

Annual and Multiannual Programming of the BEREC Office Activities 2017-2019

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Foreword

The BEREC Office programming document has been prepared in compliance with the provisions of Article 32 of the BEREC Office Financial Regulation, which entered into force on 1 January 2016. It comprises the multi-annual work programme for the period of 2017-2019 and also the annual work programme for 2017.

The new programming document provides information previously contained in three separate documents: the Multi-annual Staff Policy Plan, the annual work programme and the annual budget outline. The timeframe of preparing the elements of the programming document has changed too. The annual work programme, previously adopted in September each year, now is to be drafted in January. The main challenge in this timing is that the annual work programme of BEREC is adopted in December, 11 months after the programming document of the BEREC Office is drafted. As the role of the BEREC Office is to provide professional and administrative support to BEREC, the work programme of the BEREC Office is of the nature of identifying and allocating the appropriate capacity to the group of activities to be implemented by BEREC.

The present programming document identifies three strategic objectives:

- maintaining appropriate capacity while taking into account the effects of the technology and market developments;
- developing expertise to encompass the EU regulatory developments;
- assisting BEREC to improve its working methods and the quality of its output.

The BEREC Office is located in Riga, Latvia, and with its 14 establishment plan posts as of 1 January 2017, 9 contract agents and 4 seconded national experts is the smallest EU agency. The staff is committed to deliver high quality support to BEREC and to meet the standards applicable of all EU institutions, bodies and agencies, irrespectively of their size. To find the appropriate balance in allocating the resources according to these two requirements is challenging and it is only possible with highly qualified colleagues.

László Ignéczi

Administrative Manager

List of Acronyms

Acronym	Meaning
ABAC	Accrual Based Accounting
AD	Administrator
AM	Administrative Manager
AST	Assistant
AST/SC	Secretaries and clerks
BEREC	Body of European Regulators for Electronic Communications
BEREC Office	Office of the Body of European Regulators for Electronic Communications
BEREC Regulation	Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the BEREC and the Office ¹
BoR	Board of Regulators
CA	Contract Agent
CEOS	Conditions of Employment of Other Servants
CERT	Computer emergency response team
CN	Contact Network
DPO	Data Protection Officer
EDPS	European Data Protection Supervisor
EEA	European Economic Area
EFTA	European Free Trade Association
ENISA	European Network and Information Security Agency
EP	European Parliament
EU	European Union
EWG	Expert Working Group
FG	Functional Group

¹ OJ L 337, 18.12.2009, p. 1–10

Acronym	Meaning
FTE	Full-time equivalent post
FTR	Fixed terminations rates
HAN	HERMES ² -ARES ³ -NomCom ⁴
IT	Information technologies
KPI	Key performance indicator
MC	BEREC Office Management Committee
MS	Member State
MTR	Mobile terminations rates
NRA	National Regulatory Authority
OLAF	European Anti-Fraud Office
RoP	Rules of Procedure
SLA	Service Level Agreement
SMS TR	Short message service terminations rates
SNE	Seconded National Expert
TA	⁵ Temporary Agent
TSM	Telecoms Single Market Regulation (Regulation (EU) 2015/2120 ⁶)

² The EC unique repository for all official documents.

³ Advanced Records System.

⁴ Nomenclature Commune.

⁵ OJ L 310, 26.11.2015, p. 1–18

Mission Statement

The BEREC Office was established as a body of the EU with legal personality to provide professional and administrative support services to BEREC.

BEREC contributes to the development and better functioning of the internal market for electronic communications networks and services. It does so by ensuring that there is consistent application of the EU regulatory framework and by promoting an effective internal market in the telecoms sector, in order to bring even greater benefits to consumers and businesses alike.

Therefore the BEREC Office mission is to provide superior professional support to BEREC by assisting it in an efficient, proactive and timely manner in the achievement of its objectives, and thus contributing to the development of the electronic communications market for the benefit of Europe and its citizens.

Professionalism and excellence are the principles that guide the BEREC Office staff towards achieving the BEREC Office objectives, which are understood as follows:

Professionalism: being results oriented, we believe that by performing consistently to high standards we deliver maximum value to our stakeholders. Professionalism also means transparency and integrity in all our actions, and working always with the highest level of ethics for the interests of the organisation and the stakeholders.

Excellence: the BEREC Office staff members take pride in their work and strive for quality in everything, being committed to continual self-improvement and learning.

Accountability: the BEREC Office staff members take responsibility for their actions and their outcomes both as individuals and as a team. The BEREC Office honours its commitments and obligations.

Teamwork and diversity are the guiding principles in our collaboration with our colleagues and stakeholders.

Teamwork: teamwork is a corner-stone of the BEREC Office. By sharing knowledge and expertise the BEREC Office staff cooperate to achieve the organizational goals. We foster collaboration while maintaining individual accountability.

Diversity: the BEREC Office respect diversity among its staff, BEREC members and Observers and across the EU. The staff understands that each individual is unique and, in so doing, the staff recognise and value the different skills and strengths of the BEREC Office team. Diversity fosters creativity and growth and therefore the BEREC Office promotes an open and respectful working environment.

Section I – General Context

The key role of the BEREC Office, located in Riga, Latvia, is to provide professional and administrative support to BEREC enabling BEREC to conduct its tasks. The BEREC Office gained its financial independence in September 2011 and started to provide the requested support in parallel to the development of its necessary capacity due to the high expectations from BEREC.

The general mandate of the BEREC Office for this supportive task is set out in the BEREC Regulation. The task of BEREC, in which it requires support from the BEREC Office, is described in the BEREC Regulation with references to the appropriate articles of the specific directives and regulations in the domain of electronic communications. In the first years of its operation BEREC has had increasing demands for support from the BEREC Office. The amended Roaming Regulation of 2012 and the recently adopted Telecoms Single Market (TSM) Regulation (Regulation (EU) 2015/2120⁷) also assigned further tasks to the BEREC. These developments represent an increasing workload for the BEREC Office even without amending the founding regulation.

The regulatory framework for electronic communications, including the specific directives and regulations and also the BEREC Regulation itself, is subject to review within the Digital Single Market initiative. The proposals of the European Commission were tabled in September 2016 and the legislative process is on-going.

⁷ OJ L 310, 26.11.2015, pp. 1–18.

Section II - Multi-annual programming 2017-2019

1 Multi-annual objectives

As the main task of the BEREC Office is to assist BEREC, it is required to encompass the necessary capacity to support all BEREC activities. This includes the financial means for supporting the BEREC's operations and activities but it is even more important to maintain an efficient human capital with the necessary expertise to effectively and efficiently support the increasing BEREC demands.

The main focus of the BEREC Office in the coming years should be on maintaining this valuable human capacity capable to support the demanding tasks that BEREC will face in the future. This requires BEREC Office staff to be able to understand and cope with the job type and the workload that the challenges in the technology, market and regulatory domains will bring. On top of this, the BEREC Office can support BEREC towards further improved working methods and higher quality on its output. The BEREC Office must be ready to assist BEREC to meet its future challenges for the benefit of the European telecom market and the welfare of European citizens.

Objectives	KPIs	Measure	Target
Maintain appropriate capacity	Fully staffed indicator	Number of temporary agents (TAs), contract agents (CAs), seconded national experts (SNEs) and interim staff / max. number of a fully staffed BEREC Office	100%
	Vacancy rate	Number of vacant posts/number of total posts ⁸	Less than 15% ⁹
	Time for recruitment from publication ¹⁰	For TAs, CAs, SNEs (from publication of vacancy notice until the sending of the job offer)	Maximum 4 months
	Selection time	For TAs, CAs and SNEs: selection time (from publication of the vacancy notice until the establishment	Maximum 4 months

⁸ Number of vacant posts divided the total number of posts in the agency for each year

⁹ Annual average. In 2015 the vacancy rate was 9,26%

¹⁰ This indicator is relevant in case of absence of a reserve list

Objectives	KPIs	Measure	Target
		of the reserve list)	
	Recruitment time ¹¹	For TAs, CAs, SNEs and interim staff: recruitment time (from the establishment of recruitment need until the sending of the job offer)	Maximum 1 month
	Reserve list indicator	Number of established reserve lists/number of job profiles in the BEREC Office	Minimum 75%
Develop expertise	Develop the skills required to offer the necessary support to BEREC and its members	Number of trainings indicated on the training plans attended/overall number of trainings indicated in the training plans	Minimum 80%
Improve quality of work	Document style guide is respected in the outcome of the EWGs	For each Contact Network (CN) and plenary meeting measure the percentage of the total deliverables that follow the style guide	Minimum 75%
	Active participation of the BEREC Office staff members in the activities of the EWGs	Measure on how many EWG meetings are attended by a BEREC Office staff member	100%
	Quality of support to CN and plenary meetings	Measure quarterly the level of satisfaction of the BEREC Chair on a 5 grade scale on the basis of multiple questions	Minimum 85% in top 2 scores

¹¹ Applies to cases where no new selection process is needed.

Objectives	KPIs	Measure	Target
	Indicator on reimbursement of travel expenses	Payment time of reimbursement requests/target time (30 days)	Minimum 85%
	Budget execution indicator	Committed appropriations by the end of the year/total authorised appropriations (C1)	Minimum 95%
	Execution of commitments carried forward	Cancelled carried forward commitments/total carry-forward	Maximum 5%

2 Multi-annual programme

2.1 Maintaining appropriate capacity while taking into account the effects of the technology and market developments

The technology and market developments impact the sector regulation and the activities of BEREC. The BEREC Office needs to recognise the incoming challenges and take them into account during the execution of its work programme. As BEREC is going to count more and more on the support of the BEREC Office for delivering its work programme, the BEREC Office should ensure all necessary resources, which would enable the Agency to provide the support necessary to BEREC to implement its future work programmes.

The BEREC Office needs to follow the requirements of BEREC's future work programs and prepare to support these demanding activities both in terms of human capital and in the required expertise. In this context the BEREC Office needs to attract and maintain high quality multidisciplinary staff, while at the same time further improve its working methods and the quality of their outcome. This will ensure that the BEREC Office will continue to contribute effectively and efficiently to the strategic vision and to the priorities of BEREC improving its work planning and making optimum use of its resources.

2.2 Developing expertise to encompass the EU regulatory developments

In the next three years we are going to witness a significant degree of regulatory developments at the EU level. In particular, the next review of the regulatory framework for electronic communications will be the top priority of BEREC requiring resources from both the NRAs and the BEREC Office. Further to this, BEREC will implement the tasks assigned by the TSM (in 2015) in the fields of mobile roaming and net neutrality.

The BEREC Office can contribute significantly to these goals assisting BEREC in the execution of its work program and the consistent application of the regulatory framework

contributing to the further development of the European single market. The BEREC Office can continue to contribute towards harmonisation and accountability via support to the Article 7/7a procedures, supporting BEREC in monitoring the application of common positions and best practices, improving consistency through benchmarking and reporting activities and providing transparency to the BEREC activities via the IT platforms and the applications it manages and operates.

To thrive in this challenging ecosystem and achieve these goals the BEREC Office needs the financial means, adequate staff and the operational enablers that will allow the accomplishment of these goals.

2.3 Assisting BEREC to improve its working methods and quality of its output

In its strategy (2015-2017) BEREC has given particular attention to the optimization of its output and operational efficiency as a significant contributor towards its strategic vision and priorities. The BEREC Office can contribute significantly to this goal by safeguarding the application of BEREC rules and working procedures at all stages of BEREC working activities.

This engagement can find application in a significant number of BEREC working tasks fostering optimum outputs and working methods. For instance, the BEREC Office can guarantee a high level of accuracy and consistency in BEREC documents, the application of well-established methodologies in the projects run by BEREC and the effective and efficient use of resources. It can also pursue transparency and accountability that will improve the visibility of BEREC and enhance external relationships and recognition of BEREC among institutions, stakeholders and the citizens of Europe.

3 Human and financial resource outlook for the years 2017-2019

3.1 Overview of the past and current situation.

The BEREC Office is intensifying its activity in several areas. After its first years of operation BEREC has increased its demand for support from the BEREC Office and the BEREC Office so far has managed to respond positively to all requests mainly through increasing its efficiency.

