

Consolidated Annual Activity Report of the Agency for Support for BEREC (BEREC Office) Year 2020

In pursuance of FR 2018/1046, FFR No 2019/715¹

¹ Commission Delegated Regulation (EU) 2019/715 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (OJ L 122, 10.5.2019, p. 1).

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Management Board's analysis and assessment

The Management Board of the Agency for Support for BEREC,

Having regard to Regulation (EU) No 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC ('BEREC Office', 'Agency'), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009² ('the BEREC Regulation') and, in particular Article 16(c) and Article 27 thereof;

Having regard to Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code³ ('EECC');

Having regard to Article 48 of Management Board Decision No MB/2019/13 on the financial regulation applicable to the BEREC Office;

Having regard to the BEREC Office Single Programming Document for 2020-2022, containing the BEREC Office Work Programme ('WP') 2020⁴, which was developed to support the achievement of the objectives of the BEREC WP 2020⁵;

Having regard to the 2020 Consolidated Annual Activity Report of the BEREC Office submitted by the Director, as authorising officer, to the Management Board on the performance of his duties;

Whereas,

- (1) 2020 was an extraordinary year for the BEREC Office due to the fact that the Agency needed to complete important milestones in the implementation of the new regulatory framework for electronic communication, while addressing the challenges arising from the world-wide COVID-19 pandemic.
- (2) Irrespectively of the challenges, the BEREC Office management and all staff demonstrated extraordinary resilience and successfully adapted to the impact of the COVID-19 crisis.
- (3) The BEREC Office Director/ Authorising Officer managed to mobilise in an efficient and

² OJ L 321, 17.12.2018, p.01- 35,

³ OJ L 321, 17.12.2018, p. 36-214, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018L1972&qid=1621506784842>

⁴ MB (19) 116, [BEREC Office Single Programming Document 2020-2022](#), 19.12.2019

⁵ BoR (19) 253, [BEREC 2020 Work Programme](#), 05.12.2018

effective manner all available financial and human resources and despite the challenging circumstances, the BEREC Office continued to deliver its services to its main client – BEREC, by undertaking the following actions:

- a) providing high-quality administrative and professional support to the BEREC Board of Regulators (BoR), the BEREC Contact Network (CN) and the BEREC Working Groups (WGs), including the Ad Hoc WGs, in particular by supporting the organisation of:
 - i. four ordinary and one extraordinary BoR meetings;
 - ii. four ordinary and four extraordinary CN meetings;
 - iii. 20 physical and 523 virtual WGs meetings;
- b) providing safe and secure information and communication technology (ICT) tools (hardware and software) ensuring the smooth virtual functioning of the decision-making and the activity of the preparatory bodies of BEREC and enabling BEREC to maintain appropriate communication channels with its stakeholders under the exceptional circumstances mentioned above, by putting into operation of:
 - i. electronic voting tool;
 - ii. additional audio-video conference capacities;
 - iii. new platform for video-recording and streaming services;
 - iv. enhanced systems for business continuity, disaster recovery and IT security;
- c) providing BEREC with valuable input for the preparation of the regular (weekly and later-on – monthly) monitoring reports on the status of internet capacity, regulatory and other measures in light of the COVID-19 crisis;
- d) procuring two studies for BEREC, namely: (1) on consumer behaviour and attitudes towards digital platforms and (2) on sustainability;
- e) contributing to the deployment of the Pan-European telecommunication services and ensuring compliance with BEREC's obligations stemming out from the EECC in the area of general authorisation and numbering by developing and putting into operation of European Union (EU) General Authorisation and Numbering Databases, as required by the provisions of Article 12 (4) and Article 93 of the EECC;
- f) launching the development of a database for the Roaming WG to provide direct access to information about roaming to all stakeholders and to the public;

- g) providing the historic data needed for the calculation of the weighted average cost of capital (WACC) by BEREC - for use by the European Commission (EC);
 - h) increasing the visibility of BEREC's work by implementing the communication activities foreseen for the Agency in the BEREC annual communications plan, including organising two BEREC Stakeholder Forums, a joint webinar between BEREC and the International Institute for Communications and four BEREC public debriefings ;
 - i) supporting the preparation of 44 public and nine internal BEREC deliverables;
 - j) organising nine public consultations for collecting the views of all interest parties on draft BEREC deliverables and preparing summary reports on the outcome of the consultations;
 - k) organising professional training for the national regulatory authority (NRA) experts on the EU regulatory framework for electronic communications;
 - l) improving information technology (IT) support to BEREC, including through the use of specialised information and communications technology and IT security services provided by IT service providers, the EC services (the Directorate-General for Informatics), the EU Computer Emergency Response Team (EU-CERT) and other EU agencies and joint undertakings;
- (4) The BEREC Office successfully completed important milestones envisaged for 2020 in the BEREC Regulation, as follows:
- a) putting into operation of the Information and communication system envisaged in Article 41 of the BEREC Regulation as a platform for the exchange of information, providing BEREC, the EC and the NRAs with the necessary information for the consistent implementation of the EU regulatory framework for electronic communications, a dedicated interface for requests for information and notification of those requests in accordance with Article 40 of the BEREC Regulation for access by BEREC, the BEREC Office, the EC and the NRAs, and a platform for early identification of the need for coordination between NRAs;
 - b) signing a Headquarters Agreement with the host Member State, the Republic of Latvia, in accordance with Article 47 of the BEREC Regulation, which governs the arrangements concerning the accommodation to be provided for the BEREC Office in the Republic of Latvia, the necessary conditions to ensure the smooth and efficient functioning of the BEREC Office and the facilities to be made available by the host Member State to the Agency, its staff and their family members, including multilingual, European-oriented schooling.

- (5) The BEREC Office maintained its stable day-to-day operation and introduced further improvements, irrespectively of the COVID-19 outbreak challenges, as follows:
- a) maintaining high levels of budget execution in terms of commitment appropriations⁶, keeping the cancellation rate of appropriations carried over from 2019 to 2020 below the 5% threshold (3.85 % in 2020);
 - b) recruiting 14 new staff members, including in the areas of the new competences assigned to the BEREC Office within its strengthened mandate and maintaining full staffing;
 - c) improving the IT services and applications offered to, and used by, the staff and continuing the modernisation of the IT infrastructure of the BEREC Office, including by strengthening its business continuity and disaster recovery plan, as a key element for ensuring efficient support to BEREC;
 - d) launching of the use of the EC Mission processing system, MiPS, which ensures better and more coherent paperless management of staff missions and authorised travel;
 - e) continuing the commitment to enable young graduates to gain experience in the work of the European Union in general and in the work of BEREC and the BEREC Office in particular by offering traineeship to five new trainees in 2020;
 - f) offering legal services to staff, comprehensive induction programme and other services oriented to facilitating the establishment and retaining staff;
 - g) continuing the implementation of the new internal control framework in force as of January 2019 and maintaining efficient and effective internal control systems at the BEREC Office.
- (6) The MB expresses its concern that the BEREC Office has not established yet proper capacities in the area of security and business continuity, which is important not only for addressing the new legal requirements imposed on BEREC and the BEREC Office by the BEREC Regulation but is also key for ensuring the business continuity in times of crises. Notes that a call for local security officer was launched at the end of 2020 and urges the BEREC Office to complete the selection as soon as possible and to proceed with establishment of the internal capacity envisaged in the legislation in force as soon as possible.

⁶ Commitment execution rate: 99.07% in 2020, 99.86% in 2019

- (7) The MB is assured of the reliability of the accounts and of the legality and regularity of the transactions undertaken.

Following an analysis of the Consolidated Annual Activity Report (CAAR) 2020 from the Director, the following conclusions have been reached:

1. The BEREC Office managed to cope with its increasing tasks and assignments stemming from the new EU regulatory framework and other legal requirements under the conditions of a world-wide outbreak of the COVID-19 pandemic, which has changed the day-to-day operation of BEREC and the BEREC Office.
2. The BEREC Office demonstrated exceptional mobilisation of all its available resources: financial and human, and maintained its capacity to support BEREC during times of a global crisis.
3. The BEREC Office reacted swiftly on any new request for services coming from BEREC, mainly associated with the new challenging conditions of work during the pandemic, and provided BEREC with high-quality professional and administrative support, including for the preparation of high-quality BEREC deliverables.
4. Irrespectively of the challenges, the internal control systems at the BEREC Office continues to work as intended, which has resulted in closure of all recommendations by the EC Internal Audit Service (IAS).
5. The information contained in the CAAR presents a true and fair view of the 2020 BEREC Office activities and demonstrates further improvements in the BEREC Office's performance in 2020 in achieving its objectives, as defined in the BEREC Regulation and the BEREC Office SPD 2020-2022.
6. The resources assigned to the activities described in the report were used for their intended purpose and in accordance with the principle of sound financial management.
7. The control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.
8. In a year of extreme challenges and unprecedented restrictions, the BEREC Office, under the management of its Director, has met all targets and expectations for its performance, which is recognised as an exceptional achievement.

The Director is invited to:

1. Address the challenges of dealing with the special situation due to COVID-19 pandemic and maintain the high results of 2020 over the next years as far as possible;
2. Establish and maintain proper project management capabilities on the basis of the lessons learned from successes and failures in the past;
3. Work towards improving the working conditions for the staff and the living conditions for the staff and their families, including, where necessary, in cooperation with the host Member State;
4. Work towards long term stability in staffing with reshuffling the available resources, if necessary, implement appropriate measures aimed at attracting and retaining highly qualified staff and maintaining the staff turnover at low levels;
5. Consider in cooperation with the Staff Committee further social welfare measures, recognising that the high level of staff mobilisation cannot be maintained in a sustainable manner in the long run;
6. Maintain efficient and effective internal control systems at the BEREC Office in compliance with the risks at the Agency;
7. Maintain good level of budget planning and management with a view to ensuring compliance with the key performance indicators adopted by the MB;
8. Report regularly on the achievement of key performance indicators by the BEREC Office and progress towards addressing any remaining open issues raised by the ECA in previous years' reports and the discharge authority.

(e-signed)

29 June 2021

For the Management Board

Michel Van Bellinghen
Chairperson

Abbreviations

Abbreviation	Meaning
ABAC	Accrual Based Accounting
AD	Administrator
AST	Assistant
AST/SC	Secretaries and clerks
BAG	BEREC Office Advisory Group
BEREC	Body of European Regulators for Electronic Communications
BEREC Office	Agency for Support for BEREC
BEREC Regulation	Regulation (EU) No 2018/1971 of the European Parliament and of the Council of 11 December 2018, replacing Regulation (EC) No 1211/2009
BoR	Board of Regulators
CA	Contract agent
CERT-EU	EU Computer Emergency Response Team
CN	Contact Network
DPO	Data Protection Officer
ECA	European Court of Auditors
EECC	Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code
EFTA	European Free Trade Association
ENISA	European Union Agency for Network and Information Security
EP	European Parliament
EU	European Union

Abbreviation	Meaning
FG	Function group
FTE	Full-time equivalent
FWC	Framework contract
GADB	General authorisation data base
HR	Human resources
IAS	Internal Audit Service
ICT	information and communications technology
IIC	International Institute for Communications
ISP	Information Sharing Portal
IT	information technology
MB	Management Board
NRA	National regulatory authority
OJ	Official Journal of the European Union
PMO	Office for the Administration and Payment of Individual Entitlements
RBFM	Report on budgetary and financial management
SLA	Service level agreement
SNE	Seconded national expert
SPD	Single programming document
TA	Temporary agent
WACC	Weighted average cost of capital
WG	Working Group
WP	Work Programme

Executive summary

This document provides an overview of the activities carried out by the Agency for Support for BEREC ('BEREC Office', 'Agency') in implementing its Work Programme (WP) for 2020, as part of the Single Programming Document for 2020-2022.

2020 was an extraordinary year for the BEREC Office because the Agency needed to complete important milestones in the implementation of the new regulatory framework for electronic communication, while addressing the challenges arising from the world-wide COVID-19 pandemic. All the BEREC Office staff demonstrated extraordinary resilience and successfully adapted to the impact of the COVID-19 crisis. Despite the challenging circumstances, the BEREC Office continued to deliver its services to its main client – BEREC.

The major achievements of the BEREC Office in 2020 were the following:

- Adapting to the restrictions brought about by COVID-19, BEREC and the BEREC Office resumed their activities and meetings in virtual form as of March 2020.
- The BEREC Office invested additional resources in improving the IT infrastructure for supporting the online BEREC events, which enabled the organisation of more events simultaneously and allowed more experts to take part in the meetings.
- Development and putting into operation of two databases for BEREC and initiating the development of a roaming database;
- The number of events organised virtually increased significantly; for example, in 2020 the BEREC Office organised 543 BEREC Working Group (WG) meetings and nine BEREC WG workshops.
- The virtual events were attended by more than 8 000 experts from the National regulatory Authorities (NRAs), the European Commission (EC) and other interested parties, resulting in a significant increase (+63%) in attendance compared to 2019. Such a high number of participants would never have been reached if the events had been held in a physical format.
- Procuring two studies for BEREC on consumer behaviour and on sustainability, necessary data sets, financial software and other services needed.
- Signing new Headquarters Agreement with the Latvian authorities and others, as listed below.

In 2020, in particular, the BEREC Office provide the following support to BEREC:

Support to BEREC Working Groups (WGs), including workshops and phase II cases

In 2020 the BEREC Office provided professional, administrative and logistical support to the BEREC WGs. The activities included collecting the resource commitments from the NRAs for setting up the WGs and managing the email lists and email exploders related to the WGs.

The BEREC Office has also provided support to WGs in organising meetings and workshops and maintained the information flow among members. Compared to 2019, a large decrease in the number of physical meetings (-82%) and a substantial increase in virtual meetings (+24%) was noted in 2020. In total, 20 physical meetings and 523 virtual meeting were held in 2020. For the physical meetings held in the first quarter of 2020, the BEREC Office reimbursed the travel expenses of 199 meeting participants.

The BEREC Office provided, assisted and coordinated the dissemination of a variety of BEREC information and/or analyses on collected market data specific to the objectives of the WGs.

Under internal market procedures in 2020 the BEREC Office coordinated the work of one WG following a EC serious doubts letter that opened a phase II investigation pursuant to Article 7a of Directive 2002/21/EC, as amended.

Despite the Covid-19 pandemic and the restrictions imposed in 2020, the BEREC Office support to the WGs was not limited in any way. As a result of high staff motivation and the availability of all IT tools necessary for remote work, the support provided by BEREC Office to the WGs was as productive as during the previous years of operation under normal conditions.

High-level meetings and Boards' Secretariat

In 2020 the BEREC Office supported the organisation of four Board of Regulators (BoR) meetings and four ordinary meetings of the BEREC Office Management Board (MB), one BoR extraordinary meeting, eight Contact Network (CN) meetings (four regular meetings and four extraordinary meetings), and three high-level workshops. Due to the outbreak of the COVID-19 pandemic, only the first CN meeting of 2020, the 42nd BoR and MB ordinary meetings were organised as physical events. The rest of the high-level meetings took place via videoconference.

In addition, the BEREC Office supported the organisation of the BEREC Miniboard Study trip to the USA on 19-25 January 2020. The BEREC Office also provided assistance to the high-level representatives who were representing BEREC in 57 other events (conferences, workshops, seminars, international meetings, etc.).

Due to COVID-19 pandemic, most of the planned physical events were cancelled and had to be organised by means of videoconference. As a result, there was no need to cover the travel expenses of the BEREC representatives, who instead of physical meetings participated in 40 virtual events.

The BEREC Office also assisted in the organisation of 16 electronic voting procedures organised by the Chair for the BoR and four electronic voting procedures for the MB. The BEREC Office kept up to date the register of BoR, MB and CN Members and Participants, including their CVs, based on the applicable rules.

BEREC communications activities

In 2020, the BEREC Office implemented the communications activities foreseen for the BEREC Office in the BEREC annual Communications Plan. In 2020, the first phase of the Plan was almost completed and the second phase was started. Within the first phase, 'preparation and production of deliverables', the background document, the draft brochure and the draft presentation on connectivity were produced, as well as a set of 12 visuals on the topic. The BEREC Office continued to run the day-to-day communications activities on BEREC's work and the Chair's external engagements. In addition, significant efforts were made in the organisation of the two BEREC Stakeholder Forums and the joint BEREC/IIC webinar, as well as in the organisation of four BEREC Public debriefings on the outcomes of the BEREC plenary meetings.

ICT support to BEREC

Throughout 2020 the BEREC Office ensured the necessary technical functionality of the existing operational IT systems and platforms in use.

The BEREC Office concluded contracts for the provision of the following services:

1. Deployment of the collaboration platform BERECnet+⁷ (more than 1500 users), the daily management of users, access rights, sites and content management, etc. as well as the daily maintenance of the BEREC corporate website.
2. Development of the General authorisation database (GADB);
3. Finalisation of the development of the Database on the numbering resources with a right of extraterritorial use within the EU/EEA;
4. Development of a database for data sets of the Roaming WG.

Based on the increased number of audio-visual conferences (AVC) for BEREC, a specific contract was signed for the provision of high-quality support to AVC services to the BEREC community.

To improve the corporate ICT recovery process, during 2020 the BEREC Office successfully migrated business-critical operational data and IT systems to a cloud service provider located in the EU, allowing quick and efficient recovery of business critical operational data.

Due to COVID-19, the Agency has taken steps to reinforce its IT services to better meet the increased need for virtual collaboration. In 2020, the following major projects were completed:

⁷ BERECNet+ is considered to meet the requirements of Article 41 of Regulation (EU) 2018/1971.

- development and delivery of new video-streaming and recording platform, with cognitive capabilities (translations and captions for live and recorded digital events);
- purchase of core infrastructure hardware (servers);
- upgrade of the AVC facilities and service at the BEREC Brussels presence.

