

BEREC Office ref. No MC (15) 04

BEREC Office

**Multi-Annual Staff Policy
Plan 2016-2018**

23/01/2015

MULTI-ANNUAL STAFF POLICY PLAN 2016-2018

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1. The agency's activities

The key role of the BEREC Office is to provide professional and administrative support to the Body of European Regulators for Electronic Communications (BEREC) enabling BEREC to conduct its tasks. No significant modifications in 2014/2015. Please see a comprehensive description in Annex 1.

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2. Staff population and its evolution

2.1. Overview of all categories of staff

Staff population		Staff population actually filled in 31.12.2013	Staff population in EU Budget 2014 ¹	Staff population actually filled at 31.12.2014 ²	Staff population in voted EU Budget 2015 ³	Staff population in Draft EU Budget 2016	Staff population envisaged in 2017 ⁴	Staff population envisaged in 2018 ⁵
Officials	AD	0	0	0	0	0	0	0
	AST	0	0	0	0	0	0	0
	AST/SC	0	0	0	0	0	0	0
TA	AD	11	11	11	11	11	11	11
	AST	5	5	5	4	4	3	3
	AST/SC	0	0	0	0	0	0	0
Total ⁶		16	16	16	15*	15	14***	14
CA GFIV		0	3	3	3**	6	6	6
CA GF III		1	2	1	2	1	1	1
CA GF II		2	1	2	1	1	1	1
CA GFI		0	0	0	0	0	0	0
Total CA ⁷		3	6	6	6	8	8	8
SNE ⁸		6	6	6	6**	4	4	4
Structural service providers ⁹		0	0	0	0	0	0	0
TOTAL		25	28	28	27	27	26	26
External staff ¹⁰ for occasional replacement ¹¹		0		1	2	2	2	2

* The total headcount of 15 would represent the decrease by 1 post brought about by the Inter-institutional Agreement which stipulates a 5% reduction in the number of posts in the establishment plans of all institutions, bodies and agencies over a 5 year period. Commission Guidelines have clarified that reduction of staff in each EU institution, body and agency by 5% during the period 2013-2017 (by 2018) should be implemented through the non-replacement of departing staff (retiring or with expired contracts). This cut will not involve dismissing staff or forcing them to retire.

** If the suggested conversion of 2 SNEs to 2 CA FGIV is accepted for 2016-2018, the conversion will be implemented already in 2015.

*** A decrease by 1 post for the purpose of creating the redeployment pool for other agencies is subject to the decision of the Budgetary Authority on Final Budget 2017.

¹ As authorised for officials and temporary agents (TA) and as estimated for contract agents (CA) and seconded national experts (SNE).

² Offer letters sent Executive Support Assistant (AST3), and two Programme Management Support Officers CA FGIV. An exchange of letters to select a SNE is also ongoing.

³ As authorised for officials and temporary agents (TA) and as estimated for contract agents (CA) and seconded national experts (SNE).

⁴ Figures should not exceed those indicated in the Legislative Financial Statement attached to the founding act (or the revised founding act) minus staff cuts in the context of 5% staff cuts over the period 2013-2017.

⁵ *Ibid.*

⁶ Headcounts

⁷ FTE

⁸ FTE

⁹ **Service providers** are contracted by a private company and carry out specialised outsourced tasks of horizontal/support nature, for instance in the area of information technology. At the Commission the following general criteria should be fulfilled: 1) no individual contract with the Commission; 2) on the Commission premises, usually with a PC and desk; 3) administratively followed by the Commission (badge, etc.) and 4) contributing to the value added of the Commission. FTE

¹⁰ FTE

¹¹ For instance replacement due to maternity leave or long sick leave.

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2.2. Establishment plan evolution 2014-2018

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Category and grade	Establishment plan in EU Budget 2014		Modifications in 2014 in application of flexibility rule ¹²		Establishment plan in voted EU Budget 2015		Modifications envisaged in establishment plan 2015 in application of flexibility rule ¹³		Establishment plan in Draft EU Budget 2016 ¹⁴		Establishment plan 2017 ¹⁴		Establishment plan 2018 ¹⁴	
	officials	TA	officials	TA	officials	TA	officials	TA	officials	TA	officials	TA	officials	TA
AD 16														
AD 15														
AD 14		1				1				1		1		1
AD 13														
AD 12														
AD 11														1
AD 10										1		2		1
AD 9		2				2				1		0		1
AD 8										2		2		2
AD 7		3				3				1		1		0
AD 6										2		4		5
AD 5		5				5				3		1		0
Total AD		11				11				11		11		11
AST 11														
AST 10														
AST 9														
AST 8														
AST 7														
AST 6														
AST 5														1
AST 4										2		3		2
AST 3		4				4				2		0		0

¹² In line with Article 32 (1) of the framework Financial Regulation, the management board may modify, under certain conditions, the establishment plan by in principle up to 10% of posts authorised, unless the financial rules of the body concerned allows for a different % rate.

¹³ *Ibid.*

¹⁴ The Establishment Plan includes the revision of the grades of posts in order to ensure equal opportunities for the staff's career progression. This is without prejudice to the outcome of the annual reclassification exercise, which is based on merit and bound by the promotion rates of Annex I.B of the Staff Regulations over years.

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AST 2														
AST 1		1				0				0		0		0
Total AST		5				4				4		3¹⁵		3
AST/SC 6														
AST/SC5														
AST/SC4														
AST/SC3														
AST/SC2														
AST/SC1														
Total AST/SC		0				0				0		0		0
TOTAL		16				15¹⁶				15		14		14

¹⁵ A decrease by 1 post for the purpose of creating the redeployment pool for other agencies is subject to the decision of the Budgetary Authority on Final Budget 2017.