However, the amended Roaming Regulation (in 2012) and the recently adopted TSM assigned further tasks to BEREC. The new responsibilities of BEREC in the field of net neutrality have attracted the attention of the civil society and based on the recent outcome of the public consultation on the draft BEREC Guidelines during which the BEREC Office received around 500 000 contributions, the BEREC Office has all reasons to conclude that this topic will continue to be a central subject in the activity of BEREC and the BEREC Office in the next years.

The recently launched review of the regulatory framework for electronic communications has already generated additional requests for contributions from BEREC which may further intensify during the legislative process.

These developments lead to an additional increase in the workload for the BEREC Office even without amending the BEREC Regulation, especially for the Programme Management Unit, which is involved directly in the provision of support to the BEREC EWGs, which are the main driver in preparing BEREC's deliverables.

On the administrative side the amendments to the Staff Regulations, which entered into force

on 1 January 2014 have introduced new principles to the adoption of staff implementing rules, which has led to revision of most implementing rules, a process, which is still on going. The changes in the BEREC Office Financial Regulation in 2014 and in the General Financial Regulation¹² and the Rules for its Application¹³ in 2016 have led to the necessity for revision of the internal financial and procurement rules, which is still on-going.

The BEREC Office is the smallest agency of the EU, however the administrative requirements applied to the BEREC Office are identical to those applied to larger EU bodies, and relate to the implementation of the Staff Regulations, as well as all relevant implementing rules. The BEREC Office experienced in previous years difficulties in addressing its administrative tasks in several business areas. The difficulties have partly been caused by the turnover of expert staff, which leads to short-term decrease in efficiency before the newcomers are trained, and by increased administrative burden for the Agency in areas related to the management of additional audits by external audit companies, introduction of new internal administrative procedures or new reporting requirements.

Against this background in 2015 the BEREC Office cut one establishment plan post, which constituted 6.25 % of the total number of establishment plan posts and, therefore, the BEREC Office completed the objective to render 5 % of its staff as agreed in the Inter-institutional Agreement of 2 December 2013 between the EP, the Council and the EC¹⁴.

According to the Commission Communication *Programming of human and financial resources for decentralised agencies 2014-2020*¹⁵ and the Draft Budget of the EU for 2017 in 2017 the BEREC Office has to contribute with one post to the redeployment pool of Agencies¹⁶. As a consequence, the post of the Budget Assistant, vacant as of September 2016, has not been filled in and the post will be cut as of January 2017.

Due to its supportive function vis-à-vis BEREC the BEREC Office is not in a position to decide on any negative priorities and therefore has to use innovative approach to addressing its increasing workload.

On the administrative side the BEREC Office has already started exploring the opportunities to externalize some daily and routine tasks. In April 2016 the BEREC Office already signed a Service Level Agreement (SLA) with the Commission services for externalising the accounting function and treasure management. Various ways to externalise ancillary tasks have been

¹² Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, consolidated text: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1463059080183&uri=CELEX:02012R0966-20160101>

¹³ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union; consolidated text: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1463061255009&uri=CELEX:02012R1268-20160101>

¹⁴ See p. 27, 2013/C 373/01, Interinstitutional Agreement of 2 December 2013 between the EP, the Council and the EC on budgetary discipline, on cooperation in budgetary matters and on sound financial management, OJ C 373, 20.12.2013, p. 1–11, <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32013Q1220%2801%29>

¹⁵ COM/2013/0519 final, Communication from the Commission to the EP and the Council Programming of human and financial resources for decentralised agencies 2014-2020; <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2013:0519:FIN>

¹⁶ This constitutes 1.25 % levy for over the years 2014-2018, with 0.25 % per year more than the horizontal proposal of the Commission.

planned for example in the fields of IT and HR technical services. Further possibilities of externalization will be explored in other administrative areas.

Any efficiency gains are invested in providing further support to BEREC in relation to its new tasks assigned by the co-legislator (for the Programme Management Unit) and in the development of new projects in the interest of the BEREC Office (Administration and Finance Unit), such as: provision of international schooling for the children of the staff in the absence of an accredited European School in Latvia, implementation of a traineeship programme, elaboration of internal rules for the implementations of the new staff implementing rules, etc.).

On the operational side currently the staff members of the Programme Management Unit are also involved in many financial tasks necessary to support the activities of BEREC EWGs. Some of these tasks include, for instance, opening of budgetary commitments for operational expenditure, processing of EWG experts reimbursements in the BEREC Office accounting system, payment of invoices for operational activities, preparing recovery orders, etc.

With the objective to limit as far as possible the work of Programme Management Unit staff to core activities directly related to supporting the BEREC EWGs, with Decision No MC/2016/09 the MC decided to establish a new CA post with budget and financial responsibilities¹⁷. The new Budget and Finance Support Officer will take over the assignments from the financial initiating agents in the Programme Management Unit.

The analysis of the budget execution of the BEREC Office Budget Title 1 'Staff' for the last several financial years demonstrates that the establishment of such a CA post could be done within the limits of the appropriations authorised for staff expenditure and will not require the allocation of additional appropriations.

As a result of all these changes the BEREC Office is currently reshuffling its human resources and is redistributing some tasks internally or partly outsourcing them to external providers.

The BEREC Office expects to achieve a fragile balance in the distribution of the workload among its human resources, however, being the smallest agency of the EU, it is already a challenge to maintain a sustainable operation and to ensure an appropriate balance in the work organization.

Following the conversion of two SNE posts in the Executive Support and Administration and Finance Units¹⁸ into CAs Function Group (FG) IV, it has been noted that posts with longer term commitment ensured the payback of the efforts invested in training.

Recruitment of CAs FG II and III has been found to be difficult. The limitations of the EPSO CAST database and the scarce interest in recruitment opportunities at lower FGs imply that finding good candidates is increasingly difficult. Also in order to ensure a proper staffing and to attract qualified candidates from the widest pool possible, and taking advantage that the post was vacant from January 2015, one CA FG III post was converted into a CA FG IV as of January 2016. The conversion of to this post to a higher FG is justified by the tasks and the

¹⁷ The Management Committee established a new Contract Agent post to keep the overall staffing level of the BEREC Office at the minimum required for the smooth running of the operation as the workload is expected to increase in the next three years even without amending the BEREC regulation.

¹⁸ SNEs at the Programme Management Unit bring great expertise into the organisation so no further conversion is proposed.

expertise needed.

A similar up-grade has been proposed for the post of the IT Officer who will acquire new responsibilities related to IT systems security policy development and implementation and monitoring compliance as of January 2017, which would require the change of the FG for that post¹⁹.

3.2 Resource programming for the years 2017-2019

3.2.1 Financial resources

- Justification for the provisional revenue:

The sources of revenue for 2017 are:

- a) A contribution from the EU of EUR 4 246 000 which consists of:
 - EUR 4 026 000²⁰: main subsidy from the EU voted by the budgetary authority;
 - EUR 220 000²¹: budget outturn (surplus) 2015.
- b) Possible EEA-EFTA contribution which is subject to the signature of an agreement with EFTA countries (marked as 'p.m.' – pro memoria).
- c) Voluntary financial contribution from Member States or from NRAs: according to Article 5(2) of the BEREC Regulation is voluntary and subject to approval by the Board of Regulators (BoR), marked as 'p.m.' – pro memoria - should the BoR decide to approve such contributions, a new budgetary procedure will be launched.
- d) Revenue from administrative operations which consists of:
 - The interest generated by funds paid by the Commission by way of the EU contribution. It is not assigned revenue, therefore the BEREC Office cannot use the interest amount for expenditure. The amount should be returned together with the surplus and, therefore, will reduce the fresh credit for year N+2.
 - Revenue from other administrative operations – the amounts are not certain.

Taking into account the aforementioned information, the interest generated by funds paid by the Commission and revenue from other administrative operations are shown in the budget as 'p.m.' revenue items and are not considered in expenditure.

The total revenue in 2017 is therefore EUR 4 246 000.

BEREC Office does not receive any revenue from fees and charges and does not render any services against payment.

The sources of revenue and conditions for 2018 - 2019 remain the same as for 2017.

- Justification for the provisional expenditure:

Title 1

¹⁹ Taking into account the limitations of the EPSO "CAST" and provided that there is an upgrade of tasks, similar upgrades of CA posts lower than FG IV may be implemented in the years 2017-2019 in duly justified cases and in a budgetary neutral way (i.e. the ceiling in the level of appropriations for the total EU contribution should not be overtaken).

²⁰ Rounded figures from 4,025,833.44

²¹ Rounded figures from 220,166.56

The amounts requested in Title 1 have been based on realistic assumptions as to the number of staff actually recruited at the end of 2015 and conversions performed during 2014-2015 and the recruitment and reclassification plans for 2016 and 2017-2019. BEREC Office expects to operate with a full staff compliment in 2016 and the associated costs have also been calculated on the basis of these assumptions. The budget has been adjusted to take into account the reduction of 1 AST post as of 1 January 2017, as suggested by the Commission in the draft EU Budget 2017.

The estimated budgetary impact of salary adjustments was also taken into account to the best possible extent, so the chapter for salaries and allowances was slightly increased for 2017 (and continues to be increased for 2018-2019).

The BEREC Office has planned expanding the audio-video conference facility and therefore the expenditure on missions is slightly decreased. The budget for training in 2017 is also slightly decreased due to the fact that the current contract in force for language trainings will expire in December 2017 and the BEREC Office will sign a new contract with start date in January 2018.

In 2014 the Office signed a Framework Contract for interim placement services, to be able to cover resource needs in case of sick leaves, operational peaks or in case of unexpected staff turnover. However, as the BEREC Office will be fully staffed as of 2017, the planned budget for interim staff under expenditure for external services in Title 1 has been decreased.

Under the same chapter the BEREC Office will ensure the financing of multilingual tuition by international schools available in Latvia for the children of staff, the payment of grants and other associated expenditure for trainees, the provision of Internal Control Coordinator assistance (under a SLA with ENISA) and technical HR services and translation of vacancy notices in all official languages of the EU. Flexibility in this item for 2018-2019 will be needed to address the uncertainty of the possible number of children.

Title 2

The BEREC Office considers signing a new and more cost-efficient contract for renting parking lots for staff and visitors which is reflected by increase under the Rental of buildings and associated costs.

An increase in the information and communication technology spending is required for the potential renewal of part of the BEREC Office computer equipment, acquisition and prolongation of licenses for the administrative work tools and applications, as well as for paying for external data processing services, including the annual and hosting fees for ABAC, HERMES-ARES-NomCom (HAN), Sysper²², fees for maintaining of computer equipment and applications, provision of external IT services, off-site storage of data (SLA with ENISA) as well as for access to DG DIGIT procurement procedures (new SLA). Inclusion of expenditure for the 2 new SLAs, ARES and Sysper is reflected in substantial increase of expenditure of other external data processing services.

Taking into account the actual costs on publications, expenditure under movable property and associated costs is substantially decreased.

In addition to legal expenses, office supplies and bank charges the chapter 'Current

²² The EC human resources management system.

administrative expenditure' includes expenditure related to the BEREC Office budget publications in the Official Journal, as well as translations and/or other language requests related to the BEREC Office documents, budgetary and legal issues. It also takes into account the costs of outsourcing the services of the Accounting Officer that is reflected in a substantial increase of expenditure.

Taking into account the actual spending on general meetings in 2015 and the intention to continue organising Open Door days, spending under meeting expenses is increased.

Title 3

The expenditure under Support to BEREC EWGs is decreased to reflect the actual spending in 2016 and due to the fact that one low-value study is planned as support to BEREC and the NRAs instead of support to the EWGs. Under this chapter the BEREC Office has planned expanding the audio-video and conference facility and continuing the full support to EWGs already provided by the Programme Management Unit, including for reimbursement of experts participation in EWG meetings.