Information gathering and distribution

In 2020, the BEREC Office continued a contract with a service provider for a subscription to regulatory intelligence services on telecommunications and the digital economy. The BEREC Office received regular updates on major EU-level developments on telecommunications regulation, key regulatory initiatives, EU national market analysis, the telecom single market proposal and other important topics related to BEREC activity areas.

To ensure maximum internal and external transparency and accountability regarding BEREC activities, the BEREC Office continued to provide the online public consultation platform through which five public consultations were held.

By organising training sessions for NRA experts on regulatory issues for electronic communications, the BEREC Office contributed to enhancing the professional knowledge of 40 experts throughout 2020.

In addition, the BEREC Office commissioned a study on consumer behaviour and attitudes towards digital platforms as a means of communication. This study aimed to provide a better understanding of how consumers perceive, use and value digital services and platforms.

Addressing COVID-19 impact

The BEREC Office has provided BEREC with different services and solutions (licences and software, appropriate number of virtual channels, livestreaming and other services) in helping to switch from physical meetings to online solutions due to COVID-19 restrictions. The ongoing work of BEREC was partially disrupted in March and April 2020 when several events had to be postponed with no clear vision as to when the work could be resumed as normal. BEREC and the BEREC Office managed to continue their meetings in a digital format. The BEREC Office invested additional resources in improving the IT infrastructure for supporting the online BEREC events. The increasing dynamic in the work of BEREC, as well as the availability of easy-to-use tools, has resulted in a significant increase in the number of virtual events.

In addition, the extensive use of audio-video solutions for the virtual meetings offered easier access opportunities for all the NRAs to participate in the meetings. Thus the number of experts participating in the virtual meetings in 2020 increased compared to the number of experts participating in the physical meetings in 2019, as a result of time and cost savings for the authorities.

The COVID-19 situation had an impact on the organisation of BEREC's public events. In order

to meet the new public health requirements, the BEREC Office converted the planned BEREC physical events into virtual ones. In some instances, this required cancellation of ongoing procurement procedures and the launch of the new ones. Moreover, particular attention was devoted to finding the most secure, data-protection compliant and user-friendly tools for online events.

In terms of budget execution, following the necessary consultations with BEREC, the BEREC Office was able to adapt to the challenges of the COVID-19 crisis. Some appropriations had to be reallocated to ensure the best use of the available financial resources (increase in ICT expenditure and decrease in meeting and travel-related expenditure, including physical meetings, expert's reimbursements, staff missions).

The COVID-19 pandemic has also affected the HR domain. Staff telework was significantly increased compared to previous years. Physical interviews and written tests for the selection of new staff were initially postponed, before they could be switched to a virtual environment. Consequently, this caused delays in recruitment. To ensure the necessary HR capacity for support to BEREC in the changing and challenging times of the COVID-19 pandemic, the BEREC Office filled the vacant posts with interim workers.

Management

BEREC Office Management Board

In 2020, the BEREC Office Management Board (MB) held four ordinary meetings during which different topics related to the functioning of the BEREC Office were discussed. In addition, the Chairperson organised four electronic voting procedures when it was not possible to postpone the adoption of the decision until the next ordinary meeting due to legal deadlines. All decisions taken by the MB were prepared by the BEREC Office Advisory Group (BAG) and submitted to the BEREC Contact Network (CN) for information.

As a result, in 2020 the MB adopted 11 decisions, one opinion concerning the final accounts of the BEREC Office for 2019, the Consolidated Annual Activity Report for 2019, and the draft Single Programming Document of the Activities of the Agency for Support for BEREC ("BEREC Office") for the period 2021-2023.

Budgetary and financial management

The BEREC Office Budget (revenue and expenditure) increased by 27% between 2019 and 2020, reaching EUR 7 233 652 (2019: EUR 5 701 000). The significant increase in the BEREC Office budget was aimed at enabling the Agency to meet its new assignments related to the implementation of the new EU regulatory framework for electronic communications.

In 2020, EUR 7 166 595.79 of the available financial resources were accepted in commitments (99.07% of the total amount available for commitment appropriations) and EUR 4 422 493.91 were paid (61.14% of the total amount of available payment appropriations).

Compared to previous years, the level of budget execution in commitments could be considered within the usual levels and in any event within the threshold established by the MB for budget execution, namely above 95% of the appropriations available for commitments. In term of payment rates, the level of payment is the lowest in relation to the previous four years. The overall reason for the low payment rate is the need to redesign many projects financed from the BEREC Office budget, including in support of BEREC, in the context of the outbreak of COVID-19. The expenditure under Title 3 was specifically affected by the crisis due to the originally planned high level of payments related to physical BEREC meetings or other events, which needed to be redesigned. Consequently, the level of payment under Title 3 reached was only 18% in 2020. A total of EUR 2 744 122 (38% of total established commitments) were carried over from 2020 for payments still to be processed in 2021 (C8/2021).

Human resources (HR) management

In 2020, the BEREC Office HR management focused on preserving the health of the staff while continuing efforts to retain highly qualified people. This required additional attention from the management and from the entity in charge of HR, which prepared regular instructions to staff and the management in relation to the constantly changing circumstances arising from the COVID-19 outbreak.

To offer better working and living conditions to staff and to facilitate their integration in Latvia, the BEREC Office continued offering a comprehensive integration programme, legal services to staff for private matters regarding their life in Latvia, support for schooling and kindergarten, general and language training courses, among others.

In 2020, the staff turnover decreased to 5.4%, which was significantly lower than the previous years (2019: 10%; 2018: 18%). However, this could also be due to the COVID-19 outbreak and therefore the Agency will continue monitoring this indicator, as 2020 cannot be considered as a representative year. The average length of service of staff at the BEREC Office in 2020 was 2.6 years (2019: 2.68; 2018: 2.64 years; 2017: 2.7 years), which can be explained by the numerous recruitments of staff in 2020.

In 2020, the BEREC Office recruited 14 new staff members (nine contract agents and five seconded national experts) and provided traineeships to five trainees.

Bearing in mind the small size of the Agency, a good geographical balance was achieved, with representatives of 14 Member States⁸ and two Western Balkan countries (as at 31 December 2020). A good gender balance has been maintained within the staff: 42% female and 58% male. Taking into account that the BEREC Office has only three middle management positions, an acceptable gender balance was also achieved in middle management, with one woman and two men.

⁸ A tendency towards an increase in Latvian nationals working at the BEREC Office has been identified.

Assessment of the audit results during the reporting year and follow-up of recommendations and action plans from audits

In 2020, the EC Internal Audit Service (IAS) performed a full risk assessment at the BEREC Office in order to establish its Strategic Internal Audit Plan for the upcoming period 2021-2023. The IAS has not identified any critical risks. Furthermore, at the end of 2020, the IAS closed all its recommendations arising from the audits of the previous years.

A proper follow-up was ensured to the reports of the European Court of Auditors from previous years, in particular to address the comments in the area of procurement.

The independent auditor performing financial audit on the BEREC Office the 2020 annual financial statements issued clean opinions both on the provisional and final accounts.

Assessment of the effectiveness of internal control

As the BEREC Office has no Internal control coordinator, the Agency tasked an independent audit company to perform the assessment of the efficiency and effectiveness of the internal control system based on the Internal Control Framework. The outcome of the assessment demonstrated that the BEREC Office is compliant with its internal control framework. The auditor made some recommendations for improvement, mostly linked to the absence of different types of specialised staff who could further improve the compliance of the Agency's performance with the legal framework.

Management assurance and Declaration of Assurance

In conclusion, the management has reasonable assurance that, overall, suitable controls are in place and that they work as intended; risks are being monitored and mitigated appropriately; improvements and reinforcements are being implemented when needed, taking into account the priorities for the work of the Agency and its limited resources.

The Director, in his capacity as authorising officer, signed the Declaration of Assurance.

Introduction

The Agency for Support for BEREC ('BEREC Office', 'Agency') was established by Regulation (EU) No 2018/1971 of the European Parliament and of the Council of 11 December 2018 (the BEREC Regulation), replacing Regulation (EC) No 1211/2009. The BEREC Office is established as a body of the European Union (EU) with a legal personality.

The BEREC Office comprises:

- the Management Board;
- the Director.

The Director is in charge of the administrative management of the BEREC Office.

The number of staff available to the Agency in 2020 reached 47 persons, split into the following categories: 16 temporary agents (including the Director), 22 contract agents and 9 seconded national experts.

Pursuant to Article 5 of the BEREC Regulation, the BEREC Office has the following tasks:

- to provide professional and administrative support services to BEREC, in particular in fulfilling its regulatory tasks;
- to collect information from national regulatory authorities (NRAs) and to exchange and transmit information in relation to the regulatory tasks assigned to BEREC;
- to produce, on the basis of the information received from NRAs in relation to the regulatory tasks assigned to BEREC, regular draft reports on specific aspects of developments in the European electronic communications market, such as roaming and benchmarking reports, to be submitted to BEREC;
- to disseminate regulatory best practices among NRAs;
- to assist BEREC in establishing and maintaining registries and databases, in establishing and managing an information and communications system and in conducting public consultations;
- to assist in the preparation of the work and provide other administrative and content-related support to ensure the smooth functioning of the Board of Regulators (BoR);
- to assist in setting up working groups, upon the request of the BoR, contribute to the regulatory work and provide administrative support to ensure the smooth functioning of those groups;
- to carry out other tasks assigned to it by this Regulation or by other EU legal acts.

The BEREC Office has its headquarters at Zigfrida Annas Meierovica Bulvaris 14, Riga, Latvia.

BEREC is the Body of European Regulators for Electronic Communications established by Regulation (EU) 2018/1971, which replaced the previous regulation, Regulation (EC)

No 1211/2009. BEREC commenced its activities in January 2010. BEREC is composed of the heads or nominated high-level representatives of the NRAs of the EU Member States.

BEREC's overall task is to assist the European Commission (EC), the other European institutions and the NRAs as a permanent advisory body on the electronic communications sector. To this end, BEREC issues guidelines on several topics, and produces opinions, recommendations, common positions, best practices and methodologies. In addition, BEREC reports on technical matters, and keeps registers, lists and databases.

The role of BEREC has been enhanced by the new BEREC Regulation and by Directive (EU) 2018/1972 establishing the European Electronic Communications Code (EECC), which sets out a significant number of new tasks. BEREC fulfils its tasks also in compliance with the Roaming Regulation (Regulation (EU) No 531/2012) and the Telecoms Single Market Regulation (Regulation (EU) 2015/2120).

More information on BEREC and the BEREC Office can be found on the BEREC website (berec.europa.eu).

The activities of the BEREC Office Work Programme (WP) for 2020 have been split into the following main groups:

Operational activities	Horizontal activities	Administrative support activities
Support to BEREC Working Groups (WGs)	Coordination activities, which includes: <ul style="list-style-type: none"> • General coordination • Communication activities • Legal advice (incl. protection of personal data) 	Human resource (HR) management
BEREC Office activities under market analysis and notifications (Art7/7a - Art.32/33 phase II cases)		ICT, security logistics and document management
High level meetings - Boards' secretariat	Finance and procurement	
BEREC communication activities		
ICT support to BEREC		
Information gathering and distribution		

All of the activities listed above are carried out based on the availability of the following financial and HR resources:

Amount of EU contribution	Establishment plan posts	External personnel
EUR 7,233,652	16	31

Part I: Achievements of the year

1. Support to BEREC Working Groups (WGs), including workshops and phase II cases

The total resources required for the support to BEREC WGs, including assistance in setting up WGs, organisation (either internal or external) and coordination of ad hoc WG meetings under the Article 32/33 procedure, are as follows:

Resource type	Planned resources, as envisaged in the WP 2020	Resources used
Financial resources (EUR)	1,674,312.77	1,460,731.48
Full-time equivalent (FTE) posts	16.30	17.07

1.1 Assist in setting-up the WGs and providing support

During 2020, the BEREC Office collected the resource commitments from the national regulatory authorities (NRAs) for setting up the working groups and managed the email lists and email exploders related to the WGs. There were 10 WGs established by a decision of the BEREC Board of Regulators (BoR) and one ad hoc WG established by the BEREC Chair (Annex I, Table 1).

The BEREC Office has also provided its support to WGs in organising meetings and workshops – both physical and virtual — and maintained the information flow among members. The usual methods of work had to be adapted to take into account the restrictions arising from the COVID-19 pandemic that took effect as of March 2020.

Some of the meetings and workshops had to be postponed with no clear vision as to when the work could be resumed as normal. Adapting to the restrictions brought about by COVID-19, BEREC and the BEREC Office resumed their meetings in a digital format.

The increasing dynamic in the work of BEREC as well as the availability of easy-to-use tools have resulted in a significant increase in the number of virtual events. In 2020, only few physical events took place – 20 meetings. Considering this transition from physical meetings to digital, the BEREC Office made significant savings on travel reimbursements. This change had a significant impact on the corresponding budget lines.

The BEREC Office invested additional resources in improving the IT infrastructure for supporting the online BEREC events, which made possible the organisation of several events to be held simultaneously.

Compared to 2019, a large decrease in the number of physical meetings (-82%) and substantial increase in virtual meetings (+24%) was noted in 2020: 20 physical meetings and 523 virtual meeting in total were held this year. Furthermore, it also provided logistical support to WGs, such as circulation of documents and reimbursement of experts' travel expenses (199

trips were reimbursed).

Figure 1 shows a large decrease in the number of physical meetings (-82%) compared to 2019 organised by the BEREC Office due to the circumstances brought about by the COVID-19 pandemic.

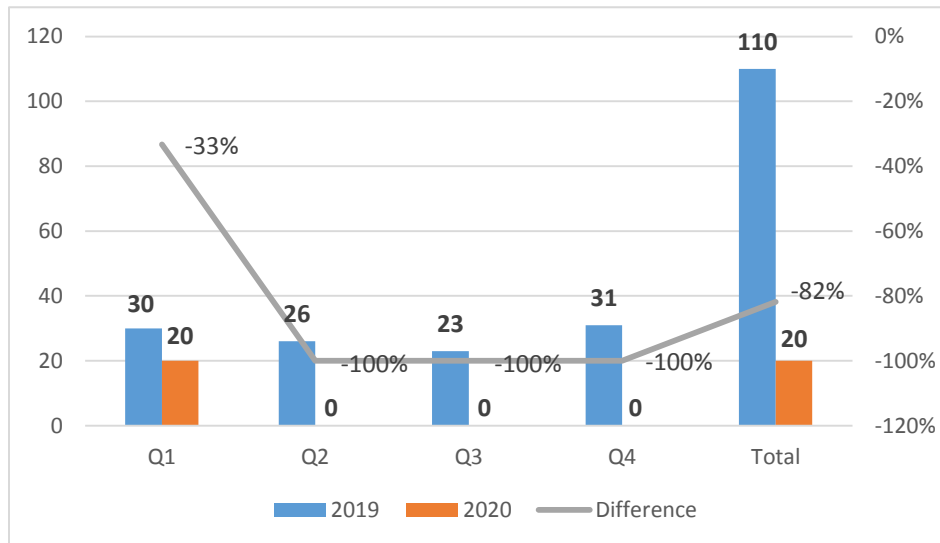


Figure 1: BEREC physical meetings' trend 2019-2020

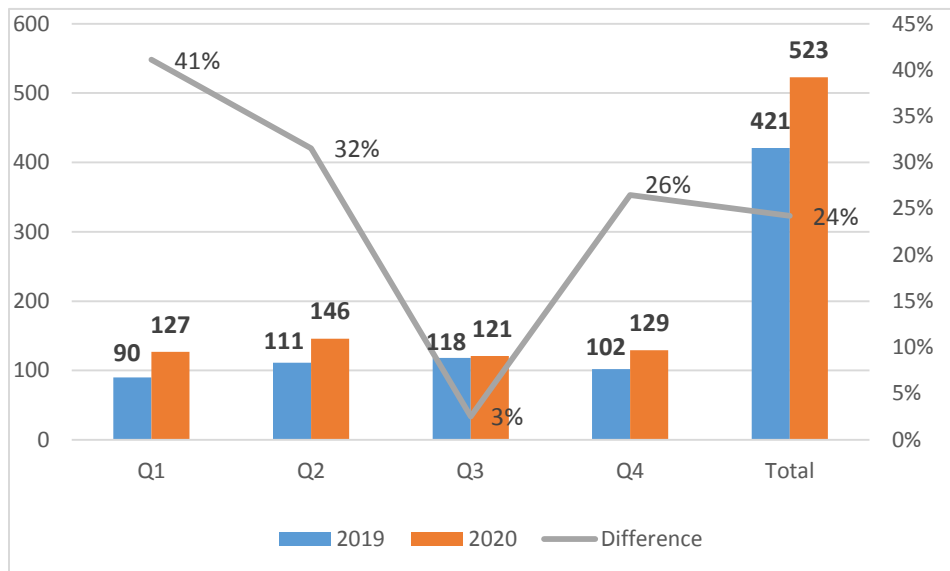


Figure 2: BEREC virtual meetings' trend 2019-2020

Figure 2 shows an increase in virtual meetings (+24%) compared to 2019, which complemented the traditional forms of meetings. The number of virtual meetings held in 2020 increased exponentially (+302%) in relation to 2018 (130 virtual meetings held in 2018). Timely planning and the purchase of audio/video conference (AVC) licences enabled BEREC members to communicate via virtual channels. Such a high demand and usage of virtual channels indicates a growing trend towards digital forms of work. Virtual channels have been consistently used by BEREC representatives in order to ensure seamless continuity in BEREC's operations. Large savings have been made on travel costs and CO₂ emissions have been consequently avoided.

