



European Ombudsman

Emily O'Reilly
European Ombudsman

Mr Nicholas David Bearfield

Director

European Personnel Selection Office

Strasbourg, 14/03/2018

Joint inquiry into complaints 1337/2017/EA and 1338/2017/EA

Subject of case: Accessibility for visually impaired candidates of competitions organised by the European Personnel Selection Office

Dear Mr Bearfield,

I have received two complaints against the European Personnel Selection Office (EPSO), complaints 1337/2017/EA and 1338/2017/EA. The complaints concern the accessibility of competitions organised by EPSO. The complainants raise issues about the accessibility of the online application form - including the online form for requesting accommodation for special needs - and the computer-based tests.

As the two complaints concern similar issues, I have decided to open a joint inquiry.

The complainants raise three concerns:

1. The online application form used by EPSO, including the form for requesting accommodation for special needs during the tests, is not fully accessible to visually impaired candidates who use 'screen readers' to read webpages.

2. The complainants had selected either the option for a 'screen reader' and 'refreshable braille display' when filling out the online form for requesting the accommodation of special needs, or subsequently asked for a screen reader. However, these options were not available to them when they sat their computer-based tests. Instead, they were provided with braille transcriptions of the tests and a sighted assistant.

3. The measures put in place by EPSO meant that visually impaired candidates could not sit the computer-based tests independently. As such, the measures could not be considered to comply with the concept of 'reasonable



accommodation' of the needs of persons with disabilities, as provided for under Article 9 of the UN Convention on the Rights of Persons with Disabilities.

The complainants' desired outcome is that:

1. EPSO should review the online application form, including the online form for requesting accommodation for special needs, so that these are made fully accessible to users of screen readers.

2. In order to comply with the concept of 'reasonable accommodation' during the computer-based tests, EPSO should enable visually impaired candidates to access information independently, using assistive technologies, such as screen readers or braille displays on a standard computer.

For the purposes of my inquiry, I would be grateful to receive EPSO's reply to the specific questions set out below by 14 May 2018.

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?

I think that it would also be very helpful for my inquiry team to meet with relevant officials from EPSO. This meeting could take place prior to EPSO sending its written reply and, in fact, should prove useful to both sides.

I would be grateful if your office could contact Ms Elpida Apostolidou (+32 2 284 18 76) from my office to set up the meeting. Depending on EPSO's availability, I would envisage the meeting taking place in early April 2018.

Information or documents that your institution considers to be confidential will not be disclosed to the complainant or any other person without the prior agreement of EPSO. Information and documents of this kind will be deleted from the European Ombudsman’s files shortly after the inquiry has ended¹.

Yours sincerely,

Emily O'Reilly
European Ombudsman

Enclosures: Complaint 1337/2017/EA & complaint 1338/2017/EA

¹ In accordance with Articles 4.8 and 9.4 of the European Ombudsman’s Implementing Provisions: <https://www.ombudsman.europa.eu/en/resources/provisions.faces>