¹⁶ The total headcount of 15 would represent the decrease by 1 post brought about by the Inter-institutional Agreement which stipulates a 5% reduction in the number of posts in the establishment plans of all institutions, bodies and agencies over a 5 year period. Commission Guidelines have clarified that reduction of staff in each EU institution, body and agency by 5% during the period 2013-2017 (by 2018) should be implemented through the non-replacement of departing staff (retiring or with expired contracts). This cut will not involve dismissing staff or forcing them to retire.

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- 3. Annual staff-related expenditure in 2014, in absolute terms and as a percentage of the overall administrative expenditure**

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	Executed budget 2014 ¹⁷ per source of revenue			Executed budget 2014 ¹⁸ broken down by titles			
	EU Budget (1)	Other sources ¹⁹ (2)	Total (3=1+2)	Title 1 ²⁰ (4)	Title 2 (5)	Title 3 (6)	Total (7=4+5+6) (7=3)
Salaries & allowances (1)	1 416 018	0	1 416 018	1 416 018	0	0	1 416 018
of which establishment plan posts (officials, TA)	1 102 538	0	1 102 538	1 099 897	0	0	1 099 897
of which external personnel (CA, SNE and External staff for occasional replacement)	313 480	0	313 480	360 678	0	0	360 678
of which structural service providers							
Other support/administrative expenditure (2)	928 644	0	928 644	676 109	232 063	20 471	928 644
Expenditure related to staff recruitment				79 011	0	0	
Socio-medical infrastructure				5 750	0	0	
Training costs				71 568	0	0	
Mission costs				205 881	0	0	
Information and publishing				0	7 751	0	
Studies / Surveys / Consultations				0	0	0	
IT costs				0	71 310	0	
Experts costs				0	0	0	
Postage / telecommunications				0	16 018	0	
Translation and interpretation costs				12 858	2 112	20 471	
Meetings / Conferences / Receptions / Events				2 285	2 883	0	
Auditing and evaluation				0	10 800	0	
Running costs				0	22 244	0	
Rental of buildings and associated costs				0	83 377	0	
Research and Development / Innovation				0	0	0	
Movable property and associated costs				0	15 568	0	
Other (please specify)				298 756	0	0	
% share of salaries, allowances expenditure (1)/(2)	152%		152%	209%	0	0	152%
Other operational costs (3)	1 731 385	0	1 731 385		0	1 731 385	1 731 385

¹⁷ Final executed budget (in commitment appropriations) including carry-overs to 2015, EFTA and third and candidate countries contributions

¹⁸ *Ibid.*

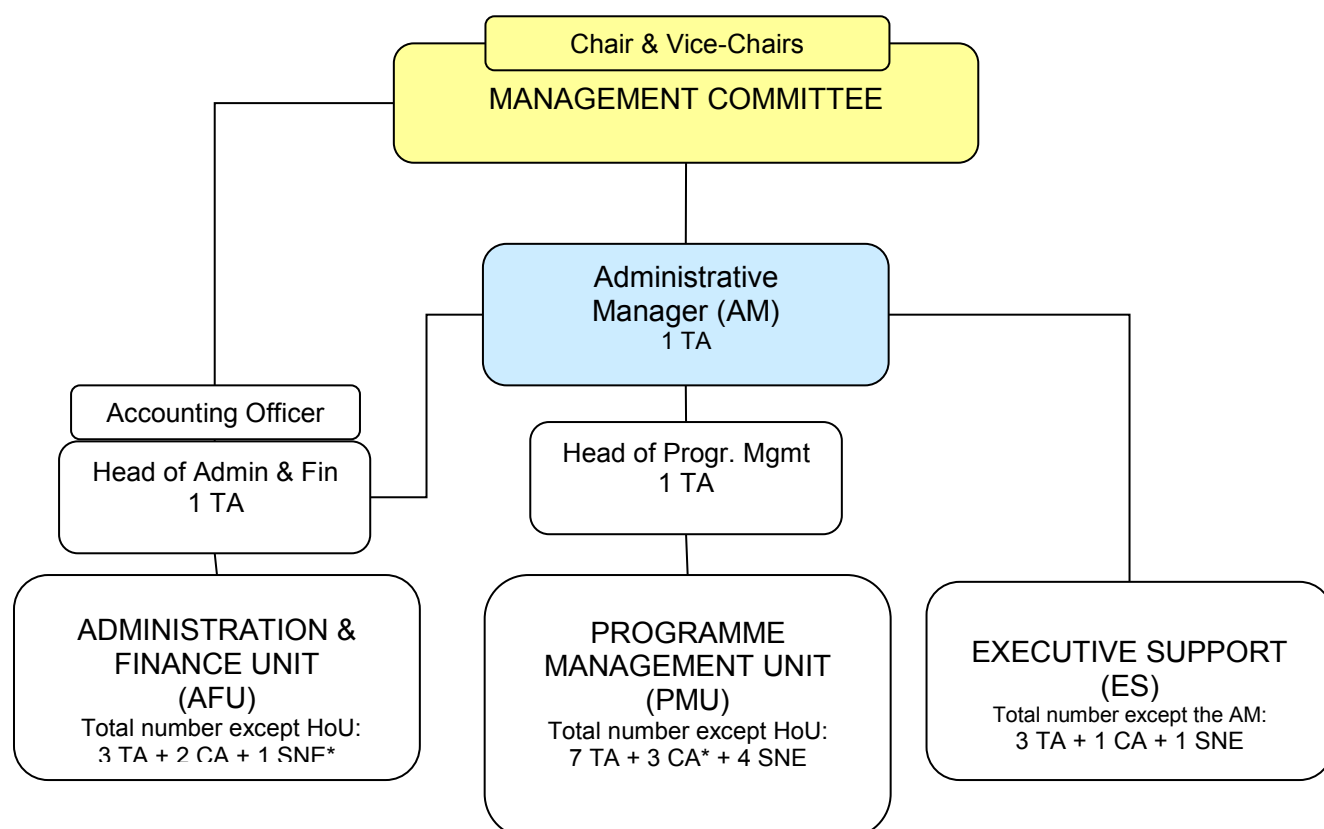
¹⁹ Including i.e. fees, charges, industry associations and Member State contributions; if applicable please also specify below the table the sources of contribution