The BEREC Office assisted in launching eight public consultations and provided support for several deliverables approved by the BEREC BoR (Annex I, Table 2).

The BEREC Office prepared and disseminated a variety of BEREC information and/or analyses on collected market data relating to the objectives of the WGs (see more details in Annex I, Table 3).

The BEREC Office produced regular draft reports on specific aspects of developments in the European electronic communications market, such as International Roaming Benchmark reports and reports on Termination rates at European level (see more details in Annex I, Table 8).

Additionally, the BEREC Office assisted the BoR in the preparation of BEREC's annual activity report and the reports on market developments in the electronic communications sector (Annex I, Table 8).

The Report on the Implementation of the Open Internet Regulation is one of the two annually recurring activities for the Open Internet WG. Since 2017, the BEREC Office has supported the Open Internet WG in drafting this report (Annex I, Table 8).

In addition, the BEREC Office has assisted the Open Internet and Regulatory Framework Working Groups in producing and publishing the Summary Reports on the Status of Internet Capacity in Light of the COVID-19 Crisis starting as of 25 March 2020 and continuing throughout the year.

The work of the WGs and the support provided by the BEREC Office during the COVID-19 pandemic and applicable restrictions was as productive as during the previous years of operation under normal circumstances. The following graph presents the number of BEREC deliverables (internal and external) and public consultations provided over the past years.

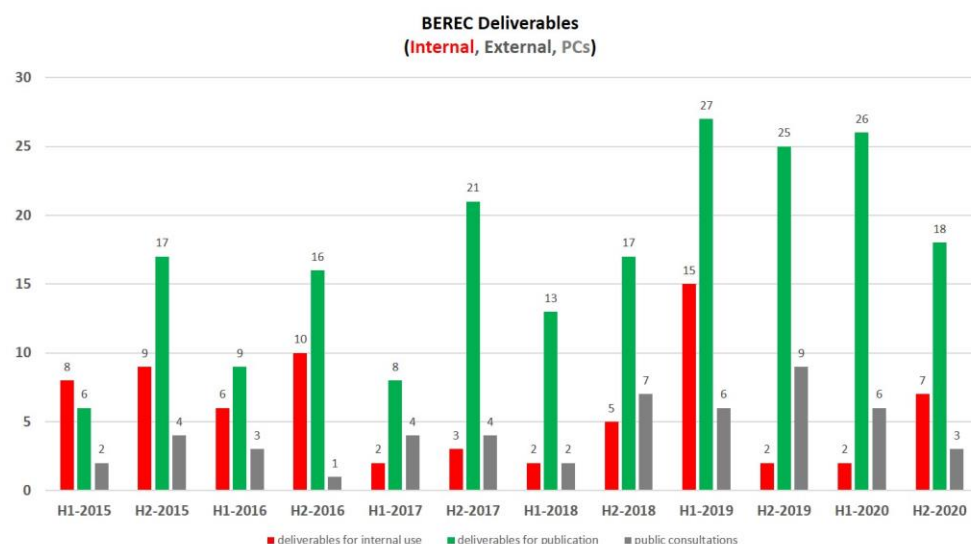


Figure 3 BEREC deliverables 2015-2020

In addition, in 2020 the BEREC Office received and responded to 30 different queries from stakeholders and citizens. These requests were made to explore and find out more about BEREC's operational activities and its Working Groups, such as Net Neutrality (guidelines, measurement tool and assessment methodology), Roaming (regulation, charges and consumption), 4G/5G spectrum and many other topics within BEREC's remit and daily activities. [Figure 4](#) shows a decrease in the number of queries received (-36%) from 2019 to 2020.

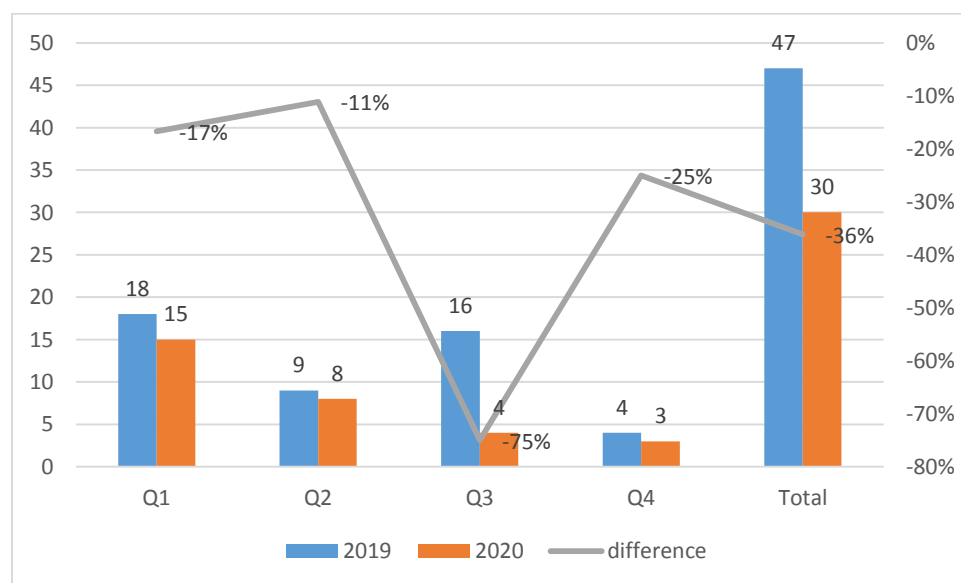


Figure 4: Queries received from stakeholders and citizens - trend 2019-2020

1.2. Workshop support

In 2020, the BEREC Office provided full organisational and logistical support for the external workshops/webinars as requested by the WGs and according to the BEREC Work Programme (WP). Due to COVID-19 restrictions, all workshops were organised through video-conference facilities; full organisational and technical support, including live-streaming, was provided in some of the events.

The following external workshops were organised in 2020:

- i. two [joint BEREC and OECD webinars on Quality of Service and Quality of Experience](#), held on 23 and 30 June 2020;
- ii. BEREC Workshop on the implementation of Article 22 (2, 3 and 4) EECC (Draft BEREC Guidelines on Geographical surveys of network deployments), 9 July 2020;
- iii. [two BEREC Webinars on Sustainability issues \(Sustainability within the digital sector; what is the role of BEREC?\)](#), held on 5 and 6 October 2020;
- iv. [BEREC public virtual workshop on traffic identification](#), held on 12 November 2020;
- v. [BEREC Workshop on Mobile Infrastructure Sharing](#), held on 16 November 2020;
- vi. [BEREC Workshop on harmonised data collection regarding Number Independent Interpersonal Communication Services and Video-streaming Services](#), held on 19 November 2020
- vii. [Joint ENISA - BEREC Workshop on 5G cybersecurity toolbox developments and way\(s\) forward](#), held on 21 December 2020.

The attendance was very high for all the workshops held during the year. This may be explained by the fact that the events were organised remotely, thus allowing a larger audience to follow the events.

1.3. Participation in third party meetings

BEREC WG experts regularly take part in meetings organised by the European Commission (EC) and other international institutions and organisations. Participation in such meetings allowed BEREC experts to exchange views and information between BEREC and stakeholders as well as to fulfil tasks within the WGs set out by BEREC in its annual work programme.

In 2020 the BEREC Office assisted the BEREC WG expert in participation in one meeting with the BEREC stakeholders. The BEREC WG expert took physical part in the European 5G Conference that was held on 29-30 January 2020. Consequently the travel and accommodation costs were covered and processed by the BEREC Office.

1.4. BEREC Office activities under internal market procedures

In 2020, the BEREC Office coordinated the work of one WG following an EC serious doubts

letter that opened a phase II investigation pursuant to Article 7a of Directive 2002/21/EC as amended by Directive 2009/140/EC concerning wholesale local access to fibre networks provided at a fixed location in Sweden (case SE/2019/2216). This case was launched in December 2019, the BEREC opinion was adopted on 10 January 2020 and the EC eventually issued a veto decision on 10 February 2020. By a letter of 6 May 2020, PTS withdrew its notification on the above-mentioned market and PTS decided not to adopt the notified draft measures regarding market 3a for wholesale local access to copper network (case SE/2019/2217) and market 3b for wholesale central access (case SE/2019/2218).

The BEREC Office coordinated BEREC's activities in accordance with Article 7/7a (Article 32/33 of the EECC) procedures. However, in the run-up to the EECC coming into force, there were no further cases in 2020 in which the EC expressed serious doubts that led to the opening of a phase II investigation. Consequently, there have not been any physical meetings of WGs in connection with activities under internal market procedures.

Furthermore, the BEREC Office continued to keep track of market analysis notifications and regularly updated the list of focal points. In 2020 the BEREC Office made 66 records in the database of market analysis notifications to the EC and ESA.

2. High level meetings and Boards' Secretariat

The total resources planned and used for the support to high level meetings by the Boards' Secretariat are, as follows:

Resource type	Planned resources, as envisaged in the WP 2020	Resources used
Financial resources (EUR)	934,005.81	406,453.34
Full-time equivalent (FTE) posts	3.50	4.19

In the reporting period, the BEREC Office supported the organisation of five Board of Regulators (BoR) meetings and four Management Board of the BEREC Office (MB) meetings, eight Contact Network (CN) meetings and three high-level workshops. Due to COVID-19, most of the meetings were held virtually. Initially, only four Plenary meetings, four CN meetings and two high-level workshops were planned for 2020. Due to the introduction of audio-video conferencing systems, which provide more flexibility in the organisation of high-level meetings, the number of events organised by the BEREC Office in 2020 increased to 16. In addition, the BEREC Office supported the organisation of the BEREC Study trip to the USA on 19-25 January 2020 as well as the organisation of 47 other events by the BEREC Chair and 10 further international events (see Annex I, Table 4 and Table 5).

The BEREC Office also provided the secretariat for the BoR and the MB and their respective preparatory bodies, i.e. the BEREC Miniboard and CN, and the BEREC Office Advisory Group (BAG).

In the reporting period, the BEREC Office provided logistical support for all the above-

mentioned meetings, including registration of meeting participants and the timely preparation and dissemination of meeting documents to high quality standards. It also reimbursed travel expenses in connection with 92 business trips, amounting to EUR 92 154.11.

The BEREC Office also provided professional and administrative support services to the Chair/Chairperson for the organisation of BoR and MB electronic voting procedures when the organisation of a meeting for adoption of the decision needed was not possible or practicable and the adoption of the decision could not be postponed until the next ordinary meeting. In total, 16 electronic voting procedures were organised for the BoR and three electronic voting procedures were held for the MB. A detailed list of the documents adopted by the MB, including via electronic voting procedures, can be found in Annex VI.

In 2020, the BEREC Office also supported the extension of the BEREC Memorandum of Understanding with the Telecom Regulatory Authority of India (TRAI)⁹, the Euro Mediterranean Regulators Group (EMERG)¹⁰, and the organisation of the first meeting between the European and African Regulators within the EC initiative Policy and Regulatory Initiative for Digital Africa (PRIDA), which took place on 18 September 2020.

3. ICT support to BEREC

Resource type	Planned resources, as envisaged in the WP 2020	Resources used
Financial resources (EUR)	1,322,943.74	2,194,445.51
Full-time equivalent (FTE) posts	5.35	3.53

3.1 IT licenses and support

In order to provide the necessary technical functionality of the existing operational IT systems and platforms a number of software licenses have been purchased during the reporting period, such as Microsoft licences, licences for ensuring IT security, reliable back-up solution, etc. In addition, specific ICT services has been procured such as an IT expertise for the support services in regard to the collaboration platform BERECnet+ and its user management, as well as ICT support services needed for the corporate website and email communication services. In addition, specific contract has been signed for the provision of high quality support to Video conferencing services which are provided to all BEREC community and parties.

⁹ BoR/2020/03, BEREC BoR Decision to establish a Memorandum of Understanding between BEREC and the Telecom Regulatory Authority of India (TRAI).

¹⁰ BoR/2020/05, BEREC BoR Decision to establish a Memorandum of Understanding between BEREC and the Euro-Mediterranean Regulators Group (EMERG).

During 2020, high-level ICT support services were provided in order to implement stronger ICT security measures for operational systems and data. Throughout 2020, the BEREC Office provided outstanding levels of technical assistance in the implementation of BEREC projects with an ICT dimension (such as the development of new databases and ICT systems, Numbering database, General authorisation database, database for data sets of the Roaming Working Group, as well as the integration and testing of existing ICT systems and solutions. In all ICT activities, highly professional services have been provided, linked to eliciting user requirements, in order to liaise with stakeholders during ICT system development and during the testing and evaluation of new technologies and applications. In addition, several other activities have been launched as a consequence of the COVID-19 pandemic and demand for more virtual means of collaboration. A new streaming and recording system were delivered, and operational systems were successfully migrated into the cloud. Other projects were also launched successfully, such as strengthening the ICT infrastructure, creating an ICT security plan and assessing the security of audio-video conferences (AVC).

In 2020, the BEREC Office completed the migration of business-critical systems from an on-premises to a cloud environment. This included a redesign of the previously implemented high-availability setup, allowing for faster system recoveries while also taking into account the defined corporate recovery time objective (RTO) and recovery point objective (RPO) metrics. Moreover, in 2020 the BEREC Office provided comprehensive technical support for ICT projects over the entire project lifecycle for the ICT needs of BEREC.

3.2. Website (technical)

The development of a new corporate website aims to provide a better and more modern technological solution (back office – content management system), an improved end user experience and website functionality (including multi-lingual requirements) as well as enhanced security features following the latest technological developments and trends. The development of the new corporate website, more specifically its back end, was launched in 2020. The first activity was to complete the functional and architecture analysis of the corporate website solution to better understand the sustainability and risks. This was done with the help of the EUIPO and the final report was submitted in February 2020. The conclusion was that the existing website solution had become outdated both technically and functionally and a move to a more secure and modern platform was suggested. The next step was the evaluation of possible alternative scenarios and new solution analyses using SWOTⁱ. This was successfully completed and a decision was made in August 2020 to migrate the corporate solution to a more modern content management system, based on Drupal technology, by splitting and running the web design part as a separate project. In parallel, three different options for launching the project were analysed, namely a possible cooperation with DG DIGIT or with the EUIPO, or the launch of a dedicated procurement procedure for the delivery of the necessary services. The outcome showed that collaboration with the EUIPO was possible and also most appropriate, taking into account parameters such as delivery time, allocation of resources, price and opportunity for future maintenance and hosting solutions.

The Agency has updated its existing service level agreement with the EUIPO and has successfully launched the implementation in Q4 of 2020, with a scheduled project timeline for delivery by the end of 2021.

3.3. Database on the numbering resources with a right of extraterritorial use within the EU/EEA

In order to facilitate the monitoring of compliance with the requirements set out in Article 93 of Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (EECC) by the national regulatory or other competent authorities, BEREC has to establish a database on the numbering resources with a right of extraterritorial use within the EU. For this purpose, national regulatory or other competent authorities shall transmit the relevant information to BEREC. Where numbering resources with a right of extraterritorial use within the Union are not granted by the national regulatory authority, the competent authority responsible for their granting or management shall consult the national regulatory authority.

According to Article 93(4) of the EECC, BEREC shall establish a central registry database on the numbering resources with a right of extraterritorial use within the Union. For this purpose, the NRAs and/or competent authorities shall transmit the relevant information to BEREC. There are numbering resources that exist in some MS, and there are other MS where these resources do not exist, or their use is forbidden.

The EECC made a step towards harmonisation, but many details remain in the national competence. In this respect, BEREC will be required to constantly monitor the implementation status of each MS in order to be able to establish and keep the database up to date. NRAs should communicate to BEREC an up-to-date list of the competent authorities on numbering issues in each MS.

In 2020, the BEREC Office assisted BEREC in establishing the database. Information regarding the number ranges with a right of extraterritorial use within the European Union or European Economic Area (EU/EEA) is organised in records. The database includes, inter alia, information on country codes, number ranges, and maximum and minimum number lengths. It also provides links to the general rules or relevant requirements of the Member States. Moreover, the database also contains information on the number ranges with a right of extraterritorial use only in the EU/EEA. This information is publicly available on the BEREC website¹¹.

3.4. General authorisation database

¹¹ https://berec.europa.eu/eng/about_berec/tasks/numbering_db_for_extra_territorial_use/

To facilitate the cross-border provision of services within the EU, Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (EECC) provides for the establishment and maintenance of a database of general authorisation notifications by BEREC. The notifications have to be transmitted to BEREC by the competent national authorities in line with the conditions and scope defined in Article 12 (3) and (4) of the EECC.

In December 2019, BEREC adopted Guidelines for the notification template pursuant to Article 12(4) of the EECC¹². These guidelines are meant to ensure the implementation of Article 12(4) of the EECC, thereby contributing to achieving consistent requirements on notifications throughout the EU, to the benefit of the single market.

The establishment of the General authorisation database (GADB) was delegated to the BEREC Office as an important task in the Single Programming Document for 2020-2022.

Consequently, in 2020, the BEREC Office assisted BEREC in preparing the technical requirements for establishing and maintaining this database by organising regular meetings together with the advisory committee. In July 2020, the BEREC Office organised a webinar for the NRAs in order to present the agreed scenario and facilitate the use of the Notifications database.

In the second part of 2020, the database was developed based on the prescribed technical requirements. The database was launched on 14 December 2020 and is accessible via the BEREC website. The NRAs can upload notification records into the database, which serves as a central and publicly accessible information point¹³.

The BEREC Office has also ensured a strong level of security for the system implemented by a third-party provider by means of a premium security vendor and technology, ensuring the protection of data assets and systems.