The expenditure under Support to BEREC and NRAs is slightly increase to reflect the additional low-value study to be commissioned in support to BEREC. This chapter will be used also for support to the BEREC and Vice-Chairs, plenary and CN meetings, stakeholder and international events, and addressing public transparency and accountability obligations. This chapter will be used also for covering potential costs of update and maintenance of the BERECNet collaboration tool, BEREC website and other IT support to BEREC, as well as the necessity to reply to the request to provide electronic communications regulatory training to NRA's staff.

Details are provided in tables in Annex II, including on budget outturn and cancellation of appropriations.

3.2.2 Human resources

The risk of reduced efficiency and quality of results, loss of know-how, due to high turnover in staff exists. The recent net salary decrease for the BEREC Office staff added a new item to the risk factors²³. The staff turnover shall be tackled with concrete actions. To this purpose, it is essential to maximize the potential of the staff in place, introducing intermediate levels in the organization and attributing to staff in the appropriate grade some tasks of coordination and team leading. Some examples would be represented by the Legal Team, the Human Resources Team and by an IT and Logistic Team; also in Programme Management Unit the situations where a coordination is needed may be identified.

In order to improve the attractiveness of the BEREC Office it is also appropriate to declare that the policy on the duration and renewals of contracts for TAs and for contract staff is to seek for long term commitments with the option of indefinite term, without prejudice of individual decisions taken on a case by case basis.

However, to address heavy workload the BEREC Office may hire CAs with contracts with limited duration. For administrative or technical tasks the BEREC Office will continue to use the services of interim replacements to cope with heavy workload periods or to cover vacant

²³ In December 2015 the overall salary table adjustment was published with an average +2.4% effect and at the same time the country coefficient for Latvia was amended with a -3% effect

posts.

The corporate identity of the BEREC Office should be enhanced. In the next years, the relations with the local authorities will have to be revamped at the highest level, and if necessary also at an operational level, in order to have a better implementation of the Seat Agreement.

The BEREC Office will also put in place social welfare measures.

The conversion of posts to higher grades or FGs, where justified by the tasks and the expertise needed, could also make the posts more attractive and facilitate the selection process.

Details are provided in Table 2 of annex III.

3.2.3 Conclusion on evolution of resources

The evolution of the financial resources is in line with the Commission Communication on programming resources for decentralised agencies for the period of 2014-2020²⁴.

The evolution of human resources includes the 5% staff reduction target set in the Inter-institutional Agreement on cooperation in budgetary matters and on sound financial management. The BEREC Office achieved this reduction target in 2015 and in 2016 operates with 15²⁵ establishment plan posts. The BEREC Office has been requested to contribute with one post to the redeployment pool of Agencies, which will lead to a further reduction of one post in 2017.

However, the BEREC Office, stabilising its operation after the challenges of the start-up phase, needs to meet the increasing demand of BEREC for support. Recent changes in EU legislation have led to the assignment of new tasks to BEREC that also represents additional workload to the BEREC Office. The electronic communications is considered as a key policy area and is addressed in the Digital Single Market strategy initiative. The legislative proposal of the European Commission for the review of the electronic communications regulatory framework has been tabled in 2016. Therefore in September 2016 the MC decided to establish an additional CA post with budget and finance responsibilities. The BEREC Office will use any opportunities to outsource routine and administrative tasks and will invest any efficiency gains in the development of new projects and programmes in the interest of the Agency.

Section III - Work Programme 2017

1 Executive summary

The activities in the BEREC Office Work Programme for 2017 are split into the following main groups as follows:

- operational activities;
- horizontal activities;
- administrative support activities.

²⁴ COM(2013) 519, 10.7.2013.

²⁵ The post of the Budget Assistant (AST 4) became vacant as of September 2016 and will not be filled in with a view to a further cut in the establishment plan as of January 2017.

The operational activities include all actions undertaken by the BEREC Office in support of BEREC's work, which are grouped as follows:

- Setting-up EWGs and supporting their activities in order to fulfil the BEREC Work Programme, including by elaboration of some of the deliverables, procuring and managing services and studies, managing the information workflows, reimbursement of traveling expenses of event participants, etc.;
- Supporting BEREC activities under Article 7 and 7a of the Framework Directive, including by collecting and keeping track of all notifications, establishing and coordinating Article 7/7a EWGs, ensuring high-level quality and consistency of the BEREC opinions and others;
- Assisting the BEREC Chair and Vice-Chairs in fulfilling their assignments and organising the CN meetings and BoR and MC plenary meetings, public debriefings and international events, and managing the relationship with BEREC stakeholders;
- Ensuring that there is maximum internal and external transparency and accountability of BEREC activities, including through implementation of the BEREC communication plan, maintain the BEREC public website and internal platform for collaboration (berecnet) and provision of other horizontal support, such as provision of training for nras' experts, coordination of the preparation of the BEREC annual activity reports and others.

The horizontal activities include:

- General coordination activities, which include inter-institutional contributions provided by the BEREC Office;
- Legal advice, which includes activities of the legal officer (not directly linked to the Agency mandate), the activities of the data protection officer, relation with the Court of Justice and with the Ombudsman;
- Communication and information activities, not directly implementing the mandate of the Agency, such as open-door days, back-to-school initiative and others; Finance and non-operational procurement activities, which include: accounting, finance, procurement and contract management (with exception of operational); payroll, reimbursement of mission costs not related to operational activities; internal audits with a focus on finance.

The administrative support activities include:

- Human resources management (except payroll and mission reimbursement);
- Security, information and communication activities and logistics, which include activities primarily supporting informatics infrastructure and services (e.g. workstation support, hardware support, ICT management, ICT service support with a role at Agency level (not directly implementing the mandate of the Agency)); provision of security services, postal services, building and facility management (including premises and equipment) and office supplies and document management and archive activities (except operational).

The annual activity work programme contains detailed objectives, expected results and the description of the actions to be financed, including an indication of the amount of financial and

human resources allocated to each action. All activities listed above are developed on the basis of the availability of the following financial and human resources:

Amount of EU contribution	Establishment plan posts	External personnel
EUR 4 246 000	14	13

The split of financial and human resources between the different activities is presented in Annex I.

2 Activities

Operational Activities

2.1 Support to BEREC EWGs

2.1.1 Setting-up EWGs and providing support

2.1.1.1 Overview

According to the BEREC Regulation the BEREC Office sets up BEREC EWGs, upon request of the BoR, and provides them with the appropriate administrative, professional and logistics support. The BEREC Office also manages public consultations and procurement procedures for workshops and research studies thus contributing to the achievement of BEREC's goals. The BEREC Office is also responsible for collecting information from NRAs and collating periodical BEREC benchmark reports.

To support BEREC's annual work programme the BEREC Office sets up BEREC EWGs, upon request of the BoR, at the beginning of each calendar year. This forms the framework of how national experts contribute to delivery of the BEREC work programme. The BEREC Office also manages changes relating to EWGs, if required during the calendar year. To enable the smooth working of EWGs, the BEREC Office collects the resource commitments from the NRAs, sets up and manages the email lists and email exploders related to the EWGs.

The BEREC Office provides administrative support to EWGs with organising meetings, workshops and maintaining the information flow among members. Furthermore it also provides logistics support to EWGs, such as circulation of documents and reimbursement of the experts' travel expenses to the NRAs. Depending on the actual deliverable, the BEREC Office provides professional support to EWGs in preparation of BEREC documents.

In providing assistance to the EWGs the BEREC Office manages procurement procedures for workshops and studies, which are required by the EWG to deliver their reports in timely manner and within high quality standards. The BEREC Office collects market data from NRAs when requested to do so by BEREC and drafts periodical BEREC benchmark reports as required by BEREC.

BEREC has an important role in promoting a consistent regulatory approach. To support BEREC in this regard, under Article 6 of the BEREC Regulation, the BEREC Office has been assigned the responsibility of collecting information from the NRAs and from the sector stakeholders, to exchange and transmit data in relation to the BEREC role and tasks as specified in BEREC Regulation Articles 2(a) and 3.

2.1.1.2 Objectives, Indicators, expected outcomes and outputs

The following list contains the main objectives and indicators which measure the support given to the BEREC EWGs:

- Smooth functioning of EWGs, reimbursement of related travel expenses – capacity for supporting up to 100 EWG meetings in 2017
- Timely and accurate data collection and dissemination upon request from EWGs
- Delivery of studies and research reports or any other material which can be procured by BEREC Office upon request from EWGs
- Providing structured and timely information on market data collected
- Contribution to drafting the following reports (in due time):
 - a. Regulatory Accounting in Practice
 - b. International Roaming Benchmark Reports
 - c. Termination Rates at European level
 - d. Report on Transparency and Comparability of International Roaming Tariffs
- Support the organisation of EWGs' public workshops and events;
- Perform data collection and dissemination, upon the request of EWGs or the BEREC Chair;
- Structure/analyse the information collected;
- Maintain and further expand the capacity of the audio-video conference facility, including to the BEREC Office premises, in order to ensure wider and cost and time effective participation in the BEREC EWG events;
- Identify and measure quantitative and qualitative indices to assess the support provided to the EWGs by the BEREC Office. This is achieved by conducting regular satisfaction surveys of the Chairs of the EWGs and developing KPIs to measure the performance of the tasks assigned to the BEREC Office by the Internal Guidelines on the Operation of BEREC EWGs. These indices are measured on regular intervals and reported to the EWGs and the BEREC members as in a view of providing guidance on how to improve the services of the BEREC Office.

2.1.1.3 Resources

- a) 549 k EUR
- b) 10.57 FTEs

2.1.2 BEREC Office activities under market analysis and notifications

2.1.2.1 Overview

Under the revised 2009 EU regulatory framework the national regulatory authorities (NRAs) are required to analyse a set of markets for electronic communications which may need ex-ante regulation.

According to Articles 7 and 7a of the Framework Directive the findings of market analysis have to be notified to the Commission. The aim of this EU notification, the so-called Article 7 procedure, is to contribute to the development of a single market in electronic communications by ensuring co-operation among NRAs, and between NRAs and the Commission.

Once an NRA notifies the Commission of its proposed measure the case is assessed by the Commission within one month. At the end of this period and provided that the notified measure does not raise “serious doubts” as to its compatibility with the EU law, the Commission may decide to comment.

When the Commission expresses serious doubts and opens a so-called Phase II case, its investigation period is extended for two more months in the Article 7 cases, or for three more months in the Article 7a investigations. If this situation occurs, BEREC has to issue an opinion on whether these serious doubts are justified. For this purpose BEREC has set up a procedure to establish an EWG for drafting an opinion.

In this context, the BEREC Office is responsible for collecting and keeping track of the NRAs notifications, as well as for establishing and coordinating Article 7/7a EWGs in order to prepare BEREC’s opinions within the deadline set by the Framework Directive.

Thus the BEREC Office contributes to the development of a single market in electronic communications and cooperation amongst NRAs, and between NRAs and the Commission and therefore this activity is a priority in each annual Work Programme of the BEREC Office.

2.1.2.2 Objectives, Indicators, expected outcomes and outputs

Specific objectives and actions related to these tasks are:

- Keep track of and collect NRAs’ notifications
- Maintain and update the database
- Coordinate the BEREC activities in accordance with the Article 7/7a procedures

Expected outcomes and indicators are:

- Database for all notifications and Phase II cases opened under Articles 7/7a of the Framework Directive; to be integrated into the BERECnet
- High quality and consistent final draft of BEREC opinions
- Proper functioning of the ad-hoc working groups, reimbursement of related travel expenses – capacity to handle every case in a timely manner

2.1.2.3 Resources

- a) 10 k EUR
- b) 2.59 FTE

2.2 Support to BEREC and NRAs

2.2.1 Support to the BEREC Chair and Vice-Chairs and organisation of CN and BoR and MC plenary meetings and BEREC stakeholder and international events

2.2.1.1 Overview

According to the BEREC Regulation BEREC should assist NRAs and the Commission in the execution of their responsibilities through the pooling of expertise without duplicating work already undertaken. BEREC should develop cooperation among NRAs, and between NRAs and the Commission, so as to ensure the consistent application in all MSs of the EU regulatory framework for electronic communications networks and services, thus contributing to the development of the internal market. BEREC should also serve as a body for reflection, debate and advice for the European Parliament, the Council and the Commission in the electronic communications field.