²⁰ The total of figures presented under columns "Title 1", "Title 2" and "Title 3" should add up and equal the execution on each title of the budget

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4. Organisation and organizational chart at 31.12.2014

The following tables reflect the assumption that the procedure for filling in the Seconded National Expert in the Administration and Finance Unit (AFU) is accomplished by the beginning of 2015.



***Vacant posts:**

AFU: 1 SNE (filled in early 2015)

PMU: 2 CA FGIV (to take up duties in January 2015)

ES: 1 AST3 (to take up duties in January 2015)

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Units/support function	Total number of staff per unit/support function as per establishment plan 2014	Number of staff by 31.12.2014
Programme Management unit	15 ¹	13 2 CA FGIV to enter into service in January 2015
Admin. & Finance unit	7	6 1 SNE to enter into service in early 2015
Executive Support	6	5 1 AST3 to enter into service on 01 January 2015
Total	28	24

- (1) The decrease by 1 post in 2015 brought about by the Inter-institutional Agreement (which stipulates a 5% reduction in the number of posts in the establishment plans of all institutions, bodies and agencies over a 5 year period) has been effected to the lowest grade in the BEREC Office (1 Administrative assistant TA-AST1 in the Programme Management unit). Thus, from 2015, the total number of staff in the Programme Management Unit is 14.

As reflected in the table above, by the end of December 2014 the BEREC Office had conducted all the recruitment procedures to achieve full staffing.

5. Overview of the situation over the years 2016-2018

5.1. New tasks

Not applicable.

5.2. Growth of existing tasks

Since its creation the BEREC Office has been seen to add most of its value in the administrative support to BEREC Chair, Board of Regulators and the BEREC Expert Working Groups (operational function).

The BEREC Office is expected to continue intensifying its activity in several areas, such as:

- Documenting and disseminating the best practices among National Regulatory Authorities (NRAs).
- Involvement in the data collection and professional support. The level of complexity of the data collection is increasing, and there is a consensus among the members of BEREC that the routine data collection from NRAs should be taken over from the Expert Working Groups by the Office. Although it will not require a change of the mandate for extending the use of the professional expertise of the BEREC Office in the work of BEREC, the efficient data collection would require the implementation of adequate support systems for data collection and management.

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Through 2014 the BEREC Office saw a growth of EU compliance issues, due to the complexity of dealing with all the legislative changes launched in 2013 and implemented in 2014; e.g. the new Staff Regulations and the new Financial Regulation. The BEREC Office is a very small organisation that will also need to continue to focus on improvement of budget management and internal control.

5.3. Efficiency gains

The administrative requirements applied to the BEREC Office are identical to those applied to larger EU bodies, and relate to the implementation of the Financial Regulation and Staff Regulations, as well as all relevant implementing rules (financial management procedures, data protection, HR policies and procurement procedures). The BEREC Office experienced in previous years difficulties with addressing its administrative tasks, especially in budget management, implementation of procurement and recruitment plans. The difficulties have partly been caused by the turnover of expert staff. Even if there was no growth in existing tasks, more would have to be done by the available staff. And since adding new support resources is not possible, the risk of not being able to attract or retain experienced staff has to be minimised by all possible means (e.g. shared services with other agencies, efficiency gain solutions and ensuring appropriate back-up solutions for existing staff).

At any rate, conversion of posts to higher grades or function groups would make full staffing increasingly likely. In the meantime vacant posts are being staffed with interim replacements for administrative tasks under an interim services framework contract signed in November 2014.

The BEREC Office is implementing various projects on efficiency gains in order to cope with the administrative requirements it has to comply with. The projects have found several possibilities for efficiency gains, which will be implemented during 2015. The Office has already signed an SLA with another agency (ENISA) to share the Internal Control Coordinator assistance (ICCa). The Office has lightened the financial circuit to reduce the number of financial actors, while respecting the financial rules. In collaboration with another agency (GSA) the Office is introducing paperless application for the benefit of reducing the time on administrative procedures.

The BEREC Office will continue to look for efficiency gains through the use of existing framework contracts of the relevant Commission services (e.g. DG BUDG, DG HR, DG DIGIT) instead of launching procurements and through the possibility of pooling resources with other agencies.

5.4. Negative priorities/Decrease of existing tasks

Not relevant.

5.5. Redeployment of resources in view of budgetary constraints

A redeployment of resources is taking place as a consequence of budgetary constraints, namely the cut of one post in 2015 and possibly another one in 2017, as reflected elsewhere in

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this document. Some tasks have already been partly outsourced to external providers through SLAs with the relevant Commission services (eg. IT training, human resources, mission reimbursements etc.).