3.5. BERECnet+

Under Article 41 of Regulation 2018/1971 (BEREC Regulation), and Management Board (MB) Decision MB/2019/19, adopted on 6/12/2019, the BEREC Office shall maintain and manage: (i) an information and communication system needed as a common platform for the exchange of information, providing BEREC, the European Commission (EC) and the national regulatory authorities (NRAs) with the necessary information for the consistent implementation of the EU regulatory framework for electronic communications; (ii) a dedicated interface for requests for information and notification of those requests as referred to in Article 40 of the BEREC

¹² BoR (19) 259, [BEREC Guidelines for the notification template pursuant to Article 12 \(4\) of Directive 2018/1972 of the European Parliament and of the Council](#), 06.12.2019.

¹³ <https://gadb.berec.europa.eu>

Regulation, for access by BEREC, the BEREC Office, the Commission and NRAs; (iii) and a platform for the early identification of coordination needs between NRAs. During the course of 2020, the BERECnet+ ICT system was enhanced by further developing its functionalities, including dedicated modules for the management of users and user permissions, an improved search functionality, the look and feel of the main page, security related improvements, migration of existing data, etc., based on the NRAs' feedback which was gathered already in 2019. In addition, the system was migrated from a public cloud environment to a private cloud infrastructure, a dedicated datacentre, in compliance with the provisions laid down in Regulation 2018/1725 applicable to EU institutions and bodies, as the information system is hosted within the EU. The implementation was completed by mid-September 2020. The on-boarding process took approximately one month and the system went live on 19 October 2020. Furthermore, the new design provides high resilience which contributes to better service reliability and end-user access to the system, which is provided to all customers, the BEREC Office, the NRAs and the EC.

3.6. Unified communication as service

Despite the complications of the COVID-19 pandemic, the BEREC Office has successfully delivered a high-level unified communication service (video conferencing solution, better internet connectivity, additional microphones, displays, cameras with auto tracking functionality, managed guest WiFi, etc.) in Brussels for BEREC WG meeting needs. The new system provides three fully equipped modular AVC meeting rooms, which can be used as one, two or three independent rooms based on configuration according to the needs of the WGs. The entire hardware setup, previously installed in 2015, has been replaced in 2020 with more modern and functional equipment allowing for a better user experience, remote management capabilities and improved AVC service quality as well as internet connectivity through WiFi.

4. Information gathering and distribution

The total resources planned for information gathering and distribution activities are, as follows:

Resource type	Planned resources, as envisaged in the WP 2020	Resources used
Financial resources (EUR)	576,632.44	455,177.16
Full-time equivalent (FTE) posts	2.33	0.66

4.1. Regulatory database

At the beginning of 2020, the BEREC Office concluded a contract with a service provider for a subscription to regulatory intelligence services on telecommunications and the digital economy. The BEREC Office received regular updates on major EU developments related to

telecommunications regulation, key regulatory initiatives, EU national market analyses, proposals concerning the telecom single market and other important topics related to BEREC activity areas that helped the BEREC Office staff in performing their daily tasks in support of BEREC.

4.2. Training for NRAs experts

The BEREC Office organised four training sessions for NRA experts on the regulatory framework for electronic communications and other topics related to BEREC activities during 2020. During the training, BEREC experts were provided with professional insights into aspects and activities covered by BEREC. In 2020, the training programme focused on the newly adopted EECC and other developments and trends within the electronic communications sector.

4.3. Provision of datasets for the calculation of certain parameters underlying the Weighted Average Cost of Capital

In order to acquire historical datasets for the calculation of certain parameters underlying the Weighted Average Cost of Capital (WACC), which are necessary for the work of the BEREC Remedies working group, in 2020 the BEREC Office procured and provided to the BEREC expert the appropriate data sets for the calculation of those and other financial parameters.

The related financial software system was also provided to the BEREC WG experts. This software allows the monitoring and analysis of the real-time financial market data needed for delivering the work of the group as specified in the BEREC Work Programme.

4.4. Study on consumer behaviour and attitudes towards digital platforms as a mean for communication

Recognising the importance of consumer protection as one of the pillars of BEREC's multiannual strategy, BEREC aims to commission and finance an external study in order to examine consumer behaviours and attitudes towards digital platforms as a means of communication. Upon a request of BEREC, in 2020 the BEREC Office procured a study on consumer behaviours and attitudes towards digital platforms as a means of communication. This study aims to provide a better understanding of how consumers perceive, use and value digital services and platforms. The study is expected to bring new insights on the views and behaviours of European consumers in relation to digital platforms, and contribute to the wider discourse and policy debate on digital platforms, since the findings of the study will feed into BEREC's work on digital platforms and other related areas. The project is to be finalised in the first half of 2021.

4.5. Study on the provision of evaluation and impact assessment services on the effect of electronic communications on the environment

At the end of 2020, the Office launched a procurement procedure for a study on the provision of evaluation and impact assessment services regarding the effect of electronic

communications on the environment. The first specific contract was signed in late 2020 for the first part of the framework contract.

The aim of the study is to support to BEREC and its member NRAs in the identification and development of initiatives, within their current competences and fields of expertise, which would allow them to limit the adverse environmental effects of the sector on the environment.

4.6. Public consultation tool

In order to ensure maximum internal and external transparency and accountability in relation to BEREC's activities, the BEREC Office continued to provide online public consultation services. In 2020, the BEREC Office used the online platform to launch five public consultations on the activities of the BEREC work programme.

4.7. Information Sharing Portal

The Information Sharing Portal (ISP) is designed to complement the information available on the NRAs' websites. The ISP provides a one-stop access point to public documents in the field of electronic communications and ensures public access to a comprehensive, regularly updated list of documents. The ISP includes several sections and covers all categories of documents issued by NRAs for public use.

The BEREC Office acts as an administrator of this portal and regularly promotes the links uploaded by the NRAs. Detailed statistics on this portal are available for different sections in Annex I. For instance, statistics are available on the number of uploaded links for each section of the ISP (Table 6), the links uploaded on the ISP by NRAs (Figure 4), the number of visits and page views on the ISP (Figure 5), the most viewed documents on the ISP (Table 7), and the number of visits to the ISP by country (top 25) (Figure 6).

4.8. Language services

In order to ensure high linguistic quality in BEREC's deliverables, following the Service Level Agreement concluded with the Translation Centre for the Bodies of the EU (CdT), the BEREC Office submitted the following BEREC documents for proofreading, namely:

- BEREC draft outline of the Work Programme 2021
- BEREC Strategy 2020-2025
- BEREC Annual Activity Reports 2019
- BEREC Work Programme 2021

4.9. Net Neutrality Measurement Tool

BEREC decided to provide a prototype NN measurement tool, which can be reused by the NRAs in their national system in accordance with Regulation (EU) 2015/2120 and with the relevant BEREC Guidelines.

The prototype measurement tool was developed by a contractor and was made available for the BEREC members to test and to explore in 2020. The contractor provided a training

session for NRAs in June 2020. The BEREC Office concluded a contract to maintain the prototype tool until March 2021, and decided not to maintain the reference system further. The Open Internet Working Group closely followed the progress made on the project and will make use of the experience gained in its future work.

4.10. Advanced gateway for meetings (AGM)

The BEREC Office has concluded a Service Level Agreement (SLA) for the AGM tool in order to automate the meeting registration and expert reimbursement process. The BEREC Office was planning to launch the use of AGM services for BEREC working groups in order to streamline the meeting registration and reimbursement processes for experts.

In April 2020, the BEREC Office communicated all the relevant information about the tool to the Working Groups co-chairs. Due to the COVID-19 pandemic and applicable restrictions on travel, the AGM was not used as planned. As soon as the meeting organisation activities resume, the BEREC Office plans to start using the AGM tool fully.

5. Expert Networking Groups

In accordance with Article 12 of the Rules of Procedure of the BEREC Office Management Board (MB), the MB creates Expert Networking Groups (‘ENGs’). The ENGs should deliver expertise on specific matters requested by the BEREC Office in support of BEREC.

In 2020 the following ENGs were created:

- 1) ENG of ICT experts for a duration of 2 years;
- 2) ENG of communications experts for a duration of 1 year;
- 3) ENG on sustainability for a duration of 2 years.

Where the BEREC Office requires additional expertise on a particular subject, additional ENGs can be created by a decision of the Management Board on an ad hoc basis. Any request for establishing additional ENGs shall describe the purpose of the ENG, the relevant area of expertise of the ENG members, and the duration of its mandate.

5.1. ENG of ICT experts

During Q1 of 2020, following the initial call for resource commitments for the ICT ENG to all NRAs, only a limited number of ICT experts were appointed as members or contact points. In Q2 of 2020, a second call for resource commitments was launched and the ICT ENG reached 16 members from 10 different NRAs, and 28 contact points from 20 different NRAs. The BEREC Office has nominated one of the co-chairs as well as a secretary providing organisational support according to the needs of the ICT ENG. The focus of the work during the remaining part of 2020 was on three main streams: ‘Video conferencing and digital meetings’, ‘Smart Office’ and establishment of ICT contact details (ICT managers, first line

and second line support) across all NRAs for facilitating questions/needs. The latter was also aimed at establishing the ICT contact details of all NRAs, which is useful for addressing urgent topics and/or collaborations among the ICT network of experts.

The ICT ENG had in total 18 virtual meeting collaborations on different topics. In total, two surveys have been prepared for the needs of the three activity streams. Nineteen NRAs have provided feedback (out of 38 entities contacted), which allowed the ICT ENG members to start analysis and work on the creation of two summary reports providing an overview of the technologies used, common solutions in place, areas offering greater possibilities for collaboration and conclusions, including technology-neutral recommendations. The finalisation of the two reports could not take place in 2020 and was moved to the first quarter of 2021.

5.2. ENG of communications experts

In 2020, the BEREC Office provided significant support in establishing the new expert networking group (ENG) of communications experts, in electing the co-chairs, and in appointing the secretary to the ENG. The new Communications ENG was established under the Management Board with the mandate of supporting the implementation of the BEREC External Communications Strategy, its annual plans and delivering the communications outputs. During the year, one physical and 35 virtual meetings were held in support of the ENG.

On top of the overall objective, the Communications ENG supports the promotion of BEREC in the individual Member States. To kick off the BEREC Communications Plan 2020 setting out the communications campaign on the potential of connectivity, the BEREC Office organised a two-day thematic training on the Communications Plan. Throughout the year, the BEREC Office provided high-level support to the Communications ENG. The proper functioning of the ENG was ensured by organising the audio-video conferences, preparing and circulating the ENG documents, and by managing the relevant contracts for the delivery of the required outputs of the ENG. The BEREC Office also acted as a focal point for the production of the deliverables of the communications campaign. The COVID-19 situation had an impact on the planned activities of the ENG. The BEREC Office provided full support to the ENG in order to adjust to the changes and deliver the results and to cover the ad hoc requests from BEREC. With support from the BEREC Office, multiple information materials (news items, press releases, and social media posts) and visuals/animations were prepared on the topics related to BEREC's work on connectivity. The BEREC Office also supported the ENG in drafting the annual Communications Plan 2021, which provides for the continuation and completion of the communications campaign on the potential of connectivity and very high capacity networks. Moreover, the BEREC Office included a provision on training for the communications experts in the new dedicated framework contract.

5.3. ENG on sustainability

As BEREC aims to include sustainability as the key element in its strategy and annual work programmes, an expert networking group (ENG) was established for a period of two years in order to:

- become more aware of the environmental sustainability of the ICT sector and to identify the course of action and steps to be taken to become more sustainable in its operations and through its deliverables;
- define the mid- and long-term sustainability objectives and KPIs to monitor the progress in achieving them.

The co-chairs have set up two work streams for this ENG. The first one, led by one co-chair, focuses on the internal dimension, which include among other items:

Assessment of the current situation, estimation and analysis of the BEREC Office's carbon footprint.

Engagement and active participation in ongoing and future initiatives organised by the EU Agencies Network (EUAN) and other relevant stakeholder organisations and bodies.

Identification of initiatives and projects to be undertaken in order to achieve the sustainability objectives and decrease the carbon footprint of the BEREC Office.

Another work stream led by the second co-chair focused on BEREC measures.

In 2020, the group launched the procurement and concluded a contract for the study on the 'Provision of Evaluation and Impact Assessment Services on the Effect of Electronic Communications on the Environment' and successfully organised two BEREC Sustainability ENG Webinars on 'Sustainability within the digital sector; what is the role of BEREC?' as well as the first BEREC Heads Workshop on Sustainability.

6. BEREC Communications activities

The total resources planned for support to BEREC communications activities are, as follows:

Resource type	Planned resources, as envisaged in the WP 2020	Resources used
Financial resources (EUR)	541,720.81	223,414.77
Full-time equivalent (FTE) posts	3.93	3.55

In 2020, the BEREC Office continued to ensure the day-to-day communications activities of BEREC and supported the implementation of the provisions in the annual part of the Single Programming Document of the Activities of the Agency for Support for BEREC and specifically in the BEREC annual Communications Plan, prepared based on the BEREC External Communications Strategy. The implemented Plan focused on delivering a communications campaign on the potential of connectivity. The day-to-day communications activities on

BEREC's work and the Chair's external engagements complemented the work on the communications campaign. The BEREC Office also invested significant effort in the organisation of BEREC public events: the two BEREC Stakeholder Forums, the joint BEREC/IIC webinar and the organisation of four BEREC Public debriefings on the outcomes of the BEREC plenary meetings.

6.1. Communications campaign on the potential of connectivity

In 2020, the BEREC Office acted as a focal point for the production of the deliverables of the communications campaign, supporting the Communications ENG in implementing the BEREC External Communications Strategy and the annual Communications Plan. The Plan envisaged the provision of the communications campaign on the potential of connectivity. With support from the BEREC Office, the first phase of the communications campaign – production of the campaign's information materials – was almost completed. The implementation of the Communications Plan started with the development of the detailed content calendar, which included the information items to be produced by the BEREC Communications Expert Networking Group (ENG) on the potential of connectivity. It also included a step-by-step action plan on collecting information and the distribution of tasks between the drafters/members of the ENG.

Furthermore, with the support of the BEREC Office, the visual identity of the communications campaign was created. It included multiple branding assets, later used in all elements of the campaign to increase its recognition. Based on the campaign's visual identity, the BEREC Office produced a number of visuals for the BEREC website: a fully designed BEREC brochure on connectivity; an animated presentation kit on BEREC's work on the promotion of full connectivity and the visuals for the information materials on very high capacity networks. The BEREC Office also created a new section on the BEREC website relating to the [BEREC Guidelines](#) requested by the co-legislators.

In the second part of the year, the BEREC Office supported the production of information materials for the promotion of the VHCN and the dedicated Guidelines.

6.2. Organisation of BEREC public events

The BEREC Office provides high-level support in the organisation of the BEREC public events, such as public debriefings on the outcomes of the BEREC plenary meetings, annual BEREC Stakeholder forums, BEREC joint events with other organisations, and dedicated workshops. In 2020, the COVID-19 situation forced the BEREC Office to cancel the planned physical events and organise them online. The BEREC Office ensured a smooth organisation of these activities in a professional and timely manner. The BEREC Office has received high appreciation from the BEREC Chair's office, reflecting the positive feedback it received from the event participants.

6.3. Public debriefings

In 2020, the BEREC Office organised four public debriefings on the outcomes of the BEREC plenary meetings. One event took place in Brussels, Belgium; the other three were organised

online. All the public debriefings were live-streamed on the BEREC website. The BEREC Office ensured that questions from stakeholders to BEREC were received and delivered to the speakers in due time and were answered during the event. This ensured engagement between the BEREC Chair, the BEREC Working Group Co-chairs and the stakeholders. The BEREC Office invested a lot of effort into ensuring the accessibility of the online events, as far as possible. This was done by providing detailed event information to the stakeholders in due time, producing documents with an easy navigation, providing the online event platforms with an adjustable screen and letter size, as well as by providing live captions for livestreaming and recording the events with subtitles.

6.4. Webinar on the BEREC Strategy and the BEREC Work Programme 2021

The COVID-19 situation also entailed some modifications in the organisation of the BEREC Stakeholder Forum. To gather the first inputs for the BEREC Strategy 2021-2025 and the draft BEREC Work Programme 2021, the BEREC Stakeholder Forum was planned for 1 April 2020. Due to the above-mentioned circumstances, the BEREC Office had to cancel the physical event at short notice and organised an [online webinar](#) to present and discuss BEREC's strategic topics. The BEREC Office provided a livestreamed webinar on the BEREC website, where the stakeholders were able to engage with the speakers by asking questions via social media and email.

6.5. Joint BEREC and the International Institute of Communications (IIC) webinar

The BEREC Office provided high-level support in the organisation of the joint BEREC and IIC webinar '[Regulation in Times of Pandemic and Lessons for the Future: A European view](#)', which took place on 12 May 2020. The BEREC Office provided a platform for European regulators and policymakers to discuss their decisions and initiatives in response to the pandemic against the backdrop of consumer protection and universal access to essential information and services. The list of topics for discussion included spectrum management, open internet regimes, novel health management apps, privacy protection and combatting disinformation. The BEREC Office provided the audio-visual conferencing platform and the livestreaming of the event. The event was promoted by means of a dedicated communications campaign that was developed and implemented by the BEREC Office.