These objectives, among others, are achieved through the adoption of a number of BEREC deliverables, which are approved either during the plenary meetings or by electronic voting procedures. Additionally, in order to enhance the cooperation between NRAs, Commission, European Parliament, the Council and interested parties (stakeholders) BEREC organizes different events and participates in events organized by third parties during which the Chair or the Vice-Chair presents BEREC views and shares BEREC expertise.

Therefore the BEREC Office provides professional and administrative support to the BoR, the MC, the BEREC Chair and Vice-Chairs and the CN in fulfilling their assignments. In particular the BEREC Office is in charge of the preparation of the BoR and MC plenary meeting, the CN meetings, the BEREC meeting with the EU institutions, high-level BEREC workshops and stakeholder events, events attended by the Chair and Vice-Chairs on behalf of BEREC, BEREC international activities and others.

The BEREC Office will provide support to the Chair for the organisation of BEREC and MC electronic voting procedures when the organisation of a meeting for adoption of the decision needed is not possible or practicable and the adoption of the decision cannot be postponed until the next plenary meeting.

The BEREC Office will register all new nominations of BoR, MC and CN Members or Observers and will keep the contact lists of these bodies regularly updated.

2.2.1.2 Objectives, Indicators, expected outcomes and outputs

The objective of this activity will be to provide efficient support to the BoR, the MC, the BEREC Chair and Vice-Chairs and the CN in fulfilling their responsibilities through the successful organisation of the high-level BEREC and BEREC Office events, such as BoR and MC, CN meetings, strategic stakeholder meetings or workshops, meeting with the EU institutions and other similar events.

a) Support for organisation of meetings

Outcomes:

The BEREC Office will provide support to BEREC and meeting hosts (for CN and plenary meeting) in the organisation of the following meetings or BEREC events:

- 4 CN meetings;
- 4 ordinary BoR and MC plenary meetings;
- Up to 2 BEREC high-level workshops (public or internal) organised back-to-back with the plenary meetings;
- Up to 2 high-level stakeholder events, including the annual BEREC Stakeholder Forum meeting;
- Up to 2 BEREC meetings with the EU institution (excluding meetings only with the BEREC Chair/Vice-Chairs, which are included in the Chair's events);
- 45 meetings of the BEREC Chair and Vice-Chairs and events attended by the Chair and Vice-Chairs on behalf of BEREC, such as: conferences, events organised by other EU bodies and/or EU institutions, bilateral meetings with interested parties, etc.;
- 7 BEREC international events.

Indicators:

- Provision of standard set of support upon request to all plenary and CN meeting hosts;
- Circulation of meeting documents to the meeting participants in a timely manner;
- Publication of all public documents and information on the outcome of the CN and plenary meetings within 5 working days after the end of the meetings;
- Live streaming of the public debriefings and the annual BEREC Stakeholder Forum meeting with objective to make these events available to all EU citizens;
- Publication of the speeches of the BEREC Chair and Vice-Chairs at public events on the BEREC website;
- Reimbursement the expenses of the meeting participants invited to the events listed above in compliance with the applicable BEREC Office rules and within the deadlines envisaged in the BEREC Office Financial Regulation.

b) Support to electronic voting procedures

Outcome:

- High-quality support to the organisation of 20 electronic voting procedures;
- Preparation of regular overviews of the outcome of electronic voting procedures (for each CN and plenary meetings).

Indicator:

- Satisfaction of the Chair with the support provided by the BEREC Office (assessed on the basis of quarterly surveys).

c) Maintaining updated lists of the BoR, MC and the CN

Outcome:

- Internal BoR, MC and CN contact lists and public BoR and MC Members and Observers lists;

Indicator:

- All notifications of new members and observers are registered within 3 working days from their receipt;
- BoR, MC and CN contact lists are up-dated within 3 working days from the receipt of the notification.

2.2.1.3 Resources

- a) 500 kEUR
- b) 2.4 FTEs

2.2.2 Public transparency, accountability and integrity and support to BEREC and NRAs

2.2.2.1 Overview

As the BEREC external communication is based on the principles of transparency, accessibility, coherence and timeliness, the objective of this activity is to ensure the transparency of the BEREC and BEREC Office activities via disseminating the information, as well as increasing engagement of the EU citizens in BEREC and BEREC Office activities.

2.2.2.2 Objectives, Indicators, expected outcomes and outputs

a) To increase the transparency and accountability of BEREC and BEREC Office activities.

Outcomes:

- organisation of events open for public such as public debriefings, public hearings, etc.;
- information on BEREC and BEREC Office activities is published on the BEREC public website;
- information available on the BEREC public website is disseminated via social networks Twitter, LinkedIn and YouTube;
- active project based interaction with media outlets and journalists and upon their request;
- publishing the BEREC Annual Reports and BEREC Work programme

Indicators:

- increase of the number of participants to the events open for public;
- increase of the number of the followers of the BEREC official accounts in social media – Twitter and LinkedIn and subscribers of the BEREC channel on YouTube;
- number of mentions about the BEREC activities in media increases.
- develop platforms and applications for making available to general public documents from BEREC and its members (i.e. the NRAs) on electronic communications in a timely and easily accessible manner.
- making available studies and reports prepared either by BEREC or external entities (i.e. consulting companies, etc.) under the guidance of BEREC and the financing of

BEREC Office

b) Maintain and further develop the public website, including by increasing the flow of information on BEREC activities

Outcomes:

- the BEREC public website is reader-friendly and regularly updated;

Indicators:

- increase of the visitors' traffic to BEREC public website;

c) Raising awareness on BEREC and BEREC Office mission and its impact on daily life of each EU citizen.

Outcomes:

- preparation of well-designed and attractive bearers of the BEREC and the BEREC Office visual identity (leaflets, brochures, banners and others);
- publishing the newsletter on the BEREC policy documents and events;
- videos explaining BEREC and BEREC Office work and inputs are created and disseminated via BEREC website and BEREC YouTube channel.

Indicators:

- bearers of BEREC visual identity are available to EU citizens (EU information centres and BEREC public events) and are visible to general public;
- BEREC newsletter is published quarterly.

d) Other support to BEREC and NRAs

Outcomes:

- a well-functioning internal platform for collaboration and knowledge-sharing between BEREC members and observers (BERECnet), including ensuring continuous IT support to BEREC,
- training is organised to support BEREC members and observers by advancing the knowledge about the Regulatory Framework and other topics related to BEREC activities,
- support and coordination is provided to the preparation of the BEREC Annual Activity Report for 2016 and BEREC Work Programme for 2017.

Indicators:

- deadlines are met in the specific projects.

2.2.2.3 Resources

- 349 k EUR
- 3.73 FTE

Horizontal activities

2.3 Coordination activities

2.3.1 General coordination and communication activities

2.3.1.1 Overview

The BEREC Office will ensure that there is an effective management and internal control system implemented. Findings and recommendations of the Internal Audit Service will be addressed in an action plan that will also contain indicators and expected outcomes. Observations of the European Court of Auditors and the discharge authority will be followed up with a view to address the comments in the shortest possible time.

The BEREC Office will continue its efforts to raise the awareness of its work among the citizens by the organisation of small-scale communication activities.

2.3.1.2 Objectives, indicators, expected outcomes and outputs

The objective of the general management and control is to ensure that the operation of the BEREC Office is in line with the applicable rules and the available resources are used in the most effective and efficient way.

Specific objectives, expected outcomes and indicators:

- assist the MC in preparing the BEREC Office Consolidated Annual Activity Report for 2016 and the draft the BEREC Office multi-annual programming document 2018-2020

Outcome: delivery of draft documents

Indicator: deadlines set in the Financial Regulation are kept

- provide regular detailed report to the MC on the operation of the budget execution of the BEREC Office

Outcome: regular quarterly standard internal report

Indicator: deadline for submitting the document for each MC meeting is kept

- continue to look for efficiency gains through the use of existing framework contracts of the relevant Commission services and by possibly pooling resources with other EU bodies. In this regard, the BEREC Office shares experience in the established network of EU agencies.

Outcome: SLAs are signed with other EU institutions, bodies and agencies

Indicator: an evaluation is prepared on the functioning of the SLAs by end of November 2016

- contribute to the work of the Network of Agencies on subjects of interest to the BEREC Office.

Outcome: model documents, methodologies, etc., developed by the Network, which take into account the interest and as far as possible, the specifics of the BEREC Office;

- organise communication and information activities, not directly implementing the mandate of the Agency, such as open-door days, back-to-school initiative and others; preferably

these activities will be organised jointly with the Commission Representation and the Information Office of the European Parliament in Latvia

- Outcome: organisation of communication event oriented towards the citizens.

2.3.1.3 Resources

- a) 14.5 k EUR
- b) 1.25 FTE

2.3.2 Legal activities and advice

2.3.2.1 Overview

Due to the limited number of staff at the BEREC Office the legal function consists of providing legal advice and opinions both to BEREC and the BEREC Office. Due to the fact that the legal opinions to BEREC are directly linked to the professional support provided to BEREC these activities are planned under the respective operational activity.

The current section covers only legal activities, which are not directly linked to the Agency mandate and have the objective to ensure the legality of the transactions when implementing both the Staff Regulations (in particular, recruitment procedures and implementing rules) and the Financial Regulations. The professional exercise of the legal function ensures primarily mitigation of external risks (e.g.: court cases in procurement and/or Staff Regulations related matters) and mitigates risks of criticism during audit performances.

In the area of data protection, the activity of the legal function takes the form of establishing a relationship with the European Data Protection Supervisor (EDPS) and advice the Data Controller on the need to maintain an updated inventory of processing operations and register of the notifications to the data protection officer (DPO). The main challenges in 2017 will be primarily the following:

- a) to continue the trend of keeping the BEREC Office off court cases and Ombudsman procedures, notably in the sensitive field of access to documents, with the support of BEREC MC and BoR to avoid such court cases and Ombudsman procedures;
- b) to have all necessary data protection policies in place after notification to the EDPS, when required by the legislation in force;
- c) to streamline the handling of public procurement procedures, notably by:
 - Adopting E-tendering module in 2017 (and possibly other e-procurement modules developed by the Commission); and
 - Maintaining an updated Procurement Manual of the BEREC Office as reference document for handling public procurement procedures.

2.3.2.2 Objectives, Indicators, expected outcomes and outputs

The outstanding objective of the legal function is to avoid external risk (court cases) and mitigate internal risk of criticism by internal and external auditors with regard to the areas of procurement, recruitment, access to documents and data protection).

Expected outcomes and outputs: non-involvement of the BEREC Office either in court cases (human resources management, procurement and data protection) or in investigations carried by independent bodies as EDPS, OLAF or the Ombudsman; the level of criticism (in the areas

of procurement, human resources, access to documents and data protection) by the auditing bodies is reduced to a minimum; putting in place a register of processing operations.

Indicators: the legal advice is provided in a very timely and professional manner. Delays are not caused by the legal function. The DPO function executes the notifications to the EDPS of policies created by the competent Units in a timely and professional manner and also supports the Data Controller in preparing replies to inquiries or survey by the EDPS.

2.3.2.3 Resources

- a) 2.5 k EUR
- b) 1.03 FTEs

2.4 Finance and non-operational procurement

2.4.1 Overview

The activities of the BEREC Office in this area will consist mainly in managing the budget of the Agency, ensuring that all financial transactions are executed in compliance with the requirements of the Financial Regulation and providing general guidance and advice for organisation of procurement, including by developing and updating the internal instructions, guidelines and templates for staff in line with the legislation in force (notably via the BEREC Office Financial and Procurement Manuals).

The activities included in this area cover also the management of the SLA with DG Budget in the field of accounting, procurement and contract management (except operational); general finance and budgetary management, payroll, reimbursement of non-operational mission costs; internal audits with a focus on finance (for example audits from the external auditors).

2.4.2 Objectives, Indicators, expected outcomes and outputs

The objective of these activities is to implement the budget in compliance with the principle of sound financial management and establish all prerequisites for execution of all financial transactions and procurement procedures in a timely manner and in compliance with the legislation in force.