- Conversion of two SNEs in Executive Support and Administration and Finance into CA FGIV

The experience shows that the recruitment of SNE in units other than Programme Management is especially difficult. In order to ensure staffing in those units, the two SNE posts in the Executive Support and Administration and Finance units should be converted into CA FGIV. Recruitment of CAs at lower functions groups would be equally difficult. The organisational setup of the BEREC Office envisaged a high number of secondment possibilities, which have proven to be not achievable in the current economic climate. Additionally, it has been confirmed that the work of those units require staff to have a certain level of experience as well as access to financial roles, which is very limited for SNEs. CA posts with longer term commitment would ensure the payback of the efforts put in training on administrative procedures. The conversion into CA posts would provide a wider pool of talent and would ensure timely staffing, improving the workload distribution in both units and having a wide impact at Office level.

- Upgrading of CA FGIII post into a CA FGIV

As outlined above, recruitment of Contract Agents at function groups below IV have been found to be difficult. The limitations of the EPSO CAST database and the scarce interest in recruitment opportunities at lower grades for countries with lower weightings imply that finding good candidates is increasingly difficult. In order to attract qualified candidates from the widest pool possible, and taking advantage that the post is vacant from January 2015, the CA FGIII post in Programme Management unit is converted into a CA FGIV.

Moreover, the recruitment procedure for Contract Agents FGIV launched in 2014 has successfully identified candidates which could realistically contribute to the work of the BEREC Office. The reserve list of this procedure could be used to immediately fill in the post, which will be vacant as of 01 January 2015.

6. Staff policy followed by the agency

6.1. Recruitment policy

The recruitment and selection policies are defined in the relevant BEREC Office implementing rules (see State of play of implementing rules adopted by the Office).

It is not foreseen to recruit permanent staff (Officials) in the BEREC Office.

The recruitment of Temporary agents (TA), Contract agents (CA) and Seconded National Experts (SNE) will follow the same rules in 2016 - 2018 as in previous years (See Annex 2 for principles of recruitment policy) and in accordance with the latest version of the internal recruitment checklist. The recruitment procedures' consistency is ensured by the HR team in the Office through policies and guidelines. A new recruitment guideline comprising steps and responsibilities has been developed in May 2013 and implemented for 2013 recruitment procedures. Conflict of Interest declarations are being reviewed and as of 2013, questions

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for written tests and interviews and threshold scores are determined prior to the examination of applications.

6.2. Benchmarking of the key functions in the agencies

General comment by the BEREC Office

The key role of the BEREC Office is provided through professional and administrative support given to the Body of European Regulators for Electronic Communications (BEREC) enabling BEREC to conduct its tasks. These support tasks are not addressing the internal administration of the Office. As services provided to BEREC, these are operational functions; even though certain elements are referred to as administrative support. In addition to the support functions provided to BEREC, the Office also performs internal administrative support functions like any other European Body. The traditional notion of administrative and operational activities is therefore not applicable to the same extent as for other bodies with a policy mandate.

The advisory and support role to BEREC means that the operational activities of the Programme Management unit and Executive Support include elements of financial and administrative management as well. The Administrative and Finance unit on its side is active in advising and supporting operational units. This is reflected in the table below with the status in 2014. The Methodology developed for the 2015 Agencies Job Screening under Article 29(3) FFR has been used to categorise organisational roles. Approximations to 50% has been used.

<i>Key functions</i>	<i>Type of contract (official, TA or CA)</i>	<i>Function group, grade of recruitment (or bottom of the brackets if published in brackets)</i>	<i>Indication whether the function is dedicated to administration support or policy (operational)</i>
CORE FUNCTIONS			
Head of Department - Administrative Manager (Level 1)	TA	AD 14	OPER T/OP COORD
Head of Unit - Head of Programme Management unit (Level 2)	TA	AD 9	OPER T/OP COORD
Senior Officer – Senior Programme Manager (Level 3)	TA	AD 7	OPER GEN OPER
Senior Officer – Senior Programme Manager (Level 3)	TA	AD 7	OPER GEN OPER
Senior Officer – Senior Programme Manager (Level 3)	TA	AD 7	OPER GEN OPER
Officer – Programme Manager	TA	AD 5	OPER GEN OPER
Officer – Programme Manager	TA	AD 5	OPER GEN OPER

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Officer – Executive Support Officer (Level 2 – reporting directly to Level 1)	<i>TA</i>	<i>AD 5</i>	<i>50% OPER T/OP COORD</i> <i>50% ADM SUP IA</i>
Assistant – Programme Management Assistant (Level 3)	<i>TA</i>	<i>AST 3</i>	<i>50% OPER GEN OPER</i> <i>50% FIN/CONT</i>
Budget Assistant (Level 3)	<i>TA</i>	<i>AST 3</i>	<i>FIN/CONT</i>
Assistant – Secretary in Executive Support (Level 2 – reporting directly to Level 1)	<i>TA</i>	<i>AST 3</i>	<i>50% OPER T/OP COORD</i> <i>50% OPER GEN OPER</i>
Assistant - Administrative assistant (Level 3)	<i>TA</i>	<i>AST 1</i>	<i>50% OPER GEN OPER</i> <i>50% FIN/CONT</i>
Officer - BEREK Support Officer in Programme Management unit (Level 3)	<i>CA</i>	<i>CA FG IV</i>	<i>OPER GEN OPER</i>
Officer - BEREK Support Officer in Programme Management unit (Level 3)	<i>CA</i>	<i>CA FG IV</i>	<i>OPER GEN OPER</i>
Assistant - Secretary to Programme Management (Level 3)	<i>CA</i>	<i>CA FGII</i>	<i>50% OPER GEN OPER</i> <i>50% FIN/CONT</i>
SNEs Programme Management,	<i>SNE</i>		<i>OPER GEN OPER</i>
SNEs Programme Management,	<i>SNE</i>		<i>OPER GEN OPER</i>
SNEs Programme Management,	<i>SNE</i>		<i>OPER GEN OPER</i>
SNEs Programme Management,	<i>SNE</i>		<i>OPER GEN OPER</i>
SNE Executive Support	<i>SNE</i>		<i>50% COORD COMM</i> <i>50% LING</i>
INTERNAL SUPPORT FUNCTIONS FOR BEREK OFFICE			
Head of Administration & Finance unit, Accounting officer (Level 2)	<i>TA</i>	<i>AD 9</i>	<i>50% ADM SUP RES HoA</i> <i>50% FIN/CONT</i>
Officer - Legal and Procurement Officer, DPO (Level 3)	<i>TA</i>	<i>AD 5</i>	<i>50% ADM COORD LEGAL</i> <i>50% T/OP COORD</i>
Officer - HR Officer (Level 3)	<i>TA</i>	<i>AD 5</i>	<i>ADM SUP HR</i>
Assistant – Financial Assistant (Level 3)	<i>TA</i>	<i>AST 3</i>	<i>FIN/CONT</i>