6.6. 8th BEREC Stakeholder Forum

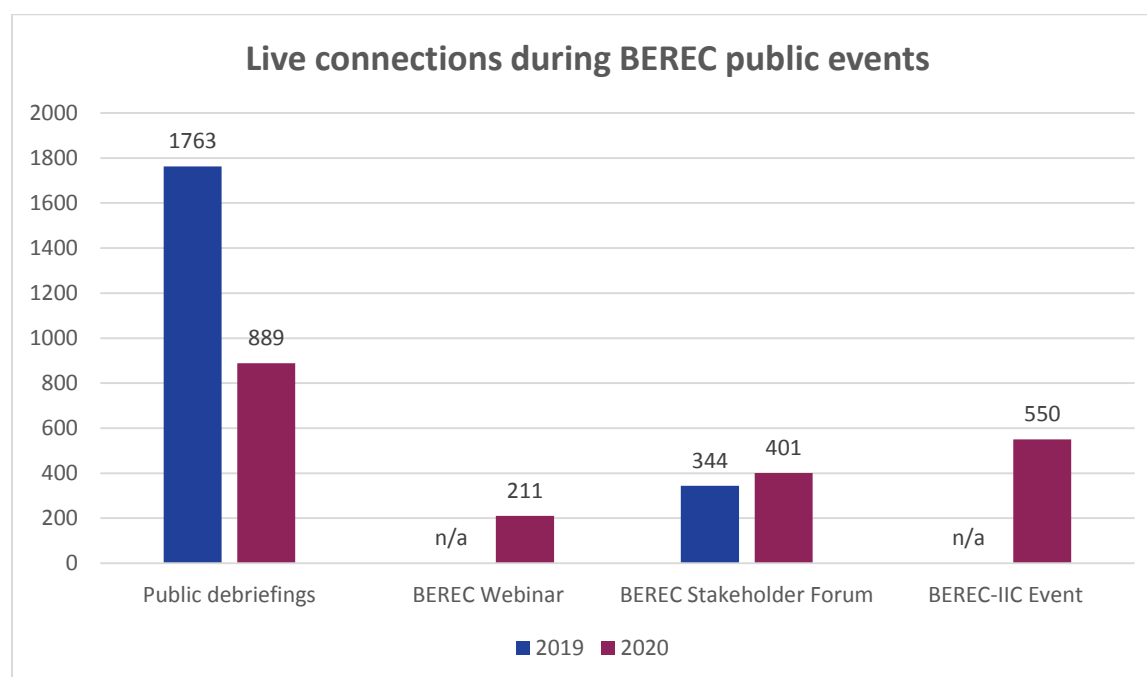
On 17 October 2020, BEREC held its [8th Stakeholder Forum online](#). Among other tasks, the BEREC Office was responsible for creating the visual identity of the event, running the communications campaign to promote the event, gathering stakeholder registrations and ensuring smooth and user-friendly access to the livestreamed event, which was made available on the BEREC website. The accessibility of the event was guaranteed as participants could enable live closed captioning (in English) provided by a professional stenographer, change the screen size both for the presentation and for the active speaker, and ask questions live to the speakers using the Q&A chat box. Transparency and accessibility were also ensured by publishing the recorded video, all the presentations and the

transcript after the event.

6.7. BEREK workshops

The BEREK Office Communications team supported the organisation of the dedicated BEREK workshops throughout the year, produced and launched the corresponding promotional campaigns and ensured engagement between stakeholders and speakers during the workshops.

The chart below 'Live connections during BEREK public events', provides an overview of the number of connections to BEREK public events in 2020 in relation to the preceding year. The COVID-19 situation has affected the number of connections to the BEREK public debriefings – the hybrid format (physical format combined with livestreaming) was changed into an exclusively online format, which may have led to a loss of exclusivity, as well as general online fatigue.

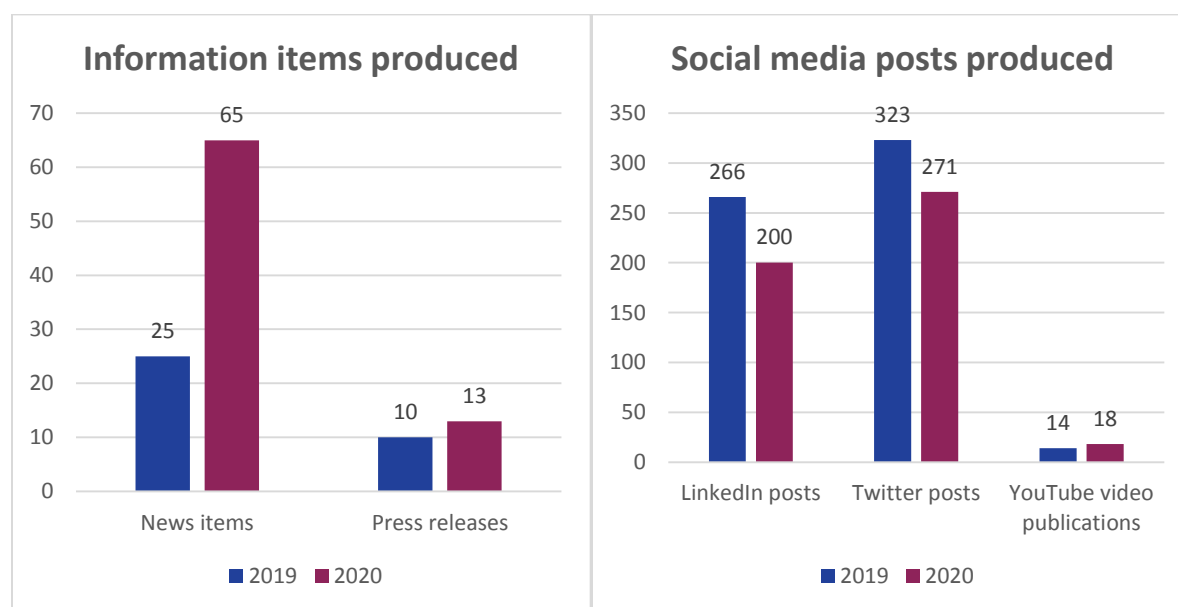


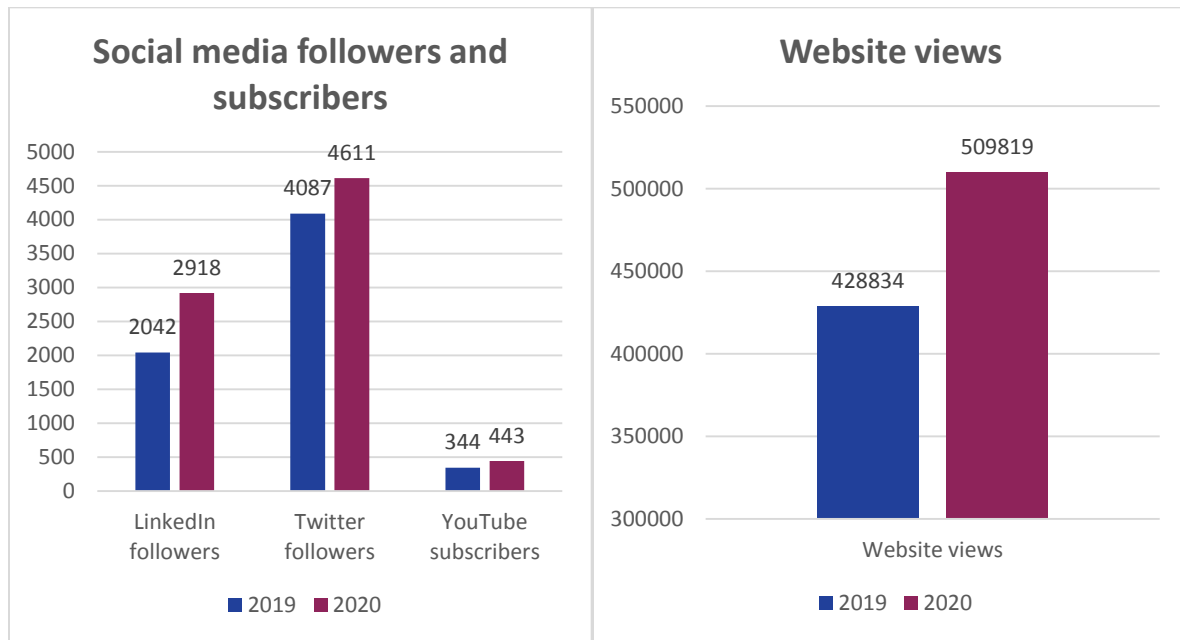
6.8. Day-to-day communications activities

During 2020, the BEREK Office provided support to BEREK in its day-to-day communications activities. This included drafting of news items and press releases on the work of BEREK and the documents adopted, as well as covering the BEREK Chair's external engagements. In addition to producing the information items, the BEREK Office promoted them via its social media accounts on Twitter and LinkedIn and through various newsletters to the subscribed stakeholders and media mailing lists. The BEREK Office regularly updated the information on

the BEREC website and maintained the subscriber mailing lists. Upon request and according to the projects set out in the annual Communications Plan, the BEREC Office actively interacted with stakeholder and media representatives. The BEREC Office also assisted in producing and distributing the BEREC Annual reports, Work Programme and the BEREC Calendar 2021. Moreover, the BEREC Office gathered statistics on livestreams, social media and the website; ensured budgetary, procurement and contract management for the required communications tasks, supported the development of the new BEREC website technical solution and launched the procurement procedure for the new website design and content project. Finally, the BEREC Office drafted and maintained policies in various relevant communications areas, including privacy, multilingualism and cookies.

The charts below provide a general overview on the number of day-to-day communications items developed and provide an insight into the steadily growing number of followers on the official BEREC social media channels and the popularity of the BEREC website.





Part II: Management

1. Management Board

In 2020, the BEREC Office Management Board (MB) held four ordinary meetings, during which it discussed different topics related to the functioning of the BEREC Office. As required by Article 3 of the Rules of Procedure¹⁴, all decisions taken by the MB during its ordinary meetings were reviewed by the BEREC Office Advisory Group (BAG).

In addition, the Chairperson of the MB organised three electronic voting procedures for the adoption of BEREC Office documents in accordance with a preliminary plan complying with the deadlines for their adoption defined in the legislation in force. The full list of electronic voting procedures and information about their outcomes is available in Annex VI, Table 1.

All decisions adopted by the MB during the ordinary meetings and through the electronic voting procedures were examined by the BAG. The BAG's opinions were approved either electronically or during meetings organised by video-conference (four in total – see Annex I, Table 5). The BAG did not organise any physical meetings.

As a result of these events, in 2020 the BEREC Office MB adopted 11 decisions, one opinion concerning the financial accounts of the BEREC Office for 2019, the Consolidated Annual Activity Report for 2019 and the draft Single Programming Document of the Activities of the BEREC Office for the period 2021-2023. The MB also adopted the BEREC Office Anti-Fraud Strategy 2020-2022 and its action plan.

The full list of all public documents adopted in 2020 by the MB is available in Annex VI, Table 2.

2. Major developments

In 2020, the work of the BEREC Office was marked by several legal deadlines related to the work of BEREC and the BEREC Office in implementing the new legal framework for electronic communications of 2018.

In particular, by 21 June 2020 the BEREC Office was required to implement the information and communication system required by Article 41 of the BEREC Regulation (see part I, section 3.5 above).

In relation to the final deadline for the transposition of Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (EECC) (21 December 2020), throughout 2020 the BEREC

¹⁴ MB (19) 95Rev.1 '[Rules of Procedure of the Management Board of the BEREC Office](#)'.

Office was an active contributor in the implementation of the regulatory tasks assigned to BEREC:

- Establishment and maintenance of the General authorisation database (see part I, section 3.4 of this report);
- Establishment and maintenance of the Database on the numbering resources with a right of extraterritorial use within the EU/EEA (see part I, section 3.4 of this report).

Furthermore, the BEREC Regulation provided for the establishment by 21 December 2020 of a Headquarters Agreement between the BEREC Office and the host Member State (MS) concerning the accommodation to be provided for the BEREC Office in the host MS and the facilities to be made available to the Agency and its staff.

To enable the Agency to address its increasing tasks as mentioned above, for 2020 the BEREC Office budget and staff numbers have been increased, including by providing the possibility to collect contributions and use seconded national experts from the participating NRAs from outside the EU.

Against the increasing assignments of the BEREC Office, the Agency needed to find the most appropriate means to address the impact of the global COVID-19 pandemic and BREXIT while ensuring efficient support for BEREC's new tasks in a rapidly changing environment.

It should also be noted that the new regulatory framework introduces new requirements for BEREC and the BEREC Office in the areas of security and multilingualism, which in 2020 were addressed at a minimum level and in accordance with the available limited human and financial resources, as detailed below.

These major developments had the following impact on the Agency's activities in 2020:

2.1. Involvement of third countries in the work of BEREC and the BEREC Office

Pursuant to Article 35(2) of the BEREC Regulation, the work of the BEREC Board of Regulators (BoR), the BEREC Working Groups (WGs) and Management Board (MB) has been opened to participation by regulatory authorities of third countries with primary responsibility in the field of electronic communications.

Based on six European Commission (EC) decisions¹⁵ of 18 March 2019 on the participation of the NRAs from third countries in the work of BEREC and the BEREC Office, appropriate working arrangements were concluded, which among others, provided for financial contributions to the BEREC Office budget and use of staff.

¹⁵ Official Journal of the European Union, C 115, 27 March 2019:
<https://eur-lex.europa.eu/legalcontent/EN/TXT/?uri=OJ:C:2019:115:TOC>

Representatives of those NRAs were allowed to participate in and contribute to the work of BEREC and different projects of interest to them.

Consequently, based on a MB decision the BEREC Office requested EUR 15 541.85 from each of six NRAs¹⁶ to cover costs of their participation in the work of BEREC and the BEREC Office in 2020:

2.2. Signature of new Headquarters Agreement between the BEREC Office and the Government of the Republic of Latvia

In accordance with the provisions of Article 47 of the BEREC Regulation, on 21 December 2020 a new Headquarters Agreement was concluded between the BEREC Office and the Government of the Host Member State (MS) – the Republic of Latvia. It regulates the facilities to be offered to the BEREC Office and its staff by the host MS.

Once in force, the new Headquarters Agreement will replace the current Seat Agreement of 2011. The new Agreement maintains the modalities already agreed in the current Seat Agreement and offers further improvements to the Agency and its staff, as follows:

- establishment of a Liaison Office to facilitate the work of the BEREC Office and the integration of the BEREC Office staff in the local community;
- establishment of an accredited European School by the school year 2022-2023 and contribution from the host MS to the costs of schooling until such a school is fully operational;
- cooperation in terms of joint procurement with the host MS, increased visibility of the Agency, development of joint projects in support of the local community, etc.
- decrease in the administrative burden in certain areas of cooperation, better and more attractive conditions for staff in the host MS, among others.

2.3 Addressing COVID-19 impact, including monitoring tasks for BEREC

In March 2020, the COVID-19 pandemic struck the EU, the BEREC countries and participating NRAs. The restrictions imposed by the public authorities to protect citizens' health have led to significant changes in the operations of BEREC, which is the main client of the BEREC Office. Just like everyone else, BEREC and the BEREC Office had to adjust to this new situation. Therefore, all activities of BEREC and the BEREC Office in 2020 must

¹⁶ Electronic and Postal Communications Authority (Albania), Regulatory Authority of Electronic and Postal Communications (Bosnia and Herzegovina), Communications Regulatory Agency (Kosovo), Agency for Electronic Communications and Postal Services (Montenegro), Agency for Electronic Communications (North Macedonia), Regulatory Agency for Electronic Communications and Postal Services (Serbia).

be viewed against the background of the COVID-19 pandemic.

Even though the BEREC Office had a lot of experience in organising digital meetings and events for BEREC (especially at the level of the BEREC Working Groups), the requirement (in March 2020) to organise all meetings virtually, including those at the decision-making level, constituted a significant operational change for BEREC and the BEREC Office.

Despite this huge shift in working arrangements, the BERECs and the support provided by the BEREC Office in 2020 was carried out in a most professional and effective manner. The BEREC Office IT infrastructure had been prepared for telework, which allowed the staff to switch swiftly from work predominantly from the office to work mainly from home without major challenges. During this period, all critical IT systems remained fully available, but they needed to be reinforced to ensure better support for BEREC's online work.

There is no doubt that the experience gained in 2020 will benefit BEREC and impact its working methods positively. In 2020, BEREC had to adjust its operations as a result of the pandemic and succeeded in proactively engaging with stakeholders through 10 public consultations and external workshops on a range of topics, the launching and organisation of which were supported by the BEREC Office. These practices established new ways of working which will be carried forward and expanded in the future. Combining virtual meetings with physical meetings is likely to become a lasting method of stakeholder engagement.

Furthermore, the pandemic also led to a new monitoring task for BEREC. On 19 March 2020, the European Commission (EC) and BEREC issued a joint statement¹⁷ concerning the increased demand for network connectivity as a consequence of COVID-19. In the statement, the Commission and BEREC set up a special reporting mechanism to ensure regular monitoring of the internet traffic situation in each Member State. The first report was issued on 24 March 2020. From 7 May 2020, as the initial effect of the emergency on the networks stabilised, the twice-weekly BEREC reporting shifted to a weekly release and the scope of the reporting was extended to the regulatory and other measures related to the crisis. Between 1 July and 31 December 2020, the weekly reporting period was changed into a monthly reporting period. On 30 November 2020, an overview¹⁸ was released, which summarised the experiences related to the regulatory and other measures in the European electronic communications market since the breakout of the COVID-19 pandemic.

After the restrictions due to the COVID 19 pandemic entered into force also in Latvia, the Agency ensured at very short notice a smooth migration from on-site to remote work for all staff members, including the provision of a secure remote connection to the corporate ICT

¹⁷ https://berec.europa.eu/eng/document_register/subject_matter/berec/others/9236-joint-statement-from-the-commission-and-the-body-of-european-regulators-for-electronic-communications-berec-on-coping-with-the-increased-demand-for-network-connectivity-due-to-the-covid-19-pandemic

¹⁸ https://berec.europa.eu/eng/document_register/subject_matter/berec/reports/9699-overview-of-the-member-states-experiences-related-to-the-regulatory-and-other-measures-in-light-of-the-covid-19-crisis

infrastructure, including the necessary equipment and software.