Specific objectives, expected outcomes and indicators:

Actions:

- a) Prepare and provide the draft budget, the financial statement, the amended budget and other budgetary reports and legal requirements;
- b) Implement the budget with timely payments and perform a regular monitoring exercises on the budget;
- c) Implement and perform the principles of Activity-Based Budgeting;
- d) Provide adequate financial support, manage financial documents and perform accurate internal controls;
- e) Perform regular check of the quality of accounting;
- f) Act as a single point of contact for financial management matters to DG BUDGET (e.g. ABAC accounting implementation);

- g) Coordinate audits with financial focus and support to all audits assignments, including engaging an external audit company for the financial audit of BEREC Office;
- h) Ensure coordination of the procurement activities of the BEREC Office and provide guidance and advice to staff entrusted with procurement responsibilities;
- i) Regularly up-date the financial and procurement manuals and provide up-to-date templates and check-lists to the staff.

Indicators:

KPI – Annual budget execution target for commitment appropriations;

Method – extracted from annual figures compiled for the BEREC Office report on the budgetary and financial management; target $\geq 95\%$.

The procurement procedures are organised according to the procurement plan; target $\leq 5\%$ unjustified delays.

2.4.3 Resources

- a) 51 k EUR
- b) 4.42 FTEs

Administrative support activities

2.5 Human Resources

2.5.1 Overview

In 2015 the BEREC Office cut one establishment plan post, which constituted 6.25 % of the total number of establishment plan posts and, therefore, the BEREC Office completed the objective for progressively render 5 % of its staff as agreed in the Interinstitutional Agreement of 2 December 2013 between the EP, the Council and the EC on budgetary discipline, on cooperation in budgetary matters and on sound financial management²⁶. Consequently in 2016 the establishment plan of the BEREC Office includes 15²⁷ temporary agents: 11 agents are in the AD category and 4 in the AST category. The BEREC Office does not employ officials and agents in category AST/SC.

According to the Commission Communication *Programming of human and financial resources for decentralised agencies 2014-2020* and the Draft Budget of the EU for 2017, in 2017 the BEREC Office contributes with one post to the redeployment pool of Agencies²⁸.

The Establishment Plan for the years 2017-2019 includes also the revision of the grades of posts in order to ensure equal opportunities for the staff's career progression.

The BEREC Office will operate with the objective to increase its attractiveness in order to retain its staff as far as possible and to ensure the selection of staff at an adequate level of

²⁶ See p. 27, 2013/C 373/01, OJ C 373, 20.12.2013, p. 1–11, <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32013Q1220%2801%29>

²⁷ The post of the Budget Assistant (AST 4) became vacant as of September 2016 and will not be filled in with a view to a further cut in the establishment plan as of January 2017.

²⁸ This constitutes 1.25 % levy for over the years 2014-2018, with 0.25 % per year more than the horizontal proposal of the Commission.

expertise and seniority. Attention will be paid to implementation of policies for internal mobility and creation of a positive working environment, with a view to limit the turnover and retain the key staff. To this end a wellbeing programme will be launched, taking also into account the need to facilitate the integration of the Staff in the hosting member state. The BEREC Office will also enhance the already existing training possibilities for languages. The HR area will be enhanced with a view to provide further services to the staff.

2.5.2 Objectives, Indicators, expected outcomes and outputs

A policy on the duration and renewals of contracts, in line with Decision MC/2015/3 for the temporary agents (to be extended also to contract staff) is to be developed. Indicator: decision on contract renewals shall be reached six months before expiry.

A traineeship scheme has been defined and implemented. Indicators: number of trainees hired from 2016. Among the outcomes and outputs: benefit from the fresh energies of recent graduate trainees, as well as increase the visibility and, consequently, the attractiveness of the BEREC Office.

Schooling: a review of the agreements already in place or the drafting of new agreements with Latvian schools having an international dimension should be accomplished. Indicators: numbers of requests of relevant measures from BEREC Office staff members and number of BEREC Office pupils enrolled in Latvian schools.

Mobility - objective: take advantage from all the mobility opportunities. Indicators- number of staff which applied for mobility. Outcomes and outputs: retain the most qualified staff members, attract from the job market the most talented and skilled resources, use of internal publication of vacant posts when eligible staff are identified. To this extent, the attractiveness of the Agency will be one of the objectives of our programming exercises.

2.5.3 Resources

- a) 177 k EUR
- b) 2.35 FTEs

2.6 ICT, security, logistics and document management

2.6.1 Overview

The BEREC Office operates in one site, in Riga, Latvia (detailed information on the building is available in annex V: Buildings), with a standard office IT environment. With a limitation on human resources there is no in-situ IT team established so the outsourcing of IT related activities is the way for ensuring business continuity.

Due to its limited capacity the BEREC Office is not able to monitor the development and to maintain tailor-made applications for its day-to-day operation and therefore will use as far as possible application already developed by the Commission and offered to the EU Agencies. The BEREC Office has used since its establishment the Commission accounting system ABAC and is strongly determined to put into operation the Commission applications on document and records management and archiving, management of human resources, e-tendering, etc. To increase its IT security the BEREC Office has also planned usage of the services offered by the EU Computer emergency response team (CERT).

To decrease the burden from organising its own IT procurement the BEREC Office has signed a Memorandum of Understanding with DG DIGIT for participation of the BEREC Office in all IT related procurement organised by the Commission Service.

2.6.2 Objectives, Indicators, expected outcomes and outputs

- a) establish all necessary prerequisites for the operation of secure and user-friendly ICT environment for the BEREC Office staff, including through the use of the EU CERT and other service providers;
- b) ensure smooth running of Commission applications already in place at the BEREC Office and support the staff with the migration to any new applications, such as HERMES-ARES-NomCom (HAN), Sysper, e-Tendering and others.
- c) maintain and develop the necessary hardware and software to ensure smooth functioning of the BEREC Office ICT equipment;
- d) b) maintain and update the hardware and operating system of the web server to ensure smooth functioning of the BEREC website;
- e) ensure safe and secure working conditions for the staff of the BEREC Office compatible with the Commission standards on security and the requirements of the Commission Building Manual;
- f) provide logistic support to the BEREC Office, such as postal and telecommunications services, procure and maintain the office furniture and ensure regular office supplies.
- g) identify areas of potential risks and proposes and implement appropriate mitigating measures.

2.6.3 Resources

- a) 322 k EUR
- b) 1.66 FTEs

Annex I: Resource allocation per Activity 2017

ACTIVITIES 2017	Direct Costs kEUR	FTE's	HR related costs kEUR	Total costs kEUR
Operational activities				
- Support to BEREC EWGs	559	13.16	951	1510
Set-up EWGs and provide support	549	10.57 ²⁹	745	1294
BEREC Office activities under market analysis and notifications	10	2.59	206	216
- Support to BEREC and NRAs	849	6.13	533	1382
Support to the BEREC Chair and Vice-Chairs and organisation of CN and BoR and MC plenary meetings and BEREC stakeholder and international events	500	2.4	234	734
Public transparency, accountability and integrity and support to BEREC and NRAs	349	3.73	299	648
TOTAL operational expenditure	1408	19.29	1484	2892
Horizontal activities				
Coordination activities	17	2.28	206	223
Finance and non-operational procurement	51	4.42	295	346
TOTAL horizontal expenditure	68	6.7	501	569
Administrative support activities				
Human Resources	177	2.35 ³⁰	174	351
ICT, security, logistics and document management	322	1.66	122	444
TOTAL administrative expenditure	499	4.01	296	795
TOTAL	1975	30³¹	2281	4256

²⁹ Including 2 trainees.

³⁰ Including 1 trainee.

³¹ Including 3 trainees in total.

Annex II: Financial Resources 2017-2019

Table 1 – Expenditure

Expenditure	2016 **		2017	
	Commitment appropriations	Payment appropriations	Commitment appropriations	Payment appropriations
Title 1	2 295 959	2 295 959	2 448 123	2 448 123
Title 2	366 546	366 546	389 714	389 714
Title 3	1 583 495	1 583 495	1 408 163	1 408 163
Total expenditure	4 246 000	4 246 000	4 246 000	4 246 000

EXPENDITURE	Commitment appropriations						
	Executed Budget 2015**	Budget 2016**	Budget 2017		VAR 2017/ 2016	Envisaged 2018	Envisaged 2019
			Agency request	Budget Forecast*			
Title 1							
Staff Expenditure	2 291 114	2 295 959	2 448 123	2 448 123	6.63%	2 472 812	2 489 012
11 Salaries & allowances	1 588 710	1 586 132	1 805 028	1 805 028	13.80%	1 815 858	1 827 755
<i>- of which establishment plan posts</i>	<i>1 095 536</i>	<i>1 082 568</i>	<i>1 197 178</i>	<i>1 197 178</i>	10.59%	<i>1 204 362</i>	<i>1 212 252</i>
<i>- of which external personnel</i>	<i>493 174</i>	<i>503 564</i>	<i>607 850</i>	<i>607 850</i>	20.71%	<i>611 496</i>	<i>615 503</i>

EXPENDITURE	Commitment appropriations						
	Executed Budget 2015**	Budget 2016**	Budget 2017		VAR 2017/ 2016	Envisaged 2018	Envisaged 2019
			Agency request	Budget Forecast*			
12 Expenditure relating to Staff recruitment	128 694	65 485	74 095	74 095	13.15%	74 540	75 028
13 Mission expenses	226 635	246 855	220 000	220 000	-10.88%	221 320	222 770
14 Socio-medical infrastructure	3 756	6 000	5 000	5 000	-16.67%	5 030	5 063
15 Training	82 175	81 793	76 000	76 000	-7.08%	76 456	76 957
16 External Services	257 768	306 164	258 000	258 000	-15.73%	269 548	271 314
17 Receptions and events	3 376	3 531	10 000	10 000	183.20%	10 060	10 125
Title 2							
Infrastructure and operating expenditure	305 635	366 546	389 714	389 714	6.32%	419 714	467 344
20 Rental of buildings and associated costs	76 244	69 931	115 868	115 868	65.69%	120 868	131 056
21 Information and communication technology	155 947	156 088	177 001	177 001	13.40%	197 001	218 275
22 Movable property and associated costs	10 437	12 175	6 050	6 050	-50.31%	6 050	7 010
23 Current administrative expenditure	35 778	112 669	67 968	67 968	-39.67%	72 968	84 552
24 Postage / Telecommunications	17 104	3 450	12 500	12 500	262.33%	12 500	14 485

EXPENDITURE	Commitment appropriations						
	Executed Budget 2015**	Budget 2016**	Budget 2017		VAR 2017/ 2016	Envisaged 2018	Envisaged 2019
			Agency request	Budget Forecast*			
25 Meeting expenses	10 125	12 232	10 327	10 327	-15.57%	10 327	11 966
Title 3 Operational expenditure	1 245 656	1 583 495	1 408 163	1 408 163	-11.07%	1 438 474	1 461 644
30 Support to BEREK EWGs	575 205	761 495	558 677	558 677	-26.63%	566 992	582 838
31 Support to BEREK and NRAs	670 451	822 000	849 486	849 486	3.34%	871 482	878 806
TOTAL EXPENDITURE	3 842 405	4 246 000	4 246 000	4 246 000	0.00%	4 331 000	4 418 000