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SNE in Administration and Finance unit	<i>SNE</i>		<i>50% ADM COORD LEGAL</i> <i>50% OPER T/OP COORD</i>
Officer – Administration and Finance Officer (Level 3)	<i>CA</i>	<i>CA FGIV</i>	<i>50% FIN/CONT</i> <i>50% COORD GEN COORD</i>
Assistant – Logistics, Security and Facilities Management Assistant (Level 3)	<i>CA</i>	<i>CA FGII</i>	<i>ADM SUP LOG</i>
Officer - IT Officer/Webmaster (Level 2 – reporting directly to Level 1)	<i>CA</i>	<i>CA FGIII</i>	<i>ADM SUP ICT</i>
SPECIAL FUNCTIONS			
Internal Auditor	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>

Job Type (sub) category	Year 2014
Administrative support and Coordination	6
Administrative support	<i>4</i>
Coordination	<i>2</i>
Operational	17
Top Level Operational Coordination	<i>4</i>
Programme Management & Implementation	<i>0</i>
Evaluation & Impact Assessment	<i>0</i>
General Operational	<i>13</i>
Neutral	5
Finance/Control	<i>4.5</i>
Linguistics	<i>0.5</i>

The BEREC Office is a small structure compared to other EU agencies, which must have next to its main purposes (Programme management and executive support), adequate administrative support. The benchmarking exercise shows the balance between operational functions on the one hand and administration support, coordination, and neutral job types on the other.

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6.3. Appraisal of performance and promotion/reclassification

Reclassification of temporary staff/contract staff

The key feature of the BEREC Office's Staff Appraisal and Career Development scheme is the establishment of an annual dialogue with management / reporting officer on performance, to set up clear and measurable objectives, to put in place meaningful indicators to measure performance against individual objectives and to guide possible promotion (reclassification) opportunities. This non-automatic procedure is based on merit.

The reclassification is preconditioned by an evaluation/appraisal. All BEREC Office staff managers are being informed to set objectives of their staff members at the beginning of each year and to evaluate the performance of their staff based on the guidelines of Article 43 of Staff Regulations.

The BEREC Office conducted the Appraisal 2014 exercise from February to October 2014, which was followed up with the Reclassification 2014 exercise. Due to the rigidity within the Establishment Plan, it was not possible to reclassify any temporary agent. As a consequence, the respect of the reclassification rates of Annex I.B will require an increased volume of reclassifications over the period 2016-2018.

Policy of reclassification of Temporary agents

The reclassification exercise follows the European Commission's implementing rules relating to Article 45 of the Staff Regulations by analogy. The BEREC Office follows the rates set out in the Staff Regulations, Annex I.B and the Commission's guidelines on reclassification of temporary agents with due respect of merits following the performance appraisal procedure.

As mentioned above, the rigidity within the Establishment Plan made it impossible to reclassify temporary agents in 2014, and the same problem is expected in 2015. An increased volume of reclassifications over the period 2016-2018 should be envisaged in order to correct the rates and respect the staff's career progression.

Since the reclassification is based on merit, the actual reclassification rates will only be known when the performance appraisal has been conducted following the principle of merit and of transparency. Additionally, reclassification will only be possible if provided for in the adopted budgetary limits and establishment plan.

Reclassification of Contract agents

Most of BEREC Office contract staff members were recruited in 2012 and therefore none of them were eligible for reclassification in 2012 and 2013. The general principles which guide the appraisal and reclassification exercise for temporary staff also apply to the appraisal of contract staff employed under Article 3a of the CEOS.

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Reclassification of temporary staff/promotion of officials

Category and grade	Staff in activity at 1.01.2013		How many staff members were promoted / reclassified in 2014		Average number of years in grade of reclassified/promoted staff members
	officials	TA	officials	TA	
AD 16					
AD 15					
AD 14		1			
AD 13					
AD 12					
AD 11					
AD 10					
AD 9		2			
AD 8					
AD 7		3			
AD 6					
AD 5		5			
Total AD		11			
AST 11					
AST 10					
AST 9					
AST 8					
AST 7					
AST 6					
AST 5					
AST 4					
AST 3		4			
AST 2					
AST 1					
Total AST		4			
Total		16			

Due to the rigidity within the Establishment Plan, it was not possible to reclassify any temporary agent in 2014.