Overall, the transition from mainly physical presence in the BEREC office to a remote mode of work was very successful. Items like docking stations, headsets, additional laptops, external cameras and the MS Teams software were provided to all staff very quickly. Additionally, the Agency has invested around EUR 100 000 in strengthening some of the core ICT infrastructure and has purchased additional AVC equipment, such as codecs¹⁹ and software products associated with it. Several projects in the area of ICT were also successfully completed, for example, the migration of all systems and data to a private cloud, allowing for higher reliability and robust operation. In addition, the Agency has introduced a fully managed Back-up-as-a-service service (BaaS).

The COVID-19 outbreak and the related restrictions on social distancing and international travel caused delays in conducting staff selection and recruitment. At the same time, the BEREC Office needed to increase its support to BEREC during the COVID-19 pandemic due to the fact that the EC requested BEREC to undertake additional monitoring of the network capacity during the extensive COVID-19 related teleworking periods and to report any issues. Furthermore, the BEREC Office needed to undertake immediate action to secure the online work of BEREC and its preparatory bodies, which required additional efforts from staff to manage the new projects implemented to address the new challenges arising from the working methods during pandemic. Therefore, the lacking capacity was temporarily compensated with interim workers.

The COVID-19 outbreak meant that the regular 'Open doors days' had to be cancelled and were replaced by a new activity called 'Explore Europe in Riga'. The game, which was launched in September 2020 and continues through 2021, is designed for local residents to discover places related to European countries and EU funding in Riga, Latvia, and it also includes the Agency's Headquarters as a landmark to be discovered. The participants, mainly students and pupils, have to answer quiz questions on EU policies and the EU institutions and their benefit for EU citizens.

2.4. BREXIT

As to the impact of BREXIT on the activities of the BEREC Office, the withdrawal of OFCOM did not have a major impact on the composition and organisation of BEREC in 2020, as OFCOM did not hold any dedicated position in BEREC, such as WG chair.

The operational work of the BEREC Office in support to BEREC was not impacted or changed in terms of number of meetings and average number of participants.

When BREXIT became effective in 2020, the BEREC Office undertook all necessary steps to

¹⁹ A device to compress a video into a more manageable size.

ensure that staff member of the British NRA, OFCOM, would no longer have access to internal documents and meetings. The existing access rights of OFCOM staff members were revoked, all mailing lists and exploders were cleaned. As there were no staff members with sole UK citizenship in the BEREC Office, its staffing situation was not affected. Furthermore, the withdrawal of OFCOM did not have any impact on the composition and organisation of BEREC in 2020, as OFCOM did not hold any dedicated positions in BEREC (Chair or Vice-Chairs of the BoR or WG co-chair).

Neither did the BREXIT affect BEREC's work (number of meetings, average number of participants, etc.) during the programming period. Only the number of reimbursements at full meetings (CNs, Plenaries) was impacted, but due to the impact of COVID-19 and the concomitant reduction in physical meetings, the change was insignificant and within the uncertainty and expected flexibility of the relevant budget line.

2.5 Increase in budget

To be able to address its new task related to the implementation of the new regulatory framework for electronic communications in 2020, the Budgetary Authority increased the EU subsidy for the BEREC Office by 27% compared to 2019 (EUR 5 701 000 in 2019, compared to EUR 7 233 653 in 2020). Irrespective of the challenges arising from the COVID-19 outbreak, the BEREC Office effectively managed the funds through regular monitoring and by reprioritising and executing 5 budgetary transfers during the year (same amount of transfers as in 2019).

This has led to a high level of budget execution in commitments (99.07%), in line with the changing priorities in BEREC's work.

2.6. Reaching the minimum critical mass of staff and competencies

According to the founding Regulation (EU) 2018/1971, which entered into force in December 2018, the BEREC Office has a new enhanced mandate which included new tasks that were implemented by the end of 2020, with the exception of those related to security.

Since 2019, the BEREC Office has operated with 16 temporary agent (TA) posts in the establishment plan, which is below the number of posts that are needed for the functions to be performed by TAs. Since 2020, some of the lacking capacity was covered by external staff (CAs, SNEs) and contracts with economic operators. Despite the lacking capacity (such as internal control coordinator, business continuity coordinator, local security officer, etc.), in 2020 the BEREC Office undertook all reasonable efforts to ensure the delivery of the services within the remit of these functions at a minimum level.

For example, to comply with the new security requirements, the Agency was audited by an EC security expert who provided the management with recommendations, including actions on improving physical security, cooperation with the competent authorities of the host Member

State and the establishment of the mandatory function of the local security officer (TA).

Similar recommendations were made by an independent auditor, who assessed the efficiency and effectiveness of the internal control system as a remedy to the lack of an internal control coordinator.

These considerations have been brought to the attention of the BEREC Office Advisory Group (BAG), which at the end of 2020 initiated a 'Staffing bottom-up exercise' in order to address the overall staffing level and its composition in terms of categories of staff²⁰, to assign the number of posts considered necessary to the mandatory profiles and to ensure proper backup. The BAG also provided advice to the Director on how to set priorities in the Agency's work and to identify possible measures to enable the Agency to cope with limited resources in times of workload peaks or high demands for support from BEREC.

The 'Staffing bottom-up exercise' was also linked to the requirements of Article 31 of the BEREC Regulation, which provides that the BEREC Office shall have the staff required to carry out its duties in accordance with the principle of activity-based management of human resources.

3. Budgetary and financial management 2020

3.1 *Budget execution*

The Budget of the BEREC Office for 2020, as adopted by the MB and approved by the budgetary authority, stood at EUR 7 233 653, consisting of:

Main EU Subsidy for 2020:	7,117,00
Assigned revenues deriving from 2019 surpluses:	23,402
Third country contributions:	93,251
TOTAL:	7,233,653

In 2020, the BEREC Office Director executed 5 budgetary transfers in order to ensure the best use of the financial resources available to the BEREC Office, namely:

- 3 budgetary transfers in Q1-Q3 of 2020

²⁰The main question was whether 16 establishment plan posts (temporary agents) were enough to run the agency, considering the number of mandatory profiles.

- 2 budgetary transfers in Q4 of 2020

The list of transfers and final budget figures are available in Table 2 of Annex II.

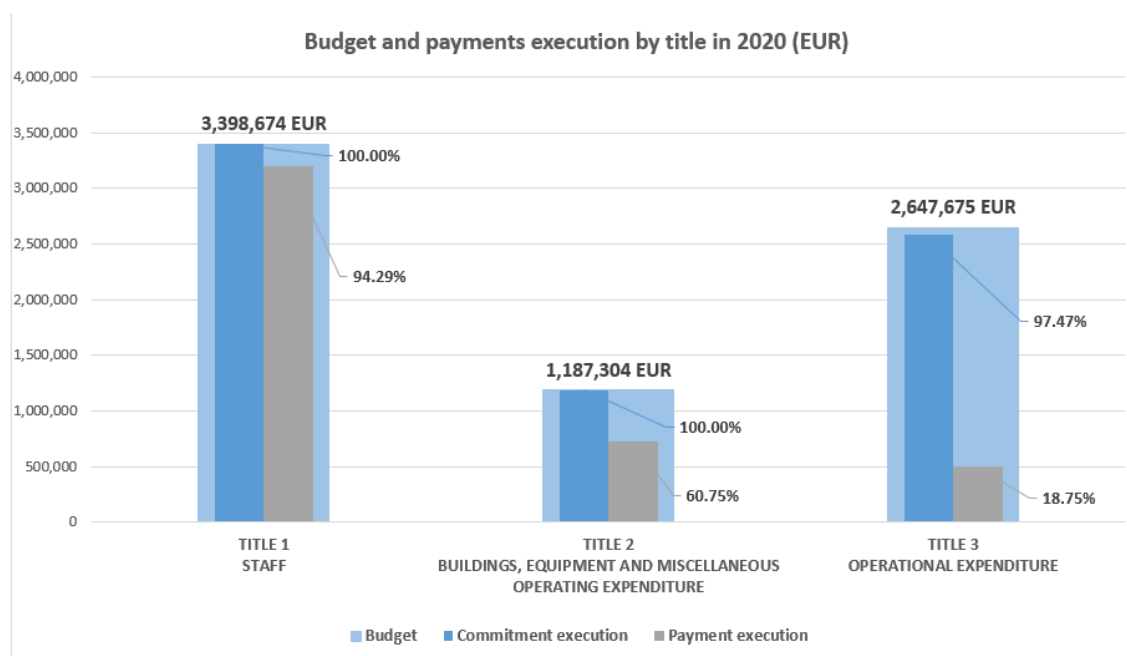
Detailed information on each transfer executed is available on the Agency's Website:

https://berec.europa.eu/eng/document_register/subject_matter/berec_office/budget_of_the_office/annual_budget_of_the_office//

The execution of commitment and payment appropriations by budget titles in 2020 is as follows:

Title	Credit Available	Commitment Accepted	% Committed	Payment Accepted	% Paid
Title 1 – Staff	3,398,673.77	3,398,646.72	100%	3,204,644.77	94%
Title 2 - Buildings, equipment and miscellaneous operating expenditure	1,187,303.82	1,187,265.73	100%	721,344.08	61%
Title 3 - Operational expenditure	2,647,675.15	2,580,683.34	97%	496,505.06	19%
TOTAL:	7,233,652.74	7,166,595.79	99%	4,422,493.91	61%

Budgetary commitments are entered in the accounts on the basis of the legal commitments entered into up to 31 December 2020 and payments on the basis of the payments made by the Accounting Officer by 31 December 2020, at the latest. The outstanding commitments at the end of the year are automatically carried over to 2021.

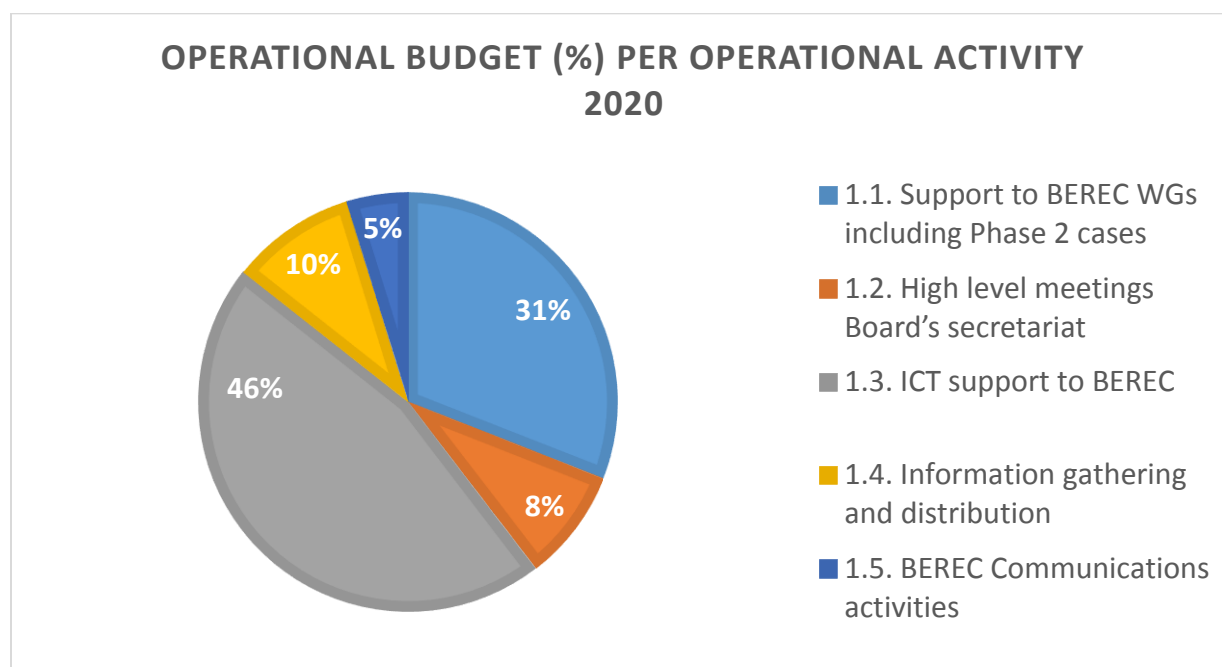


The BEREK Office has also reported good figures in relation to the cancellation of the amounts to be carried forward (C8/2019 credits), with a cancellation rate of **3.85%**, as follows:

	Payment appropriations	Payments made	Cancellation Payment appropriations (EUR)	Cancellation %
Title 1 C8	189,430.12	182,368.17	7,061.95	3.73%
Title 2 C8	184,413.68	171,613.60	12,800.08	6.94%
Title 3 C8	648,832.27	629,312.38	19,519.89	3.01%
Total	1,022,676.07	983,294.15	39,381.92	3.85%

Operational expenditure

Financial resources of EUR 4 955 000 in Title 3 were used to fund the following operational activities:



For a detailed breakdown of human and financial resources by operational activity, see Annex V.

Detailed information on the budget execution is provided in the BEREC Office Report on budgetary and financial management (RBFM) 2020, available on the BEREC Website: https://berec.europa.eu/eng/document_register/subject_matter/berec_office/budget_of_the_office/reports_on_the_budgetary_and_financial_management/9895-berec-office-report-on-the-implementation-of-the-budget-and-on-budgetary-and-financial-management-2020

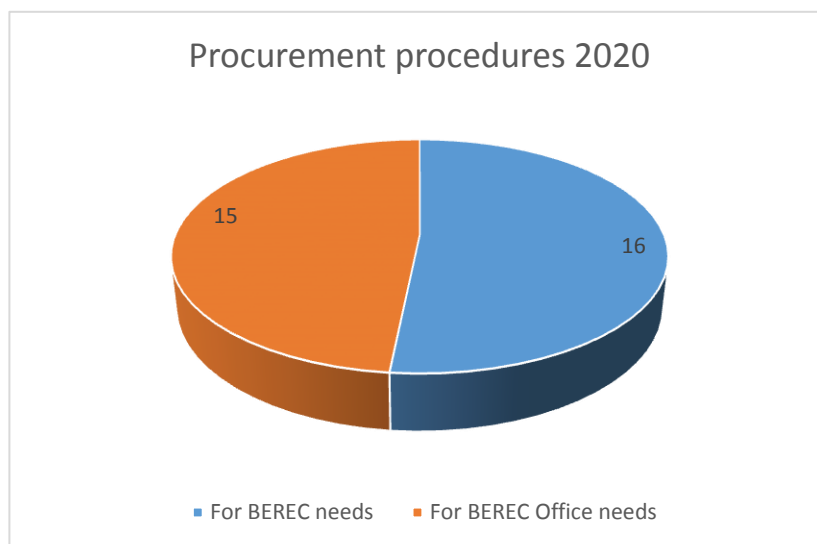
The report provides detailed information on:

- the general context and legal framework
- the implementation of the budget in 2020
- the analysis of the financial management

3.2 *Public procurement*

To provide BEREC with all means necessary for the implementation of the BEREC work programme (WP) and to ensure the proper functioning of the BEREC Office, in 2020 the Agency launched 31 procurement procedures, broken down into the following types:

- very low-value negotiated procurement procedures for contracts not exceeding EUR 15 000.00 - eight;
- Middle-value negotiated procedures for contracts not exceeding the threshold established in the Directive - three;
- negotiated procedures without prior publication of a contract notice - one;
- open tender procedures for contracts equal to or above EUR 144 000.00 - six;
- Reopening of competition - 13.

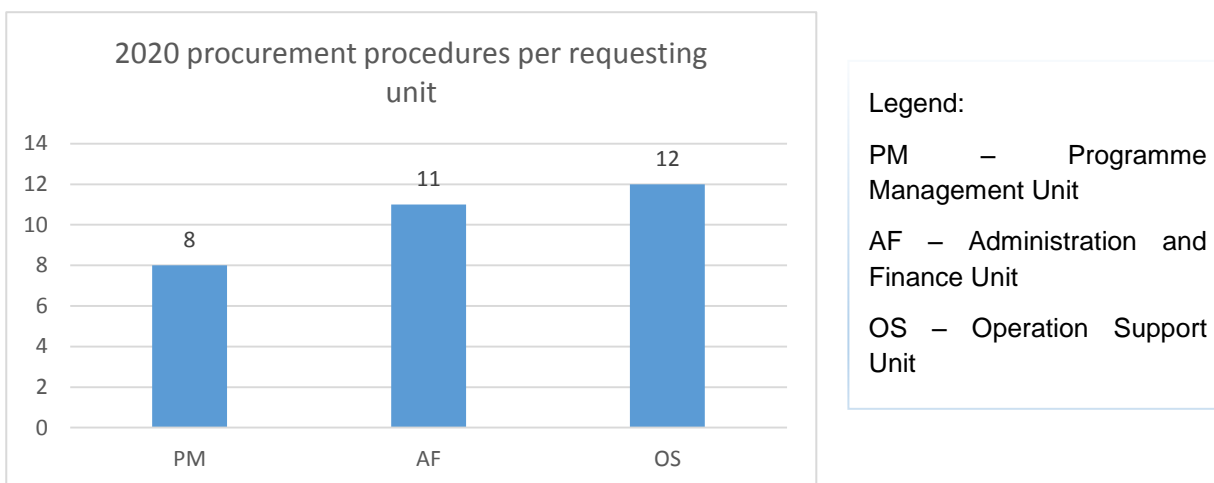


Out of these 31 procurement procedures, 23 resulted in the signature of a contract; two procedures were not finalised by the end of 2020, three procedures ended with a decision not to award the contract, and two resulted in the cancellation of the procedure.