EXPENDITURE	Payment appropriations						
	Executed Budget 2015	Budget 2016 **	Draft Budget 2017		VAR 2017/ 2016	Envisaged 2018	Envisaged 2019
			Agency request	Budget Forecast			
Title 1							
Staff Expenditure	2 125 978	2 295 959	2 448 123	2 448 123	6.63%	2 472 812	2 489 012
11 Salaries & allowances	1 588 622	1 586 132	1 805 028	1 805 028	13.80%	1 815 858	1 827 755
<i>- of which establishment plan posts</i>	<i>1 095 536</i>	<i>1 082 568</i>	<i>1 197 178</i>	<i>1 197 178</i>	<i>10.59%</i>	<i>1 204 362</i>	<i>1 212 252</i>
<i>- of which external personnel</i>	<i>493 086</i>	<i>503 564</i>	<i>607 850</i>	<i>607 850</i>	<i>20.71%</i>	<i>611 496</i>	<i>615 503</i>
12 Expenditure relating to Staff recruitment	126 623	65 485	74 095	74 095	13.15%	74 540	75 028
13 Mission expenses	196 568	246 855	220 000	220 000	-10.88%	221 320	222 770
14 Socio-medical infrastructure	2 863	6 000	5 000	5 000	-16.67%	5 030	5 063
15 Training	39 409	81 793	76 000	76 000	-7.08%	76 456	76 957
16 External Services	171 893	306 164	258 000	258 000	-15.73%	269 548	271 314
17 Receptions and events	0	3 531	10 000	10 000	183.20%	10 060	10 125
Title 2							
Infrastructure and operating expenditure	171 407	366 546	389 714	389 714	6.32%	419 714	467 344

EXPENDITURE	Payment appropriations						
	Executed Budget 2015	Budget 2016 **	Draft Budget 2017		VAR 2017/ 2016	Envisaged 2018	Envisaged 2019
			Agency request	Budget Forecast			
20 Rental of buildings and associated costs	58 746	69 931	115 868	115 868	65.69%	120 868	131 056
21 Information and communication technology	69 016	156 088	177 001	177 001	13.40%	197 001	218 275
22 Movable property and associated costs	6 764	12 175	6 050	6 050	-50.31%	6 050	7 010
23 Current administrative expenditure	24 513	112 669	67 968	67 968	-39.67%	72 968	84 552
24 Postage / Telecommunications	2 243	3 450	12 500	12 500	262.33%	12 500	14 485
25 Meeting expenses	10 125	12 232	10 327	10 327	-15.57%	10 327	11 966
Title 3 Operational expenditure	929 064	1 583 495	1 408 163	1 408 163	-11.07%	1 438 474	1 461 644
30 Support to BEREC EWGs	502 326	761 495	558 677	558 677	-26.63%	566 992	582 838
31 Support to BEREC and NRAs	426 738	822 000	849 486	849 486	3.34%	871 482	878 806
TOTAL EXPENDITURE	3 226 448	4 246 000	4 246 000	4 246 000	0.00%	4 331 000	4 418 000

** Status of 2016 Budget including transfers of November 2016. Final figures will be published in the Statement of revenue and expenditure of the BEREC Office for the financial year 2017 in the Official Journal.

Table 2 – Revenue

Revenues	2016	2017
	Revenues estimated by the agency	Budget Forecast
EU contribution	4 246 000	4 246 000
Other revenue	p.m.	p.m.
Total revenues	4 246 000	4 246 000

REVENUES	2015	2016	2017		VAR 2017 /2016	Envisaged 2018	Envisaged 2019
	Executed Budget	Revenues estimated by the agency	As requested by the agency	Budget Forecast			
1 REVENUE FROM FEES AND CHARGES							
2. EU CONTRIBUTION	4 017 244	4 246 000	4 246 000		0.00%	4 331 000	4 418 000
of which Administrative (Title 1 and Title 2)	2 299 075	2 553 109	2 699 857		5.75%	2 892 526	2 956 356
of which Operational (Title 3)	1 199 068	1 518 433	1 325 976		-12.67%	1 438 474	1 461 644

of which assigned revenues deriving from previous years' surpluses	519 101	174 458	220 167		26.20%		
3 THIRD COUNTRIES CONTRIBUTION (incl. EFTA and candidate countries)	0	p.m.	p.m.			p.m.	p.m.
of which EFTA	0	p.m.(2)	p.m.(2)			p.m.(2)	p.m.(2)
of which Candidate Countries	0	p.m.	p.m.			p.m.	p.m.
4 OTHER CONTRIBUTIONS	0	p.m.(3)	p.m.(3)			p.m.(3)	p.m.(3)
of which delegation agreement, ad hoc grants	0	0	0			0	0
5 ADMINISTRATIVE OPERATIONS	6 695 (1)	p.m.	p.m.			p.m.	p.m.
6 REVENUES FROM SERVICES RENDERED AGAINST PAYMENT	0	0	0			0	0
7 CORRECTION OF BUDGETARY IMBALANCES	0	p.m.	p.m.			p.m.	p.m.
TOTAL REVENUES	4 023 939	4 246 000	4 246 000		0.00%	4 331 000	4 418 000

(1) EUR 5 298 - reimbursement by the Translation Centre of their price stability reserve to all the customers – this revenue should be considered as general revenue and cannot be used for expenditure + EUR 1 396.65 of interest generated by funds paid by the Commission in quarter4/2014 – quarter 3/2015. Both

amounts will be taken into account in the calculation of the budget result at the annual closure of the accounts of the agencies as foreseen in Article 20 FFR and will be recovered by the Commission in 2016 as a part of the surplus

(2) Subject to the signature of the Agreement with EFTA countries.

(3) Voluntary contributions from MS or their NRAs: should the Board of Regulators decide to approve such contributions, a new budgetary procedure will be launched.

Table 3 – Budget outturn and cancellation of appropriations

Calculation of the budget outturn:

Budget outturn	2013	2014	2015
Revenue actually received (+)	3 557 218	4 166 307	4 023 939
Payments made (-)	-2 723 579	-3 150 363	-3 226 448
Carry-over of appropriations (-)	-461 982	-926 544	-615 957
Cancellation of appropriations carried over (+)	173 613	65 130	38 652
Adjustment for carry over of assigned revenue appropriations from previous year (+)		861	0.00
Exchange rate differences (+/-)	-26 169	19 067	-19
Adjustment for negative balance from previous year (-)	0	0	0
Total	519 101	174 458	220 167

Descriptive information and justification on budget outturn:

The 2015 surplus of EUR 220 000 was reimbursed to the EU budget.

Carry-over of appropriations (EUR 615 957.25) relates to:

Title 1: Staff related costs such as:

- reimbursements to the recruitment candidates;
- staff missions;
- medical examinations (SLA with Medical Service of the Commission);
- training - external contracts (automatically renewed, as well as new contracts) and SLAs with the Commission and the European Administrative School) – invoices not yet received;
- SLAs (DG HR, PMO fees for calculation of salaries, allowances, candidates' reimbursements, inter-agencies network secretariat, SLA with ENISA on sharing ICCs Assistant) and contracts with external contractors (e.g. mission insurance of the SNE's and staff, interim staff, HR consultancy and support) started and/or executed in 2015, for which calculations and invoices will be received in 2016.

Title 2: General administration of the Office:

- premises' utilities, fitting-out, security services – invoices for services rendered in 2015 that will be received in 2016. Security contract was automatically renewed in September 2015 for 1 more year, therefore the major part of the commitment will be carried over to 2016;
- IT–purchases and related services, for which contracts are signed and/or services rendered in 2015, but invoices will be received in 2016;
- communication costs - all amounts related to automatically renewed and new contracts, which were signed in October – December 2015, therefore most of the budget will be carried over;

- publications booked in 2015 which will be invoiced in 2016;
- office supplies for which contracts are signed in 2015, but delivery will be performed and invoices will be received in 2016;
- consultancy projects on IT and budget related issues for which contracts are signed, but invoices will be received in 2016;
- postal costs - services will be rendered at the end of 2015, but invoices for which will arrive in 2016;
- the costs of bank charges and external audit will be carried over to 2016.

Title 3: Operational activities such as:

- translations for to be carried out for BEREC –booked at the end of 2015, but invoices for which will be received in 2016;
- some reimbursements of participants/experts to EWGs, workshops, international and BEREC events and other operational meetings of December 2015 were carried over to 2016;
- commitments for the postponed to 2016 workshop on SDN/NVF;
- SLAs (PMO fees for calculation of experts reimbursements);
- contracts signed in 2015 (provision of regulatory training to the BEREC community, IS-portal development, BERECnet) for which services were partially rendered in 2015 and partially in 2016 and invoices for which will arrive in 2016.

- Cancellation of commitment appropriations

Commitment appropriations	Commitments accepted	Committed %	Carry-over to 2016	Cancellation Commitment appropriations EUR	Cancellation Commitment appropriations %	
	1	2	3=2/1	4	5	6
C1	4 017 244.00	3 842 404.98	95.65%	615 957.25	-174 839.02	4.35%
Total	4 017 244.00	3 842 404.98	95.65%	615 957.25	-174 839.02	4.35%

- cancellation of payment appropriations for the year and payment appropriations carried over

Cancellation of payment appropriations for the year

	Payment appropriations	Paid 2015	Carry-over to 2016	Total paid & carry-over	Implementation Payments accepted %	Cancellation Payment appropriations (EUR)	Cancellation Payment appropriations %
	1	2	3	4=2+3	5=4/1	6	7
C1	4 017 244.00	3 226 447.73	615 957.25	3 842 404.98	95.65%	174 839.02	4.35%
Total	4 017 244.00	3 226 447.73	615 957.25	3 842 404.98	95.65%	174 839.02	4.35%

Cancellation of payment appropriations carried over

	Payment appropriations	Payments made	Cancellation Payment appropriations (EUR)	Cancellation %
	1	2	3	5=3/1
Title 1 C8	204 194.68	188 192.84	16 001.84	7.84%
Title 2 C8	91 757.34	81 501.52	10 255.82	11.18%
Title 3 C8	630 592.91	618 198.26	12 394.65	1.97%
Total	926 544.93	887 892.62	38 652.31	4.17%

The cancellation of payment appropriations carried over happened mostly due to the fact that:

Title 1:

The budgeted amounts for the

- Travel expenses on reimbursements to candidates were based on the average spending per candidate. The actual total costs were lower by EUR 516.15 (5.01% of the total carried-over for this purpose appropriation) which were cancelled.
- The mission expenses were based on the average amount paid to mission performers during 2014. The actual spending was lower by EUR 891.35 (5.50% of the total carried-over for this purpose appropriation), therefore, the unused appropriations had to be cancelled
- Estimation for training services was based on the amount of the contracts. However, due to an internal mistake of DG HR the BEREK Office received invoices for actual amount lower by EUR 8,830.46 (19.09% of the total carried-over for this purpose appropriation) and unused appropriation had to be cancelled.
- Services provided by PMO and HR were overestimated by EUR 607.18 (0.48% of the total carried-over for this purpose appropriation) and unused appropriation had to be cancelled.
- Costs of travel and mission expenses of the Internal Control Coordinator Assistant were estimated basing on averages. The actual expenditure was lower by EUR 1,449.64 (7.41% of the total varied-over for purpose appropriation) and had to be cancelled.
- Carry-forwards for interim staff contracts were based on the contracts amount. The actual expenditure was lower by EUR 3,704.06 (3% of the total carried-over for this purpose appropriation) and unused appropriation had to be cancelled.

Title 2:

- The amount carried over for paying utilities was overestimated. The actual spending on these services was lower by EUR 470.47 (8.71% of the total carried-over for this purpose appropriation), therefore, the unused appropriations had to be cancelled.
- The amount budgeted for the legal expenses based on the amount of the contract signed was invoiced for lower amount actual used under this contract. The actual spending on these services was lower by EUR 4,510.00 (87.4% of the total carried-over for this purpose appropriation), therefore, the unused appropriations had to be cancelled.
- The amount budgeted for publications was based on the estimates provided by the Publication Office.

The actual amount invoiced was lower by EUR 2,408.03 (48.16% of the total carried-over for this purpose appropriation). The unused appropriation had to be cancelled.

- The implementation of 'Paperless' project was delayed and the contract for customisation of the application had to be extended until 31 March 2016. The non-invoiced part of the relevant commitment, therefore, had to be cancelled (EUR 1,745 – 11.64%) and re-committed under 2015 budget appropriations.

- The estimates of the needs for telecommunication services (that in accordance to contracts were in place until October – December 2015) were done on the basis of expenses incurred in the previous period. The actual spending on these services was lower by EUR 913.49 (6.4% of the total carried-over for this purpose appropriations), therefore, the unused appropriations had to be cancelled

Title 3

- Reimbursement of participants/experts to EWGs, Article 7 and 7a EWGs, Chair's and Vice-Chairs' travel were based on the number of people invited and eligible to receive reimbursements and average costs per expert.