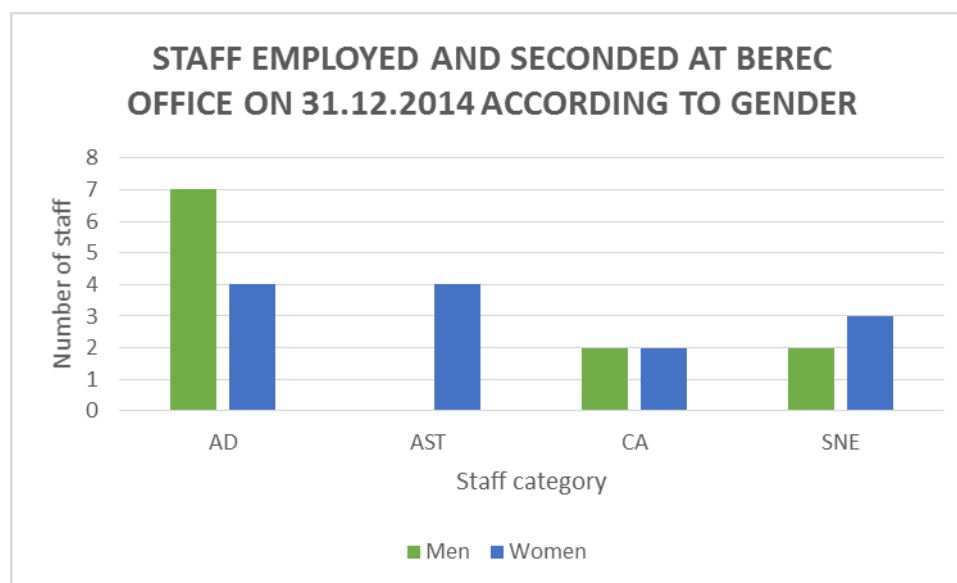
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Reclassification of contract staff

Function Group	Grade	Staff in activity at 1.01.2013	How many staff members were reclassified in 2014	Average number of years in grade of reclassified staff members
CA IV	18			
	17			
	16			
	15			
	14			
	13			
CA III	12			
	11			
	10			
	9			
	8			
CA II	7			
	6		1*	2 years
	5	1		
	4			
CA I	3			
	2			
	1			
Total				

*Proposal to the Appointing Authority pending formalisation

6.1. Gender balance



In accordance with Article 1d of the Staff Regulations and articles 12.1 and 82.1 of the CEOS, the BEREC Office applies equal opportunities policy for its staff, while making provision for measures and actions promoting equal opportunities in respect to the provisions of the European Commission's Strategy on equal opportunities for women and men (2010 – 2014, ref. SEC (2010) 1554/4, adopted on 17.12.2010 by the EC). BEREC Office also will adopt working time regimes based on the EC implementing rules and policies on telework and flexi-time.

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In order to have better gender balance within the office, the units are reminded to recruit more men in administrative functions (all AST staff were female by the end of 2014, but the outlook is balanced). This gender imbalance will be monitored by HR in future recruitments.

6.2. Geographical balance

**Number of staff per nationality
employed and seconded at the BEREC Office on 31 December 2014**

Nationality	AD	AST	CA	SNE	Number of staff (SNE included)
BG	1			1	2
DE	1				1
EE			1		1
ES	1	1			2
FR	1				1
GR	1		1		2
HU	3				3
IT	1		1	1	3
LV		2	1		3
NL				1	1
PL	1				1
RO	1	1		1	3
UK				1	1
Total	11	4	4	5	24

Geographical balance has been achieved in accordance to articles 12.1 and 82.1 of Conditions of Employment of Other Servants, bearing in mind the small size of the Office. Currently the Office has employees from 13 different Member States and will keep monitoring this balance for planned recruitments in 2015.

6.3. Mobility (internal mobility, between the agencies and between the agencies and the institutions)

Mobility within the agency

Horizontal mobility within the BEREC Office is quite limited due to specialisation for different positions. The implementing rules for temporary agents at the BEREC Office foresee the possibility of internal publication of vacant posts.

Mobility among agencies (Inter-agency Job Market)

The implementing rules for temporary agents at the BEREC Office foresee the possibility of publishing a vacancy in the Inter-agency job market. Signing an agreement on the Inter-agency Job Market to this effect is currently envisaged in the future. Currently no posts have been filled with staff from other agencies using this procedure.

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Mobility between the agencies and the institutions

Currently no posts have been filled with staff seconded from other EU institutions. A former temporary agent of the BEREC Office, however, successfully returned to the European Commission in 2014 through re-assignment.

7. Schooling

As established in the Seat Agreement (Article 18) between the Latvian Government and the Office, the Government undertakes to its utmost efforts jointly with the BEREC Office to find the best solution possible for multi-lingual schooling for the children of the BEREC Office staff. The Ministry of Education and Science of the Republic of Latvia is acting as a focal point addressing the questions with regard to schooling in the Republic of Latvia.

Currently, the host Member State Latvia does not have a European School in Riga and children of the staff members attend English, French or Latvian speaking schools. Since the possibility of providing European schooling in Riga requires the Latvian Government to establish such a school in Riga, the BEREC Office can only insist in its support of this plan and contribute to its progress by reminding the national authorities of its obligation.

The Ministry of Education and Science has been exploring possibilities of establishing of a European School within the public school network in Latvia or within the private school network, in accordance with the Convention defining the Statute of the European Schools and with the programmes of European schools. Negotiations are ongoing since November 2010. The establishment of a new European School is a long process, and in the meantime the BEREC Office makes use of the possibilities afforded by Annex VII of the Staff Regulation.

Additionally the BEREC Office continues to explore possibilities and measures facilitating multi-lingual schooling for the children of staff. The basis for such measures is the financial autonomy of the BEREC Office, which would allow to take measures within the framework of the Financial Regulation in order to support staff and cover part of the costs of multi-lingual tuition provided by the international schools available in Latvia.