In addition, the BEREC Office was not in a position to launch one procurement procedure

planned for 2020 due to planning changes.

The public procurement procedures of the BEREK Office were initiated by its units in compliance with their responsibilities and the BEREK Office Procurement Plan and were managed in a central manner by the procurement officer and one financial assistant from the Administration and Finance Unit.



To reduce the administrative burden on staff, in 2020 the BEREK Office continued to use interinstitutional FWCs and FWCs established by the BEREK Office.

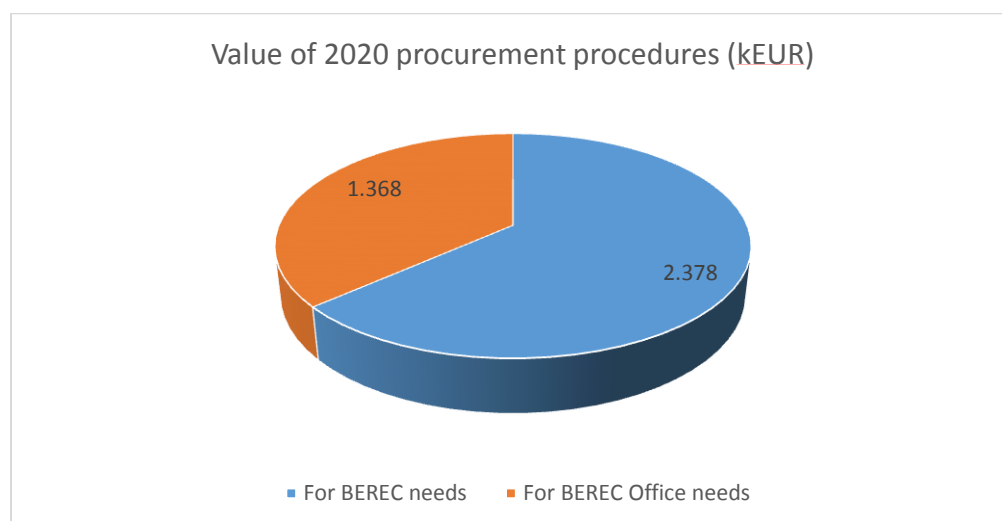
In 2020, the BEREK Office was invited to join 18 interinstitutional procurement procedures and expressed a wish to join 16, which resulted in the conclusion of 5 FWCs. The Agency established 8 FWCs itself.

In 2020, the BEREK Office signed 126 specific contracts under the FWCs in force and 6 direct service/supply contracts.

During the reporting period, the BEREK Office concluded one contract following negotiated procedures in accordance with points (a) to (f) of point 11.1 and point 39 of Annex I of the Financial Regulation.

Procurement procedures are sequentially numbered to ensure control over them, including completeness of the list for review purposes. To ensure the control objectives set out in Article 30.2 FFR, each procurement undergoes at least the 4-eye principle, most of them the 6-eye principle.

In terms of volumes, the procurement procedures in support of BEREK needs significantly exceeded those for the administrative needs of the Agency.



Last but not least, to help economic operators submit their tenders in response to an invitation to tender issued by the BEREK Office, in July 2020, the agency published a [Guidebook for economic operators participating in procurement procedures of the BEREK Office](#)²¹. To present the Guidebook, as well as the BEREK Office procurement rules, on 11 November 2020 an online seminar was held by the BEREK Office on [the benefits of EU public procurement for the Latvian economy and business](#). The seminar was organised in collaboration with Latvian public authorities, namely the Ministry of the Economy, the Ministry of Transport, the Latvian public procurement portal, and with the support of the European Commission. It was attended by 55 participants. The seminar was video-recorded and has been made available on the Agency's website – for use by any prospective tenderers.

4. Delegation and sub-delegation

In accordance with the Financial Regulation of the European Union (EU) and the BEREK Office Management Board (MB) Decision No MB/2019/13, and in particular Articles 41 and 46 thereof, the Authorising Officer of the BEREK Office, delegates, on an yearly basis, the powers of budget implementation to the Authorising Officers by sub-delegation. The Delegation of Powers is exercised in accordance with the Charter for Authorising Officers by Delegation, containing a series of tasks and responsibilities for the Authorising officers by delegation, which are carried out on the basis of both paper documents signed manually and

²¹ Document Ares(2020)3821074 – 20/07/2020, https://berec.europa.eu/eng/document_register/subject_matter/berec_office/public_procurement_procedures/9379-guidebook-for-economic-operators-participating-in-procurement-procedures-of-the-agency-for-support-for-berec-berec-office

computerised management systems signed electronically. These delegations apply to a series of predefined transactions having the articles and items listed in an annexed page and providing specific limits for each transaction.

For the financial year 2020, the BEREC Office Authorising Officer has partly delegated his budget implementation powers to the three Heads of Units. The corresponding budget lines reflecting the nature of each unit's activities were respectively assigned for authorisation to the Authorising Officers by sub-delegation. The correct implementation of these delegations is to be checked also on a yearly basis, during the periodic validation of user access rights granted in ABAC. The process consists in cross-checking that access rights granted in ABAC are in line with the delegations and responsibilities entrusted, and it is performed by a neutral verifier as per requirements. The results of these verifications are disclosed to the Authorising Officers (by delegation) and to the entity in charge of these controls within DG BUDG.

5. Human resources management

5.1. Highlights

In 2020, the BEREC Office HR management focused on preserving the health of the staff while continuing efforts to retain highly qualified people. This required additional attention from the management and from the entity in charge of HR, which prepared regular instructions to staff and the management in relation to the constantly changing circumstances arising from the COVID-19 outbreak.

To offer better working and living conditions to staff and to facilitate their integration in Latvia, the BEREC Office continued offering a comprehensive integration programme, legal services to staff for private matters regarding their life in Latvia, support for schooling and kindergarten, general and language training courses, among others.

In 2020, the staff turnover decreased to 5.4%, which was significantly lower than the previous years (2019: 10%; 2018: 18%). This could mainly be explained by the COVID-19 outbreak and its negative impacts on many businesses, which limited job opportunities on the market. Therefore, the Agency will continue monitoring this indicator, as 2020 cannot be considered as a representative year.

In 2020 the BEREC Office recruited in 14 new staff members (nine contract agents and five seconded national experts) and provided traineeships to five trainees.

Bearing in mind the small size of the Agency, a good geographical balance was achieved, with representatives of 14 Member States²² and 2 Western Balkan countries (on 31 December

²² A tendency towards an increase in Latvian nationals working at the BEREC Office has been identified.

2020).

In 2020 the Agency still lacked the capacity for implementing the security requirements of the new BEREC Regulation, as well as the provision related to internal controls, business continuity and others due to the fact that the BEREC Office has never been equipped with all mandatory functions needed at a regulatory agency (see annex to the SPD 2020-2022). This subject is further addressed in other parts of this report.

5.2. *Changes in establishment plan and number of posts*

To address the requirements arising from Regulation (EU) 2018/1971 (the BEREC Regulation), the Agency requested that the number of establishment plan posts for 2020 be increased from 16 to 28. However, the Budgetary Authority, based on the European Commission (EC) opinion, decided to maintain the baseline scenario to keep the number of establishment plan posts for 2020 at the level of 2019, namely 16 temporary agents (including the Director).

In the absence of the requested increase of establishment posts, and in order to be able to address the additional tasks and the constant increase in the workload associated with the implementation of the new BEREC Regulation and Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (EECC), the Management Board (MB) decided as of 2020 to establish three additional posts for seconded national experts (SNEs) and four additional posts for contract agents (CAs), bringing the total number of SNEs at the BEREC Office to nine, and the total number of CAs to 22.

To address the lacking capacity and in the light of the significantly reduced number of payments to experts for participation in physical meeting, one Financial Assistant post (FGIII) was converted into a Facility Assistant post to enable the BEREC Office to address the challenges related to the management of the premises in the short and medium term. The need to maintain the post of Facility Assistant will be reviewed two years after its establishment in the light of the possibility of going back to 'normal' in the coming years (e.g. resuming physical meetings and significant increase in the number of expert reimbursements to be processed by the Finance and Procurement Team).

Furthermore, in the light of the outcome of the security audit and the recommendations from the independent assessment on the efficiency and effectiveness of the internal control system, one vacant TA (AD5) post was 'earmarked' for the position of Local Security Officer and a call for applications was launched at the end of 2020.

5.3. *Recruitment and selection*

One of the main priorities in HR management for 2020 was the recruitment of new staff to fill the vacant posts dedicated to the fulfilment of the Agency's new mandate. Due to the COVID-19 pandemic, the selection procedures were subject to delays of several months, mainly due to the fact that, on 16 March 2020, all meetings, visits, interviews with candidates,

etc. involving the presence of external people were suspended until further notice, in line with the staff guidance issued by the Director. This decision to suspend all physical interviews and written tests was taken in order to protect the health and safety of candidates, many of whom were invited to travel to Riga from abroad, as well as of the BEREC Office staff. In order to guarantee equal treatment of all the invited candidates, it was decided to suspend interviews and written tests for candidates that were in Latvia as well. Since the BEREC Office has no previous experience of organising interviews and written tests fully remotely, the entity in charge of HR, in cooperation with the BEREC Office ICT officer, thoroughly investigated the different options for conducting interviews and written tests fully remotely in a way that guarantees equal treatment of all candidates and minimises the risk of fraud, in particular with regard to the written tests. As a result, remote written tests and interviews for selections which later on resulted in the recruitment of multiple staff members were postponed from March-May 2020 to Q3/Q4-2020, which allowed the new staff to start their assignments only in Q4-2020 / Q2-2021. The subsequent delay in the recruitment of new staff was mitigated by concluding several new contracts for the provision of interim workers' services to the BEREC Office.

In spite of the difficulties caused by the COVID-19 pandemic, the BEREC Office succeeded in filling four vacant posts in the operational Units from existing reserve lists. Two selection procedures that were launched at the end of 2019 resulted in the establishment of reserve lists, and the recruitment of three ICT Assistants (CA FGIII) and three assistants (CA FGII). Following the conclusion of an internal selection procedure, which was also launched at the end of 2019, the successful candidate for the middle management post of Head of Operation Support Unit took up duties as of April 2020. In addition, in 2020 the BEREC Office launched three external selection procedures (two for TAs and one for SNEs), two of which were completed in 2020, and one of which was carried over to 2021. To compensate the lacking HR capacity, one Financial Assistant post was converted into a Facilities Assistant post (CA FGIII) and the new post was filled by recruiting a candidate from another EU Agency's reserve list.

One selection procedure was launched and specifically aimed at experts from the NRAs in line with the provisions of the EC decisions²³ of 18 March 2019 on the participation of the NRAs from the Western Balkan countries in the work of BEREC and the BEREC Office, which resulted in the secondment of three experts from those NRAs. Another selection procedure was launched for a Team Leader in Communications (TA AD6), resulting in the establishment of a reserve list for this profile. Finally, at the end of the year, a call for expression of interest was launched for a Local Security Officer (TA AD5), with a target recruitment date in 2021.

In addition, the entity in charge of HR ran three selection procedures for trainees. In 2020, five

²³ Six EC Decisions on the participation of the Western Balkan Countries in the work of BEREC/BEREC Office were published in the Official Journal of the European Union, C 115, 27 March 2019 https://eur-lex.europa.eu/legalcontent/EN/TXT/?uri=OJ:C:2019:115:TOC:all_decisions_envisage_that_the_BEREC_Office_may_make_use_of_staff_from_those_countries_including_seconded_national_experts_and_other_staff_not_employed_by_the_BEREC_Office_pursuant_to_a_decision_to_be_issued_by_the_MB.

trainees started the traineeship programme at the BEREC Office: three trainees joined the BEREC Office following selection procedures concluded in 2020, and two were recruited from existing shortlists.

As a general strategy, the BEREC Office continued to maintain and expand the list of reserve lists, which has proved to be a successful formula for 'fast-track' recruitment of staff for posts that become vacant.

5.4. Talent Management

The 2020 annual appraisal exercise was launched in January 2020; the 2020 reclassification exercise was launched in August 2020. Both exercises were successfully finalised.

Since the introduction of the European Commission's new Learning and Development strategy at the BEREC Office in 2018, the principles of the new strategy, focusing on efficient on-the-job learning and knowledge-sharing in addition to classroom training, were successfully applied at the BEREC Office. However, the pandemic in 2020 forced the classroom training to move to a digital environment and increased use of online learning tools became the 'new normal'. Participation in online training courses is promoted through the online training tool EU Learn. In 2020, the BEREC Office staff members benefited from training sessions on 96 subjects, including 28 in-house training sessions. Training was provided to staff members to deepen their knowledge in areas such as project management, procurement, finance and budgets, data protection and ethical values. The BEREC Office continued to offer language classes to staff led by contractor with which a FWC was concluded. These classes, as all other courses in 2020, took place online.

5.5. Staff retention and working conditions

The average length of service of staff at the BEREC Office in 2020 (incl. TAs, CAs, SNEs) was 2.60 years, which represents a slight decrease compared to previous years (2019: 2.68; 2018: 2.64 years).

The average duration of contracts by category of staff is as follows:

Year	2018	2019	2020
Category of staff			
Temporary agents category (TAs) 2(f) ²⁴	3,39 years	3,60 years	3,93 years
Contract agents (CAs)	2,24 years	2,14 years	1,91 years

CAs + TAs 2(f) (excluding SNEs and TA 2(a))	2,92 years	2,93 years	2,86 years
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The reasons for the short average length of service at the BEREC Office are largely of external origin, such as the low correction coefficient for Latvia (decreased from 78.6% to 77.5% as of 1 July 2020), dissatisfaction of staff with certain aspects of the living conditions in Latvia, the low entry levels and unsuitable categories of staff, and the limitations of the current physical working space. The average duration of CA contracts in 2020 is lower compared to previous years due to the fact that eight new CAs were recruited in 2020 following the establishment of the new posts.

Following the above, efforts to retain and further develop highly specialised staff continued through different measures. The BEREC Office cares for its staff by seeking to provide a functional, comfortable and environmentally friendly working space, taking into account the limitations of its current premises.

A medical service covering a wide range of situations is provided to the staff through an SLA with the European Commission's Medical Service.

Following the adoption of the BEREC Office MC Decision on the implementation of measures of a social nature at the BEREC Office, the following activities have been implemented in 2020:

- A framework service contract for legal assistance for the staff provided by a legal firm in Riga was continued to offer the BEREC Office staff the benefit of legal advice and support in relation to their establishment in Latvia. Additionally, under this framework service contract, the BEREC Office ordered electronic brochures covering the legal provisions and some practical information on various topics of interest to the BEREC Office staff.
- The framework contract concluded in 2018 for the provision of welfare services for staff members has been implemented and used throughout 2020.
- The Agency for a second time launched a call for expression of interest for structural telework by the staff. From 1 July 2020, 12 staff members, amounting to 28% of the Agency's staff, made use of structural teleworking arrangements (compared to 15% in 2019). The structural teleworking agreements in many cases have the added benefit of helping staff members reconcile their private and professional lives.

Due to the COVID-19 outbreak a more flexible approach towards occasional teleworking was applied, and was widely used by staff.

- A Management Board (MB) Decision laying down the guidelines for assistance with home care or care for a sick child was adopted, under which the BEREC Office provides its staff with assistance for the cost of home care and care for sick children.
- It is also expected that the new Headquarters Agreement that was signed on 21 December 2020 will contribute to improving the working and living conditions of the staff and will reflect positively on staff retention and will increase the attractiveness of the Agency in

future.

The implementation of all other projects launched in the previous years (including support for schooling and kindergarten, among others) aimed at ensuring retention of highly qualified staff continued throughout 2020.

Under the flexible working time arrangements (flexitime) in force at the BEREC Office, the Agency's staff were granted a total of 55 days of flexitime recuperation in 2020. For more details on the flexitime recuperation days taken in each grade, see Annex IV, Table 7.

5.6. Gender and geographical balance of the staff

At the end of 2020 (on 31 December 2020) a good gender balance has been maintained within the staff: 42% female and 58% male. Taking into account that the BEREC Office has only three middle management positions, an acceptable gender balance was also achieved in middle management, with one woman and two men.

Bearing in mind the small size of the Agency, a good geographical balance was achieved, with representatives of 14 Member States^{25,26} and 2 Western Balkan countries (on 31 December 2020). A detailed overview of the gender and geographical distribution of BEREC Office staff can be seen in Table 3 and Table 4 of Annex IV.

5.7. Paperless HR Management

The entity in charge of HR made further progress towards paperless HR management: the personnel files of trainees joining the Agency as of 2020 were stored digitally and securely on the document management system in use. Furthermore, an additional module in the HR management system (Sysper2) was deployed to introduce digital payslips for staff and abolishing the paper payslips that were previously sent to the Agency from Brussels. The new module also facilitates the storage of staff personnel files in Sysper2, enabling the staff to consult their individual personnel files in digital format and autonomously. However, these data will be deployed in the system only in 2021. Once the transfer of the digital personnel files to Sysper2 is completed (expected in the first half-year of 2021), the new module will also facilitate the digital transfer of personnel files in the event of inter-agency/inter-institution mobility, and last but not least it is expected to increase the quality of the data in the personnel files.

5.8. Implementing rules

In 2020 the following staff implementing rules entered into force for the BEREC Office:

²⁵ Including one additional nationality of trainee (ES).

²⁶ A trend towards an increase in Latvian nationals working at the BEREC Office has been identified.

- Assistance with home care or care for a sick child (individual staff implementing rule)
- Non-application of the European Commission (EC) Decision on the maximum duration for the recourse to non-permanent staff in the Commission services
- Dealing with professional incompetence
- Amending EC Decision on the duties of EC drivers
- Amending EC Decision on leave

Further information on the specific decisions are included in Annex IV, table 7.