However, the final costs depend on the actual participation and the number of applications received and actual costs incurred. These costs were lower than estimated by EUR 12,394.65 (1.97% of the total carried-over for operational expenditure appropriations).

Annex III: Human Resources 2017-2019, part 1

Table 1 – Staff population and its evolution; Overview of all categories of staff

Staff population		Actually filled as of 31.12.2014 ³²	Authorised under EU Budget 2015 ³³	Actually filled as of 31.12.2015 ³⁴	Authorised under EU budget for year 2016	Authorised under EU budget for year 2017 ³⁵	Envisaged in 2018 ³⁶	Envisaged in 2019
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
TAs	AD	11	11	10	11	11	11	11
	AST	5	4	4	4 ³⁷	3	3	3
	AST/SC	0	0	0	0	0	0	0
Total ³⁸		16	15 ³⁹	14 ⁴⁰	15	14	14	14
CA GF IV		3	5 ⁴¹	6	7 ⁴²	8 ⁴³	8	8
CA GF III		1	2	1	1	0	0	0

³² Including the job offers letters sent for the Executive Support Assistant (TA-AST3) and two Programme Management Support Officers (CAs FG IV). The figure also includes an SNE as an exchange of letters for the selection was also ongoing.

³³ As authorised for officials and TAs and as estimated for CAs and SNEs.

³⁴ Including the job offer letter sent for the Communication Officer (CA FG IV).

³⁵ 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.

³⁶ Ibid.

³⁷ The post of the Budget Assistant (AST 4) became vacant as of September 2016 and has not filled in with a view to a further cut in the establishment plan as of January 2017 for the redeployment pool.

³⁸ Headcounts.

³⁹ The total headcount of 15 includes the decrease by 1 post brought about by the Inter-institutional Agreement of 2 December 2013 between the EP, the Council and the EC on budgetary discipline, on cooperation in budgetary matters and on sound financial management, 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. The cut actually constituted 6.25 % of the total number of establishment plan posts and, therefore, the BEREK Office completed the objective for progressively render 5 % of its staff as agreed.

⁴⁰ The vacancy notice for the post of Head of administration and finance Unit has been published in December 2015.

⁴¹ Following the conversion of 2 SNEs to 2 CAs FGIV decided by the MC (Decision MC/2015/8, 5 June 2015), the number of CAs FG IV increased to 5. The number of SNEs passed from 6 to 4.

⁴² One job offer has been sent in October 2016 for the recruitment of a CA FG IV following the Decision MC/2016/09 on the establishment of a CA post in Budget and Finance aimed to keep the overall staffing level of the BEREK Office at the minimum required for the smooth running of the operation as the workload is expected to increase in the next three years even without amending the BEREK regulation.

⁴³ One CA FGIII post will be converted into one CA FGIV post as of 1 January 2017 due to the planned outsourcing of the technical IT tasks to service providers and assigning coordination and policy related tasks to the IT Officer as of January 2017, which would require the change of the FG for that post.

Staff population	Actually filled as of 31.12.2014 ³²	Authorised under EU Budget 2015 ³³	Actually filled as of 31.12.2015 ³⁴	Authorised under EU budget for year 2016	Authorised under EU budget for year 2017 ³⁵	Envisaged in 2018 ³⁶	Envisaged in 2019
CA GF II	2	1	1	1	1	1	1
CA GFI	0	0	0	0	0	0	0
Total CAs ⁴⁴	6	8 ⁴⁵	8	9	9 ⁴⁶	9 ⁴⁷	9 ⁴⁸
SNEs ⁴⁹	5	4 ⁵⁰	4	4	4	4	4
Structural service providers ⁵¹	0	0	0	0	2	2	2
TOTAL	27	27	26	28	27	27	27
External staff ⁵² for occasional replacement ⁵³	1	na	2	na	na	0	0

⁴⁴ FTE.

⁴⁵ Following the conversion of 2 SNEs to 2 CAs FGIV decided by the MC (Decision MC/2015/8, 5 June 2015), the number of CAs FG IV increased to 5. The number of SNEs passed from 6 to 4.

⁴⁶ When a post of contract agent will be vacant and if justified by the tasks and the level of expertise required, replacement in a higher function group may be proposed.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ FTE.

⁵⁰ Following the conversion of 2 SNEs to 2 CAs FGIV decided by the MC (Decision MC/2015/8, 5 June 2015), the number of CAs FG IV increased to 5. The number of SNEs passed from 6 to 4.

⁵¹ 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.

⁵² FTE.

⁵³ For instance replacement due to maternity leave, long sick leave or unexpected turnover, and workload peaks.

Table 2 – Multi-annual staff policy plan year 2017-2019

Category and grade	Establishment plan in EU Budget 2015		Filled as of 31/12/2015	Modifications in year 2015 in application of flexibility rule ⁵⁴		Establishment plan in voted EU Budget 2016 ⁵⁵		Modifications in year 2016 in application of flexibility rule	Establishment plan in voted EU Budget 2017		Establishment plan 2018		Establishment plan 2019
	officials	TA		officials	TA	officials	TA		officials	TA	officials	TA	
AD 16													
AD 15													
AD 14		1	1				1			1		1	1
AD 13													
AD 12													
AD 11												1	1
AD 10							1			1		1	1
AD 9		2	1				1			1		2	2
AD 8							2			2		1	1
AD 7		3	3				1			1		2	3
AD 6		2	2				2			4		3	2
AD 5		3	3				3			1		0	0
Total AD		11	10				11			11		11	11
AST 11													
AST 10													
AST 9													
AST 8													
AST 7													
AST 6													1
AST 5												1	1
AST 4		2	2				2			3		1	1

⁵⁴ 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.

⁵⁵ 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.

Category and grade	Establishment plan in EU Budget 2015		Filled as of 31/12/2015	Modifications in year 2015 in application of flexibility rule ⁵⁴		Establishment plan in voted EU Budget 2016 ⁵⁵		Modifications in year 2016 in application of flexibility rule	Establishment plan in voted EU Budget 2017		Establishment plan 2018		Establishment plan 2019
	officials	TA		officials	TA	officials	TA		officials	TA	officials	TA	
AST 3		2	2				2					1	
AST 2													
AST 1													
Total AST		4	4				4			3		3	3
AST/SC 6													
AST/SC5													
AST/SC4													
AST/SC3													
AST/SC2													
AST/SC1													
Total AST/SC													
TOTAL		15⁵⁶	14				15			14		14	14

⁵⁶ The total headcount of 15 represents the decrease by 1 post (in comparison with the establishment plan of 2014) 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.

Annex IV: Human Resources 2017-2019, part 2

A. Recruitment policy

The recruitment and selection policies are defined in the relevant BEREC Office implementing rules.

It is not foreseen to recruit permanent Officials at the BEREC Office.

The selection and recruitment of TAs, CAs and SNEs will follow the relevant implementing rules and in accordance with the latest version of the internal recruitment documents. The selection and recruitment procedures' consistency is ensured by the HR team in the Office through policies and guidelines.

B. Appraisal of performance and reclassification/promotions

Table 1 – Reclassification of temporary staff/promotion of officials

Category and grade	Staff in activity at 1.01.2014		How many staff members were promoted / reclassified in 2015		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		2	3 years, 6 months
Total AD		11		2	
AST 11					
AST 10					
AST 9					
AST 8					
AST 7					
AST 6					

Category and grade	Staff in activity at 1.01.2014		How many staff members were promoted / reclassified in 2015		Average number of years in grade of reclassified/ promoted staff members
	officials	TA	officials	TA	
AST 5					
AST 4					
AST 3		4		2	2 years, 3 months
AST 2					
AST 1		1			
Total AST		5		2	
Total		16		4	

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 usually 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 the Staff Regulations, CEOS and relevant implementing rules.

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 TA. As a consequence, the reclassification rates of Annex I.B will allow for an increased volume of reclassifications over the period 2017-2019.

As mentioned above, the rigidity within the Establishment Plan made it impossible to reclassify temporary agents in 2014, but the problem has been solved in the first part of 2015. As a consequence, four TAs have been reclassified in 2015 and the reclassification exercise for 2016 has been launched according to the rules.

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.

Table 2 – Reclassification of contract staff

Function Group	Grade	Staff in activity at 1.01.2014	How many staff members were reclassified in 2015	Average number of years in grade of reclassified staff members
CA IV	18			
	17			
	16			
	15			
	14			
	13			
CA III	12			
	11			
	10			
	9	1	1	2 years, 1 month
	8			
CA II	7			
	6			
	5	2		
	4			
CA I	3			
	2			
	1			
Total		3	1	

Most of BEREC Office contract staff members were recruited in 2012 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.

C. Mobility policy

- 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. The implementation of an Inter-agency Job Market is currently envisaged in the future. Currently no posts have been filled with staff from other agencies using this procedure.

- Mobility between the agencies and the institutions

Currently no posts have been filled with staff seconded from other EU institutions.

D. Gender and geographical 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).

In order to have better gender balance within the BEREC Office, the units are reminded to pay attention to the gender balance in administrative functions (about 66% of AST staff were female by the end of 2016, but the outlook is balanced). This gender imbalance will be monitored by HR in future recruitments.

Geographical balance has been achieved in accordance to articles 12.1 and 82.1 of CEOS, bearing in mind the small size of the Office. As of 31.12.2015 the Office has employees from 14 different MSs and will keep monitoring this balance for planned recruitments in next years.

E. 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 an accredited European School in Riga and children of the staff members attend English, French or Latvian speaking schools. Since the possibility of providing accredited European schooling for the pupils of BEREC Office staff, the Latvian Government should establish such an accredited curricula. The BEREC Office can only insist in its support of this plan and contribute to its progress. In more than one occasion,

the BEREC Office offered its support to the local authorities and to the representatives of the schools with an international dimension in Latvia. Relations have been established with the management of the schools and the premises of such schools have been visited by representatives of the Administration and Finance Unit.

The Ministry of Education and Science has been exploring possibilities of establishing of an accredited 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 accredited European School is a long process, and in the meantime the BEREC Office is adopting all the necessary measures to ensure the proper schooling of staff pupils. The BEREC Office has already in place 2 agreements with Latvian schools with an international dimension, in order to ensure the multi-lingual schooling for the children of staff. The basis for such measures is the financial autonomy of the BEREC Office, which allowed the BEREC Office to take measures within the framework of the Financial Regulation in order to support staff and cover most part of the costs of multi-lingual tuition provided by the international schools available in Latvia.

Annex V: Buildings

Current building:

The BEREC Office premises are located at 14 Zigfrida Annas Meierovica boulevard, Riga, Latvia. The BEREC Office rents its premises in accordance with the Memorandum of Understanding with the Government of the Republic of Latvia, signed on 30 September 2011⁵⁷, which was further detailed in a lease agreement.

	Main Information	Other Comments
Name, location and type of building	14 Zigfrida Annas Meierovica boulevard, Riga, Latvia	
Surface area (in square meters)	772,5 m ²	According to the MoU with the Latvian Government the BEREC Office can use in addition to the main surface area 1 covered and 5 open parking spaces in the inner yard of the building free of charge and 2 open air parking spaces in front of the main entrance of the premises free of charge.
– of which office space	772,5 m ²	
– of which non-office space	0 m ²	
Annual rent (in EUR)	42 698	The rental price is based on a Regulation determining the state and local government property leasing arrangements, which will cover the lessor's expenditure for the leased object without any profit.

⁵⁷ [Memorandum of Understanding between the BEREC Office and the Government of the Republic of Latvia on the establishment of the headquarters of this European entity in Riga](https://www.vestnesis.lv/index.php?menu=doc&id=246139), 30 September 2011, published in Latvian at: <https://www.vestnesis.lv/index.php?menu=doc&id=246139>

	Main Information	Other Comments
Type and duration of rental contract	Lease agreement with State owned joint-stock company Valsts nekustamie īpašumi, signed on 01/08/2011, effective until 31/03/2021 (with a possibility of renewal).	
Host country grant or support	Not applicable for the programming period	
Present value of the building (if the agency owns the building)	Not applicable	The BEREK Office does not own the building.