8. State of play of implementing rules adopted by the agencies consistent with its staff policy

In application of Article 110 (2) of the Staff Regulation, implementing rules (IRs) adopted by the Commission shall apply by analogy to all Agencies unless a derogation is agreed upon with the Commission. The implementing rules shall enter into force at the agencies nine months after their entry into force at the Commission or from the date on which the Commission informed the agencies of their adoption. An agency may also decide that such implementing rules are to enter into force at an earlier date.

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In line with the Commission recommendation to the Agencies, the BEREC Office adopted several new IRs upon their entry into force in the Commission. A first batch of 16 implementing rule were thus adopted by analogy (see Annex 3).

The BEREC Office however keeps abreast of the development of Agency-specific derogations through the Standing Working Party (SWP), and the possibility of ex ante agreements from the Commission in order to adopt them. In that respect, a derogation request was made in order to allow for the ex-ante agreement on the implementing rules on the use and engagement of temporary agents 2f.

The BEREC Office may consider in the future to update the existing implementing rules in line with the new Staff Regulations, and will consult the Staff Committee if any derogations to the Commission's rules appear necessary.

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Annex 1

Description of the agency, its mission and programmed tasks

The tasks, organisation and operation of BEREC and the Office are set out in Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office (BEREC Regulation).

The tasks of the BEREC Office are, in particular, to provide professional and administrative support services to BEREC, to collect information from the NRAs and exchange and transmit information; to disseminate regulatory best practices among the NRAs, to assist the Chair of BEREC in preparation of the work of the Board of Regulators and to set up BEREC Expert Working Groups and to provide support to ensure the smooth functioning of those groups.

The location of BEREC Office is Riga, Latvia.

LEGAL BASIS

The tasks, organisation and operation of BEREC and the Office are set out in Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office²¹ (BEREC Regulation).

MISSION

"We are committed to providing superior professional support to BEREC assisting it in an efficient, proactive and timely manner in the achievement of its objectives and thus contributing to the development of electronic communications markets for the benefit of Europe and its citizens."

The BEREC Office is guided by the following principles:

- Professionalism: the BEREC Office is results-oriented and believes that by performing consistently to high standards it is possible to deliver value to BEREC and stakeholders. Professionalism also means transparency and integrity in all actions, working always with the highest level of ethics in its contribution to the interests of the organisation and stakeholders.
- Excellence: the BEREC Office takes pride in its work and strives for quality in every activity carried out. It is committed to continual self-improvement and learning.
- Accountability: the BEREC Offices takes responsibility for its actions and outcomes, both on an individual and a collective basis.

Furthermore, the guiding principles of the employees' behaviour in working with colleagues and interacting with BEREC and with stakeholders include the following:

²¹ (OJ L 337, 18.12.2009, p. 1)

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- **Teamwork:** Teamwork is the foundation of the BEREC Office organization, to facilitate sharing of knowledge and expertise and to work cooperatively to achieve BEREC's goals.
- **Diversity:** The respect of diversity among colleagues, BEREC members and European Union is a key principle underlying the BEREC Office behaviour, on the basis that diversity fosters

ORGANISATION

BEREC is a two-tier structure composed of a Board of Regulators made up of the 28 Heads of the NRAs without legal personality and an Office established as a Community body with legal personality. The work of the BEREC may be organised into Expert Working Groups.

The Office is composed of a Management Committee, made up of the same 28 NRAs and one representative of the Commission, and an Administrative Manager. The Management Committee will take all decisions relating to the management and will oversee the day-to-day operation of the Office. The Administrative Manager is responsible for heading the Office and is accountable and acts under the supervision of the Management Committee.

TASKS

The Board of Regulators of BEREC will adopt all opinions, recommendations, guidelines advice or regulatory best practice with the professional and administrative support provided by the staff of the Office.

According to article 6 (2) of the Regulation, the Office performs its tasks under the guidance of the Board of Regulators and shall:

- provide professional and administrative support services to BEREC;
- collect information from NRAs and exchange and transmit information in relation to the role and tasks of BEREC as stipulated in the founding Regulation;
- disseminate regulatory best practice among NRAs;
- assist the Chair of the Board of Regulators in the preparation of the work of the Board of Regulators;
- set up the Expert Working Groups, upon request of the Board of Regulators, and provide support to ensure their smooth functioning.

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Annex 2

The agency's recruitment policy as regards the selection procedures, the entry grades of different categories of staff, the type and duration of employment and different job profiles. (Identical as in MSPP 2015-2017)

The selection procedure for different staff groups is defined in relevant BEREC Office staff implementing rules.

It is not foreseen to recruit permanent staff (**Officials**) in the BEREC Office.

The selection procedures for Temporary agents (TA) and Contract agents (CA) are based on requirements and principles of CEOS. These principles aim at guaranteeing transparent and objective procedure. The same methods and principles are used in the SNE selection procedure, as defined on the Management Committee's Decision on SNEs.

As far as **Temporary Agents** are concerned, the BEREC Office launches the recruitment procedure by advertising in BEREC and EPSO websites the vacancy notices, which specify the criteria concerning general and specific competencies, key qualifications required as well as the possible duration of employment, the function group and grade, and the main steps of the selection procedure. The BEREC Office shall set up a Selection Committee, which will consist of at least three members: two from the BEREC Office (one member from the administration and one member from the relevant operational service) and one person designated by the Staff Committee. In specific cases, particularly for selection procedure of experts, up to two additional members may be designated from another service of the BEREC Office or from outside the European Union Institutions. The Selection Committee will evaluate applications and select those candidates meeting the eligibility criteria and matching best the selection criteria required as per vacancy notice. The Selection Committee will therefore invite the selected candidates to written tests and interview whose content shall be defined in accordance with the level and profile of the position advertised.

