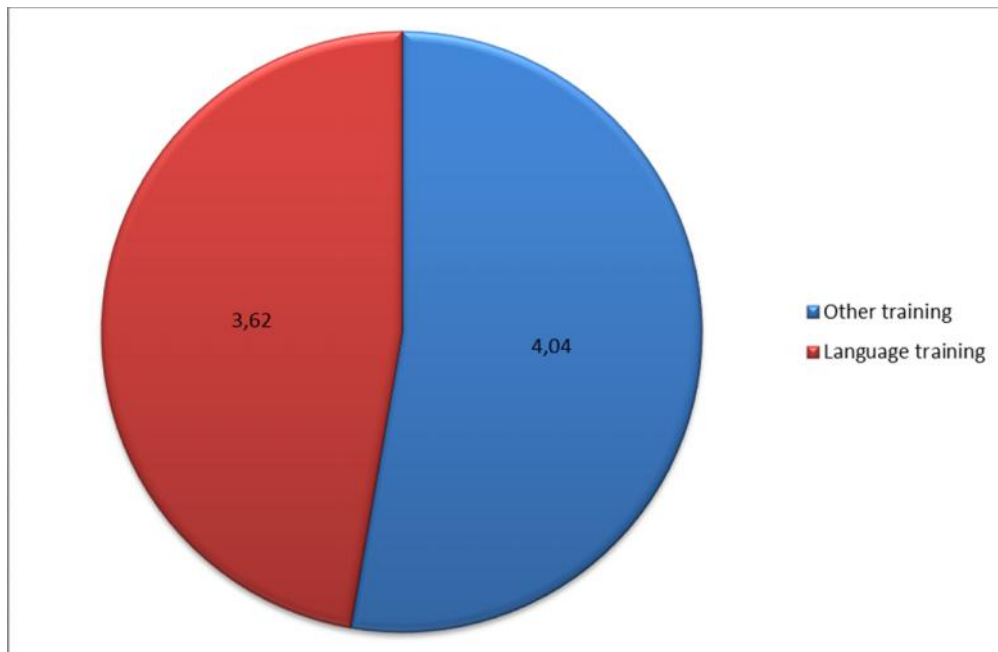




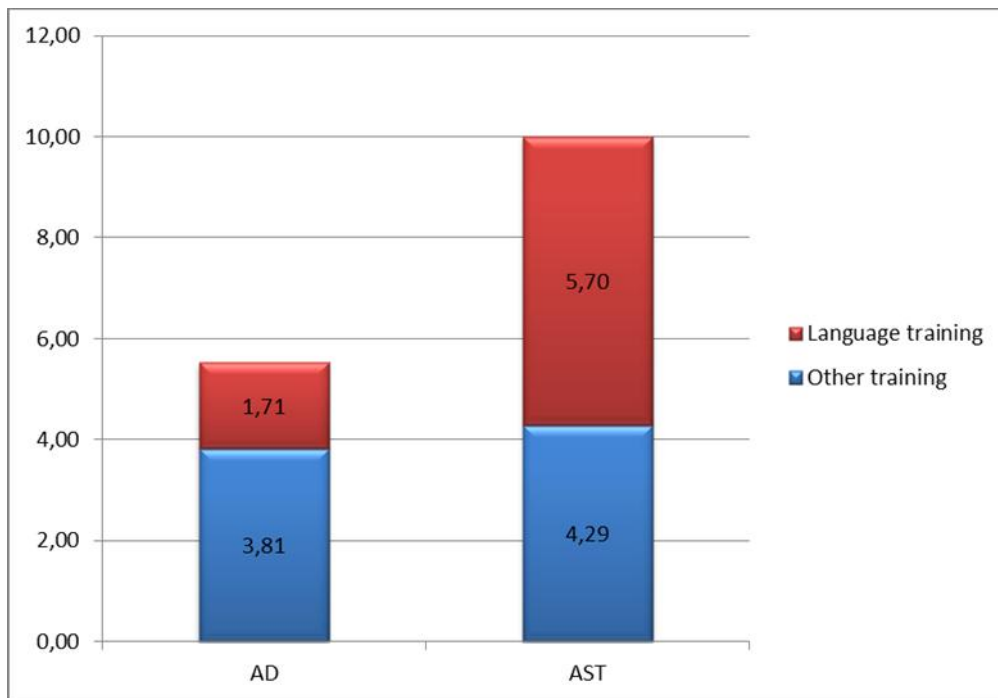


## B. Number of days of professional training in 2013

Graph 3 - Average number of days of language training and other training per person