Building projects in planning phase:

For the programming period the BEREK Office does not plan any building projects.

Annex VI: Privileges and immunities

According to the provision of Article 23 of the BEREC Regulation the Protocol on the privileges and immunities of the EU are applicable also to the BEREC Office and its staff.

In order to ensure practice implementation of the afore-mentioned Protocol on 24 February 2011 the BEREC Office and the Government of the Republic of Latvia signed a Seat Agreement, which further details the right and obligation of the BEREC Office staff and host Member State.

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities / diplomatic status	Education / day care
Inviolability and Immunity		<p>According to the Seat Agreement the Latvian Government has undertaken the responsibility jointly with the BEREC Office to find the best solution possible for schooling for the children of the BEREC Office staff.</p> <p>The Latvian Government shall facilitate offering European schooling to children of the BEREC Office staff in English, French and German by the existing private and public international schools in Riga and will ensure that the children of the BEREC Office staff get priority access to them.</p> <p>In practice this provision has not been applied. The Latvian Ministry of Education, which is the focal point for issues related to schooling has informed the BEREC Office that due to case law no priority access to BEREC Office staff children can be ensured. Additionally the BEREC Office has been</p>
The seat of the BEREC Office, irrespective of ownership, is inviolable	The BEREC Office staff shall enjoy privileges and immunities based on the Protocol on the Privileges and Immunities of the EU and enjoy immunity from legal proceedings in respect of acts performed by them in their official capacity.	
The seat of the BEREC Office is exempt from search, requisition, confiscation or expropriation.	Together with their spouses and dependent members of their families, not be subject to immigration restrictions or to formalities for the registration of aliens	
The property and assets of the BEREC Office, are cannot be subject to any administrative or legal measure of constraint, whether by executive, administrative, judicial or legislative action, without the authorisation of the Court of Justice of the EU.	The Administrative Manager and the members of his/her family, who have not been nationals or permanent residents of Latvia before being employed by the BEREC Office, are accorded with the privileges and immunities, exemptions and facilities accorded to the heads of diplomatic missions and the members of their family in	
Communications and the transmission of all BEREC Office documents are treated in the same		

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities / diplomatic status	Education / day care
way as documents and communications of diplomatic missions.	accordance with the Vienna Convention on Diplomatic Relations of 18 April 1961.	informed that the Latvian Government cannot influence the fees of the private establishments.
Exemption from taxes, duties, national, regional and municipal charges		
The Agency is exempt from:	BEREC Office staff are exempt from	
- all direct taxes on its assets, revenues and other property	Salaries, wages, emoluments, SNEs' allowances, retirement, invalidity and survivor's pensions paid by the BEREC Office or by the EU are exempted from national taxes.	
- all national, regional and municipal excise duties, sales charges and other taxes for substantial purchases for official use (e.g. for any amount above 125 LVL ⁵⁸ = EUR 177.86); exemption from VAT, excise duty and other indirect taxes is provided by means of a tax refund.	The VAT included in the price of articles listed in an annex to the Seat Agreement, including 1 vehicle for personal use, acquired by the BEREC Office staff in the Latvia within 1 year from taking up their post in Latvia is reimbursed to the staff and SNEs provided that the single article price is not less than 35 LVL. This rule is not applicable for nationals or permanent residents of Latvia.	
- imports and exports customs duties, taxes, prohibitions or restrictions on goods for official use, including vehicle and spare parts	BEREC Office staff has the right to import free of duty and without prohibitions or restrictions, in respect of initial establishment, within 2 years of taking up their appointments within the BEREC Office and in maximum 2 shipments, furniture and personal effects, including vehicles purchased under market conditions.	

⁵⁸ Official exchange rate 1LVL = EUR 0,702804

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities / diplomatic status	Education / day care
	BEREC Office staff is entitled to export, after the date of cessation of functions at the BEREC Office, without prohibitions or restrictions, personal and household effects, including vehicles they use and which are in their possession.	
- vehicle exploitation tax for BEREC Office official vehicles registered under a special series	The BEREC Office AM is exempt from vehicle exploitation tax.	

Annex VII: Evaluations

In 2012, the European Commission initiated an evaluation of the performance of BEREC and the BEREC Office, as required by Article 25 of the BEREC Regulation. A study prepared by an external consultant (Price Waterhouse Coopers Luxembourg, PWC) was published by the European Commission in 2013, together with a Commission Staff Working Document⁵⁹ (SWD). BEREC provided its own input to the evaluation process⁶⁰.

The evaluation exercise was undertaken one year after granting autonomy to the BEREC Office and the Agency at that period of time was still in start-up phase. Therefore many of the recommendations and observations made are not valid anymore.

However, certain findings, especially those pointing out some constraints stemming from the small size of the Agency still remain valid. For example most of the staff in the operational units still dedicate a substantive part of their working time to administrative activities due to the need for compliance with administrative requirements.

Due to its limited staff the BEREC Office has not nominated yet a dedicated Risk Manager or Head of Control. To compensate for this the BEREC Office has signed a SLA with ENISA for sharing the capacity of the Internal Control Coordinator, which has led to the introduction of a risk management process (partially outsourced to ENISA) but the heavy control procedures applicable to all EU bodies may require finding additional ways for outsourcing these activities.

The evaluation report and Commission's observations were transmitted to the Council and the EP. The EP prepared its own resolution on the topic (of 10 December 2013).

In its resolution the EP emphasises that BEREC Office is the smallest EU agency, with limited budget and 16 authorised posts, primarily providing administrative support for the BEREC structure.

The EP considers that the mission of the BEREC Office should be revised, reinforced and defined more precisely, taking particular account of the outcome of the BEREC evaluation. Additionally, the EP recommends that the necessary changes be made, and the necessary resources considered, to enable the BEREC Office to support BEREC's substantive work more effectively and efficiently, rather than simply providing administrative support.

⁵⁹ SWD(2013) 152 final

⁶⁰ BoR (12) 118 BEREC input to the European Commission on the BEREC and BEREC Office Evaluation Exercise, 13.11.2012, http://bereg.europa.eu/eng/document_register/subject_matter/bereg/others/1073-bereg-input-to-the-european-commission-on-the-bereg-and-bereg-office-evaluation-exercise

Annex VIII: Risks for 2017

In compliance with its internal control standards framework⁶¹ the BEREC Office must establish a risk management process. To ensure practical implementation of this requirement on 30 June 2015 the BEREC Office Administrative Manager established a Risk Management Implementation Guide. Afterwards, under the Service Level Agreement with ENISA for sharing the function of the Internal Control Coordinator Assistant, the BEREC Office undertake a thorough risk assessment/analysis of all BEREC Office activities.

During the risk assessment no critical risk were identified. The most significant risks identified were recorded in a risk register. The BEREC Office developed action plans for addressing these risks, which were approved by the Administrative Manager on 9 December 2015.

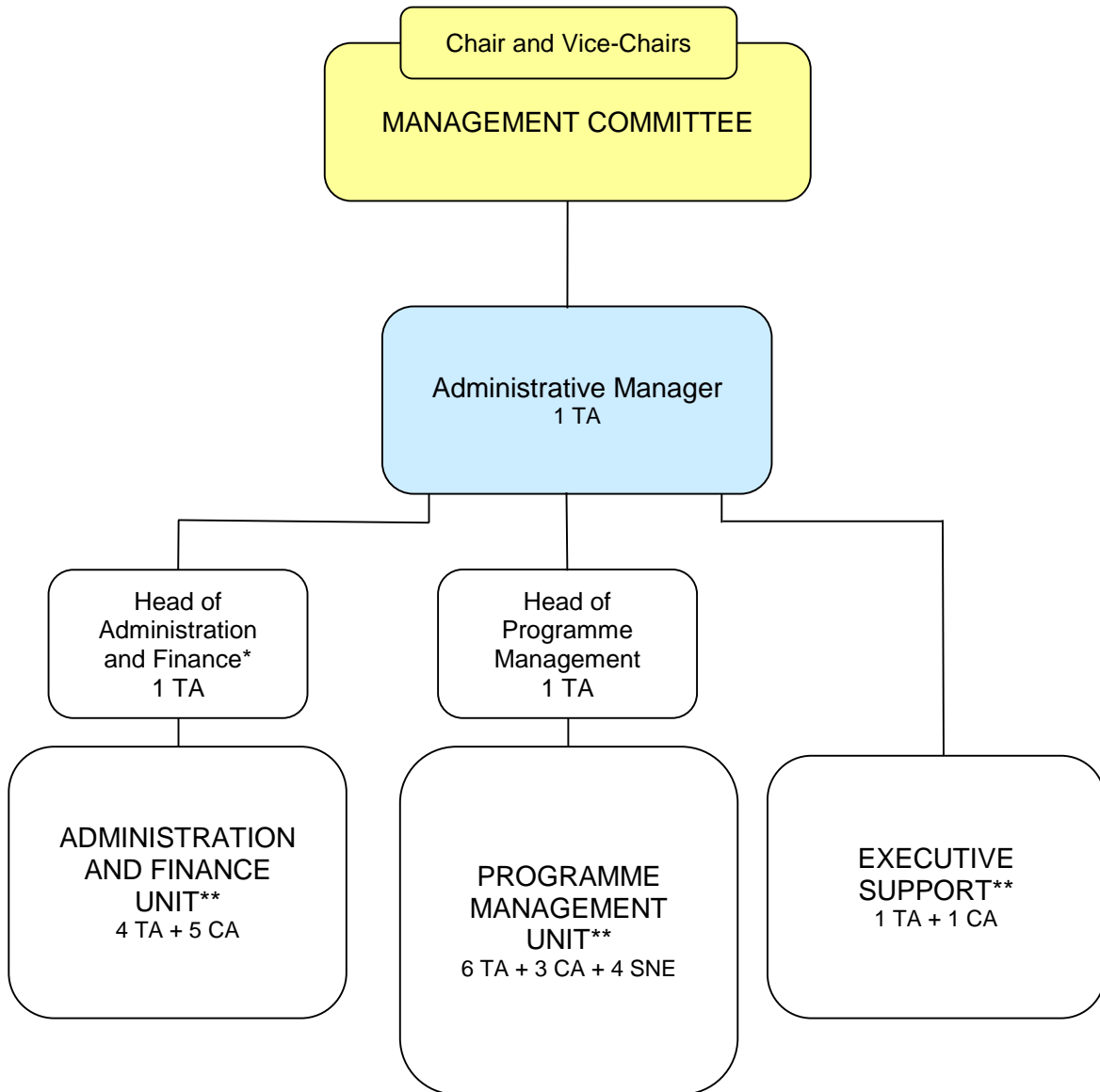
The BEREC Office management will review the implementation of the action plans monthly during the regular management meetings. The action owners will present quarterly written reports on the progress achieved in the implementation of the actions plans.

⁶¹ MC (13) 34, BEREC Office Internal Control Framework and Standards, June 2016, not published

Annex IX: Procurement plan for 2017

No	Ref. to 2017 Work Programme	Budget line	Subject /Scope	Type of procedure	Type of contract	Budget estimated for whole contract duration (EUR)	Budget 2017	Contract duration (years)	Estimated launch date
1.	2.11	A-1500	Languages trainings	NP5	FWC	120 000.00	30 000.00	4	Q2 2017
2.	2.11	A-1600	Wellbeing and integration of staff	OTP	FWC	400 000.00	20 000.00	4	Q3 2017
3.	2.10.	A-2001	Insurance of BEREC Office equipment	NP1	FWC	10000.00	2 000.00	4	Q4 2017
4.	2.5.2.b	B-3101	Provision of consultancy services for the development of a new BEREC website	NP3	Service Contract	60 000.00	0	2	Q4 2017

Annex X: Organisation chart for 2017



* The Accounting Officer function has been externalized

** The distribution of agents through entities may be reviewed