The Selection Committee will finally propose a short list of successful candidates to the Management Committee, which may draw up a reserve list of successful candidates. This list will be valid up to 12 months from the date of its establishment and its validity may be extended by decision of the Vice-Chair of the Management Committee.

The best candidate will be appointed by the Vice Chair of the Management Committee after prior consent of the Management Committee.

The entry grades for Temporary staff are defined in implementing rules and depend on the qualification requirements for different positions.

Temporary agents may be engaged under their first contract for a fixed period, which is usually of three years. The contract may be renewed by the Vice-Chair of the Management Committee not more than once for another fixed period. A further renewal, awarded by decision of the Vice-Chair of the Management Committee, shall be for an indefinite period. The total period of engagement shall not exceed the lifetime of the BEREC Office.

For the purpose of **Contract Agents'** recruitments, the BEREC Office has the possibility to use the EPSO Contract agents' database. In specific cases, laid down in the Implementing

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Rules for Contract Agents, the Vice Chair of the Management Committee may grant an exception from the general selection procedure, following a different procedure foreseen in the Implementing Rules.

The Contract agents may be engaged under their first contract for a fixed period of at least three months and not more than five years. The renewal of a contract shall be for another fixed period of at least three months and not more than five years. A second renewal without interruption leading to an indefinite-duration contract may only be granted if the first two contracts covered a total period of at least five years. In any case, the total period shall not exceed the lifetime of the BEREC Office.

Seconded National Experts (SNE) shall be selected according to an open and transparent procedure; the applications shall be forwarded by the Permanent Representations of EU Countries, by the EFTA Secretariat, by the diplomatic missions of the non-member countries whose nationals are eligible for the secondment, by the National Regulatory Authorities (NRAs) and by the administrations of the IGOs. The secondment shall be authorised by the Vice Chair of the Management Committee. The initial period of secondment may not be less than six months or more than three years. It may be renewed once or more, up to a total period not exceeding three years.

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Annex 3

List of implementing rules

The BEREC Office adopted the list below of implementing rules under Decision MC(14)2 of 14.01.2014 of the Management Committee of the Office of the Body of European Regulators for Electronic Communications (BEREC Office) on the Adoption of Implementing Rules to the Staff Regulations. A series of implementing rules, which do not concern the BEREC Office, became applicable by analogy on 01 October 2014. They cover the implementation of Annex X (staff employed outside the European Union), attestation, and contract staff (3b).

The horizontal agreement option was requested to cover the implementing rules on the use and engagement of temporary agents and on the maximum duration for the recourse to non-permanent staff. The ex-ante agreement request was submitted to the European Commission in September 2014.

- 1) COMMISSION DECISION on measures concerning leave on personal grounds (CCP) for officials and unpaid leave for temporary and contract staff of the European Union (C(2013) 9054 of 16.12.2013);
- 2) COMMISSION DECISION on implementing provisions on leave (C(2013) 9051 of 16.12.2013);
- 3) COMMISSION DECISION title of post and post titles (C(2013) 8979 of 16.12.2013);
- 4) COMMISSION DECISION General implementing provisions for giving effect to Article 7(3) of Annex VII to the Staff Regulations on determining the place of origin (C(2013) 8982 of 16.12.2013);
- 5) COMMISSION DECISION General provisions giving effect to article 8 of annex VII to the staff regulations (C(2013) 8987 of 16.12.2013)
- 6) COMMISSION DECISION on Article 55a of the Staff Regulations and Annex IVa thereto concerning part-time work (C(2013) 9046 of 16.12.2013)
- 7) COMMISSION DECISION to modify Article 7(5) and (7) of Commission Decision C(2009)10224 of 18 December 2009 concerning the implementation of teleworking in Commission departments from 2010 to 2015 (C(2013) 9045 of 16.12.2013) and COMMISSION DECISION of 18 December 2009 concerning the implementation of teleworking in Commission departments from 2010 to 2015
- 8) COMMISSION DECISION on working time (C(2013) 8995 of 16.12.2013)
- 9) COMMISSION DECISION on general implementing provisions for the grant of the education allowance (article 3 of annex VII to the Staff Regulations) (C(2013) 8971 of 16.12.2013)
- 10) COMMISSION DECISION on general implementing provisions concerning the criteria applicable to classification in step on appointment or engagement (C(2013) 8970 of 16.12.2013)

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- 11) COMMISSION DECISION on general provisions for implementing Article 45 of the Staff Regulations (C(2013) 8968 of 16.12.2013)
- 12) COMMISSION DECISION on general provisions for implementing Article 43 of the Staff Regulations and on implementing the first paragraph of Article 44 of the Staff Regulations (C(2013) 8985 of 16.12.2013)
- 13) COMMISSION DECISION on maternity leave and maternity pay (C(2013) 9020 of 16.12.2013);
- 14) COMMISSION DECISION repealing Commission Decision of 28.4.2004 adopting General implementing provisions on the early retirement of officials and temporary agents without reduction of pension rights (C(2004) 1588 final/5) (C(2013) 9039 of 16.12.2013)
- 15) GENERAL IMPLEMENTING PROVISIONS on removal expenses (Article 9 of Annex VII to the Staff Regulations) (C(2013) 9040 of 16.12.2013)
- 16) COMMISSION DECISION on outside activities and assignments (C(2013) 9037 of 16.12.2013);