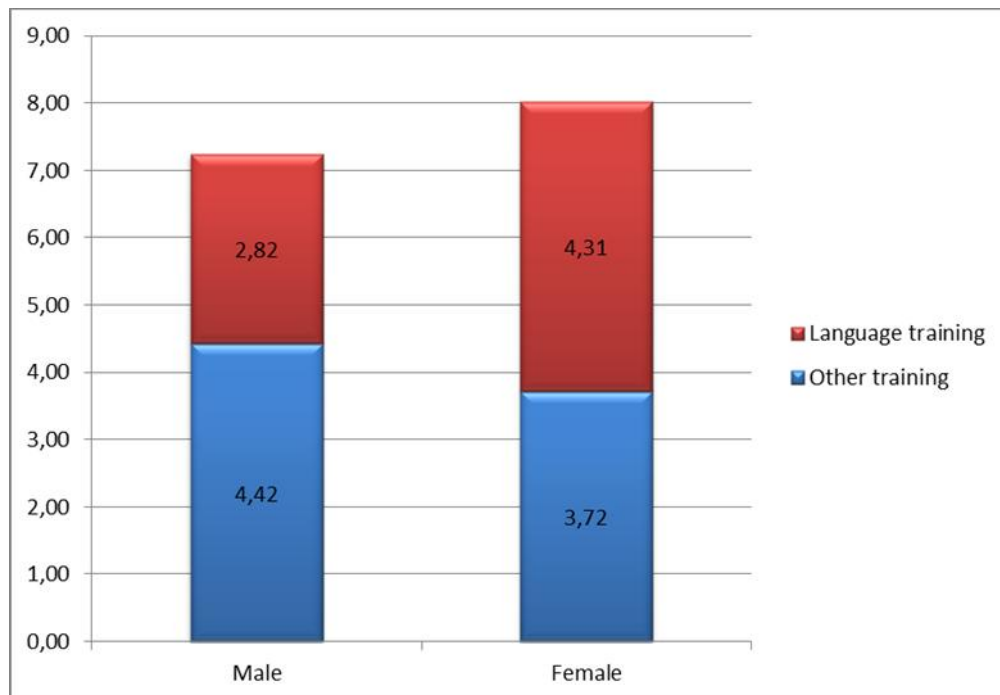


Graph 4 - Average number of training days per person by grade



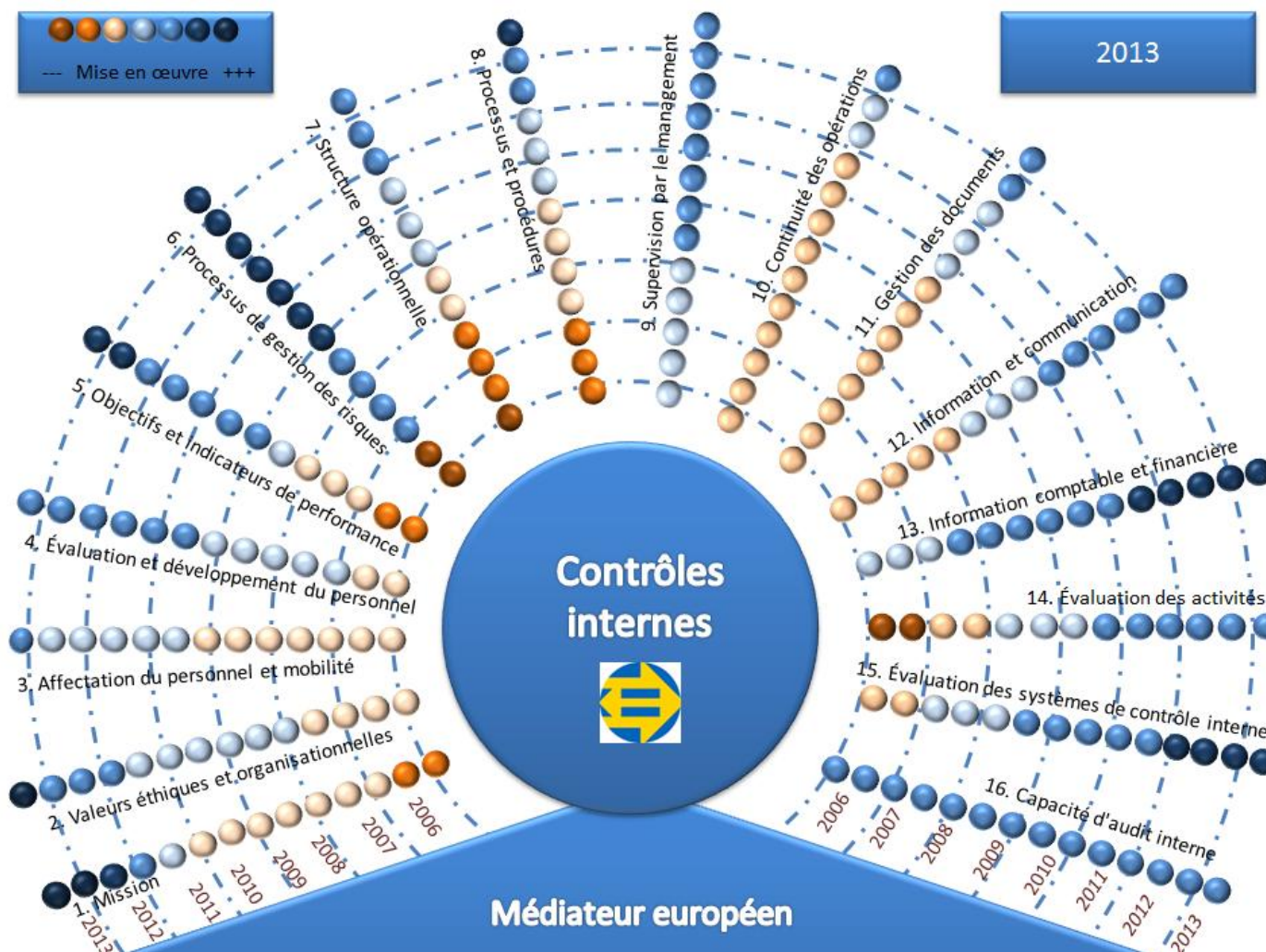


Graph 5 - Average number of training days per person by gender





## Annex 2: Internal control assessment chart





## Annex 3: The Ombudsman's Operating Framework (PowerPoint Presentation)



## Annex 4: Report on budgetary and financial management for the financial year 2013



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