In addition to the implementing rules, on 6 March 2020 the BEREC Office Management Board (MB) adopted Decision MB/2020/03 concerning the secondment to the BEREC Office of national experts and national experts in professional training in order to align the periods of secondment to the ones foreseen in the EC rules (secondment for a maximum period of 6 years). in line with the six EC Decisions on the participation of the Western Balkan Countries in the work of BEREC/BEREC Office²⁷, which envisage that the BEREC Office may make use of staff from those countries, including seconded national experts pursuant to a decision to be issued by the MB. The new rules foresee the use of experts from the national regulatory authorities from the Western Balkans which have concluded Working Arrangements with BEREC and the BEREC Office.

5.9. Benchmarking

In line with the obligations deriving from Article 29 of the Framework Financial Regulation (FFR), the BEREC Office annually conducts a benchmarking exercise, which shows the internal distribution of the Agency's human resources according to the role of each job. The compared results for 2018, 2019 and 2020 are reported in Table 5 of Annex IV.

The identification of the above-mentioned organisational roles is obtained through a job screening conducted on the basis of the specific methodology common to all agencies and the list of the roles corresponding to each job is reflected in Table 2 of Annex IV.

The final results of these exercises reflect the distribution of tasks and responsibilities following the entry into force of the new BEREC Regulation at the end of 2018 and the change in the Agency's staffing.

6. Strategy for efficiency gains

6.1 Highlights

The actions for achieving efficiency gains in 2020 were aimed at the following main areas:

²⁷ Official Journal of the European Union, C 115, 27 March 2019
<https://eur-lex.europa.eu/legalcontent/EN/TXT/?uri=OJ:C:2019:115:TOC>

1. efficiency gains via further centralisation of some functions.
2. efficiency gains in the field of procurement;
3. efficiency gains achieved through the increased use of EC IT applications or the introduction of new ones;
4. use of external resources to compensate lacking HR capacity or for tasks of a technical and auxiliary nature.

These actions have led to the following results:

6.2 Centralisation of the preparation of the financial transactions

Following the positive experience from the centralisation of procurement in 2019, in 2020 the Agency introduced full centralisation in the preparation of financial transactions. This has led to five staff members from the operational units (one from the Operation Support Unit and four from the Programme Management Unit) being discharged from the responsibility of processing financial data in ABAC.

This has also increased the specialisation and the efficiency in processing financial and accounting data.

6.3 Efficiency gains in the field of procurement

Joint purchasing arrangements can give rise to efficiency gains, in particular, due to economies of scale, which lead to cost savings such as lower purchase prices or improved client services for the same price. Interinstitutional procurement procedures or joint procurement with the authorities of the host Member State can also save human resources for the BEREC Office, which due to its small size has a very limited number of staff available to manage the Agency's procurement²⁸.

Consequently, in 2020 the BEREC Office continued the use of interinstitutional procurement procedures and joined 16 interinstitutional procurement procedures (out of 18 invitations received), which resulted in the conclusion of 5 FWCs during the reporting period.

Additionally, based on the provisions of the new BEREC Office Financial Regulation, in 2019 the BEREC Office concluded an agreement (via exchange of letters) with the Latvian side for the organisation of joint procurement with the Government of the host Member State. The BEREC Office received access to the Latvian electronic procurement system – EIS, and was

²⁸ In 2020, the BEREC Office dedicated 0.6 Temporary Agent AD 6, 0.8 Contract Agent FG IV , 0.5 Contract Agent FG II and 0.5 interim worker (in times of peak workload).

gradually added as a contracting authority in new procurement procedures by the Latvian side. In 2020, the BEREC Office benefitted from one joint procurement with the Latvian contracting authorities, namely for the purchase of IT hardware.

6.4 Efficiency gains achieved via the higher use or introduction of additional EC IT applications

One of the means for ensuring efficiency gains is the digitalisation of the services used and offered and the use of automation. The BEREC Office does not have sufficient resources to develop and implement its own administrative IT tools, as most of its IT specialised staff is dedicated to support to BEREC. Consequently, the BEREC Office tries to make maximum use of the IT tools developed by the Commission's services.

In 2020, the Agency made progress with the introduction of the following tools:

a) Advanced Gateways for Meetings (AGM)

In 2019, the BEREC Office put into operation the EC's online tool (AGM) for the organisation of meetings and expert reimbursements, with the objective of starting its use gradually as of 2020.

However, due to the COVID-19 pandemic and the cancellation of most of the physical meetings planned for 2020, the new tool was practically not used.

The extensive use of the AGM tool by experts is expected as soon as physical meeting will resume, i.e. in 2022 and thereafter.

b) Increased use of Sysper2 for managing the HR resources

In 2020, the BEREC Office entity in charge of HR made further progress towards paperless HR management. In particular, an additional module of the EC HR management system was put into operation allowing staff to receive their payslips digitally.

In 2019, the BEREC Office went into production with the EC HR management system (Sysper2) and in 2020 further progress was made to digitalise HR management.

In March 2020, the transcoding of the HR management system Sysper2 took place, meaning that all the staff's salaries and allowances are paid directly based on data inputs in a common HR management system by the BEREC Office HR and EC services, replacing the maintenance of the previous two instances in parallel. Since 2020, the staff can also submit their declarations regarding changes in their family situation, education allowances, changes in professional activity of the spouse, etc. directly via Sysper2, allowing for higher quality and more efficient data processing.

At the end of 2020, the BEREC Office signed an agreement with DG DIGIT for the deployment of the Digital Personal Files (NDP) modules in Sysper2, which will be implemented in the course of 2021.

c) Putting into operation of the EC Mission Processing System

As of the beginning of 2020, the BEREC Office started using the EC IT Mission Processing

System (MiPS) in a paperless environment. MiPS introduced more coherent management of staff missions and authorised travel, faster reimbursement of the mission costs to the mission performers, which in most cases are advanced by the staff, and better monitoring of the mission expenditure. However, due to the restrictions in international travel caused by the COVID-19 outbreak in 2020, the tool was unfortunately not used to its full capacity.

d) Implementation of EC e-procurement tools

In 2020, the BEREC Office started preparatory work for joining the Public Procurement Management Tool (PPMT) developed by the European Commission. The implementation of the tool for the decentralised agencies has been delayed by the European Commission due to the COVID-19 pandemic. However, once implemented, it will contribute to the streamlining of the procurement processes, automatic generation of procurement documents, synchronisation of procurement documents with the BEREC Office repository of documents, etc.

6.5 *Use of external resources to compensate missing capacities or for tasks of technical and auxiliary nature.*

Since its establishment, the BEREC Office has been operating with lacking HR capacity for posts such as internal control coordinator, business continuity coordinator, security officer, security guards, etc. Additionally, the Agency has neither clerks nor secretaries and consequently many staff members are engaged in secretarial and clerical tasks, irrespective of their rank.

To compensate some of the lacking capacity, where possible, such services were made available by the European Commission services or via contracts, such as in the field of internal controls, IT and physical security, logistics and clerical support.

Interim workers were hired for specific short-term projects for which the BEREC Office has no posts in its organisational structure, for example for the implementation of the BERECweb project, the joint project with the Latvian Government for a new Headquarters agreement, among others.

This approach has enabled the BEREC Office to address tasks in its mandate by making extensive use of the professional knowledge of the hired staff in the interest of the service.

6.6 *Conclusions*

The implementation of the above-mentioned actions has led to improved service quality, lower prices and/or higher quality and the use of fewer FTEs for administrative tasks. Any freed-up capacity from the implementation of the strategy for efficiency gains has been re-invested in support to BEREC.

7. Assessment of audit and ex-post evaluation results during the reporting year

7.1 Internal Audit Service

According to the provisions of the BEREC Office Financial Regulation, specifically the

provisions set out in Chapter 7 thereof, the European Commission's IAS is the internal auditor of the BEREC Office. In 2020, the BEREC Office underwent a full risk assessment carried out by the IAS and two topics were chosen to be audited for 2021-2023 period: organisational preparedness for the implementation of BEREC Working Groups' activities and human resources management. Additionally, the IAS also identified the following complementary audit topic: limited review on the implementation of the new Internal Control Framework.

Furthermore, by the end of 2020, the BEREC Office managed to close all the recommendations that had been opened by the IAS.

7.2 *Internal audit capability*

Not applicable²⁹.

7.3 *European Court of Auditors (ECA)*

In the ECA's opinion³⁰, the accounts of the BEREC Office for 2019 present fairly, in all material respects, the financial position of the BEREC Office at 31 December 2019, the results of its operations, its cash flows, and the changes in net assets for the year then ended, in accordance with its Financial Regulation and with accounting rules adopted by the Commission's accounting officer. These are based on internationally accepted accounting standards for the public sector.

The ECA made some comments on the operations of the BEREC Office, which do not call into question the Court's opinions as described above.

In particular, the ECA commented on a 2018 procurement procedure referring to the provision of legal services for its staff, in particular related to the fact that one offer was not considered due to deficiencies in the document management for procurement, that the evaluation report did not contain sufficient details on why the tenderers had been compliant or not with the eligibility criteria and that the appointed sole evaluator had a conflict of interest with one of the bidders.

An additional comment made by ECA was referring also to another 2018 procurement procedure related to the provision of language training by signing two framework contracts "in cascade", one with each of the bidding companies; these two contracts had a maximum total combined value of 200 000 euros. Under the Financial Regulation, a contracting authority must estimate the value of a purchase on the basis of previous experience; for this, ECA's main observations refer to the fact that the BEREC Office was unable to provide the Court with any evidence of such an analysis having been performed and that the declarations of the absence of any conflict of interests for the three members of the evaluation committee were not stored in the procurement file. The BEREC Office has already addressed all ECA comments by undertaking mitigating actions to address the recommendations and subsequently replied to all ECA comments, as per the Report on the annual accounts of the BEREC Office for the financial year 2019, together with the Agency's reply.

A follow-up was also ensured for the Annex provided by ECA regarding the on-going Court observations coming from previous years; most of them were completed and some remain with the status on-going (e.g. adoption of the e-invoicing module); for one of the on-going observation of the Court referring to the secretarial support services its status will still remain

²⁹ The BEREC Office has no internal audit capacity

³⁰ [Report on the annual accounts of the Agency for Support for Body of European Regulators for Electronic Communications \(the BEREC Office\) for the financial year 2019](#)

opened as the ECA refrained to make any observation on the regularity of the Agency's approach, including follow-ups of observations from previous years, concerning this matter until the Court of Justice CJEU has issued a final ruling in this case.

The internal process in the area of procurement were substantially improved and its Report following the 2019 audit on procurement, missions and reimbursement of experts, the European Commission Internal Audit Service (IAS) concluded that the management and internal control system set up by the BEREC Office for the procurement process are adequately designed and efficiently and effectively implemented.

7.4 Follow-up of observations made by the discharge authority

On 28 April 2021, the European Parliament (EP) adopted its decision on discharge in respect of the implementation of the budget of the Agency for the financial year 2019 by granting the BEREC Office Director the discharge.

The EP complemented its discharge decision by underlining a series of positive aspects from the BEREC Office operations as follows:

- increased budget implementation rate;
- usage of several types of metrics as key performance indicators to assess the added value provided by its activities and to improve its budget management;
- signature in 2019 of a joint IT project for sharing IT infrastructure with several joint undertakings;
- good implementation of the establishment plan at 31.12.2019;
- implementation in the field of procurement, e-tendering and e-submission and on-boarding of the e-invoicing module;
- adoption of the rules on preventing and managing conflicts of interest concerning the members of the Management Board;
- effective implementation of the internal control systems.

The EP notes with concern that:

- the BEREC Office continued to be affected by a high staff turnover, which poses a serious risk to the implementation of its work programme;
- the BEREC Office does not share resources with other Union agencies, due to its limited own resources and the Agency has not been able to find a partner for the provision of the internal control coordinator and security officer functions;
- by 31 December 2019, gender balance at staff level had declined compared to 2018 and a gender balance was not achieved among the members of the Management Board, with only 7 women among 28 members; in that regard, the EP requests the EC and the Member States to take into account the importance of ensuring gender balance when appointing their members to the BEREC Office Management Board;
- in 2019, the average employment period in the BEREC Office was only 2.68 years, compared to 2.7 years in 2018, but acknowledges that the BEREC Office is continuously working towards improving the employment conditions for its staff and applies other

mitigation measures and calls on the BEREC Office to report the progress made in that regard to the discharge authority;

- as per the European Court of Auditors' (ECA) report regarding follow-up actions to the previous years' observations, the BEREC Office is still dependent on external resources;
- the ECA had some findings related to some procurement procedures and that the BEREC Office was not in a position to launch five procurement procedures planned for 2019 due to a lack of staff to run them or due to changes in planning and needs, but the EP acknowledges that BEREC Office organised internal training courses in 2019 on clear writing of technical specifications for procurement processes.

The BEREC Office is further encouraged to:

- explore possible ways of outsourcing its tasks and collaborating on overlapping tasks with other Union agencies, offices and bodies;
- develop its synergies and increase cooperation and the exchange of good practices with other Union agencies with a view to improving efficiency (human resources, building management, IT services and security);
- increase digitalisation in terms of internal operations and management procedures; the EP stresses the need for the BEREC Office to continue to be proactive in that regard in order to avoid a digital gap between the Union agencies at all costs;
- pursue the development of a long-term HR policy framework which addresses work-life balance, lifelong guidance and career development, gender balance, teleworking, geographical balance and the recruitment and integration of persons with disabilities;
- focus on disseminating the results of its research to the public.
-

7.5 Follow up of recommendations issued following investigations by the European Anti-Fraud Office (OLAF)³¹

Not applicable.³²

8. Environment management

The BEREC Office takes into consideration the impact of its operation within the sector on the environment and is constantly enhancing measures to reduce this impact and propose measures that would aim to a greener operation. The two main factors that may affect the sustainability of an organisation like the BEREC Office are 'how the running of an organisation affects sustainability' and 'how sustainability has been considered in the overall strategy and

³¹ Article 11 Regulation (EU/Euratom) 883/2013 of the European Parliament and of the Council concerning investigations conducted by the European Anti-Fraud Office (OLAF)

³² The BEREC Office has not been subject to OLAF investigations.

operations of the organisation’.

For more detailed explanations and descriptions on the measures already taken to reduce the environmental impact, please refer to Annex VIII of this report.

9. Access to documents and data protection

In 2020, the BEREC Office received five request for access to documents under Regulation (EC) No 1049/2001: three concerning BEREC documents and two concerning BEREC Office documents (see Annex I, Table 9). In two cases, the documents were provided (fully or partially); in two other cases, the documents were not disclosed based on the exceptions in Regulation (EC) No 1049/2001 and one of the requests was for a document not held by the BEREC Office.

Overall, the number of requests for documents was lower than in previous years, mainly because of the greater transparency in BEREC’s work of and the reduction in the number of internal documents.

In the area of data protection, in 2020 the BEREC Office continued its efforts to ensure compliance with Regulation (EU) 2018/1725, which entered into force as of 11 December 2018. However, due to the high number of processing operations (widely equivalent to the other agencies) and the limited human resources available, developing all data protection policies in line with the new rules remains a challenge and the efforts will continue in 2021 and 2022.

The concrete outputs in terms of data protection are summarised as follows:

The BEREC Office staff and newcomers have received tailored training regarding the main characteristics of the data protection legislation.

The BEREC Office developed 11 data protection policies covering the processing of personal data in the area of HR management, ICT and Board Support.

Creation of a data protection page on the BEREC website and publication within the dedicated section of the BEREC Office Register of processing operations (so as to comply with the requirements of Article 31(5) of Regulation (EU) 2018/1725 to publish the Records of processing operations).

The above-mentioned activities are described in more detail in the Data Protection Officer’s annual report, which the BEREC Office Data Protection Officer will submit to the Management Board pursuant to Article 7.3 of Decision No MB/2019/14.

As in the previous year, in 2020 the role of the Data Protection Officer was exercised by the BEREC Office Legal Officer (CA FG IV).

10. Assessment by management

2020 was an extraordinary year for the BEREC Office, as the Agency needed to complete important milestones in the implementation of the new regulatory framework for electronic communications, the deadline for which expired in 2020, while addressing the challenges arising from the worldwide COVID-19 pandemic. All the BEREC Office staff demonstrated extraordinary resilience and successfully adapted to the impact of the COVID-19 crisis. Despite the challenging circumstances, the BEREC Office continued to deliver its services to its main client (BEREC), by taking into account the changing needs of BEREC caused by challenging new circumstances.

As mentioned in the previous sections of this report, the BEREC Office maintained business continuity in its services and further expanded them in order to enable fully online operation of the BEREC Board of Regulators (BoR) and its preparatory bodies: the Contact Network (CN) and the Working Groups (WGs). The management of stakeholder relations was maintained at a high level and the feedback provided to BEREC via the different communication channels was successfully incorporated in the final deliverables.

The BEREC Office achievements in 2020 go beyond adapting to the pandemic situation.

In addition to the usual support provided to the BoR, CN, WGs and the day-to-day work of the BEREC Chair, in 2020 the BEREC Office put input operation several ICT systems to fulfil its own mandate and/or ensure compliance with the legal obligations imposed by the legislator on BEREC.

The BEREC Office provided a secure ICT environment for the predominately online work of BEREC and the BEREC Office and procured, where needed, additional hardware and software to enable BEREC experts and the BEREC Office staff to fulfil their duties under the unprecedented restrictions imposed in all EU and BEREC states because of COVID-19.

Irrespective of the challenges mentioned above, the BEREC Office managed to maintain its staffing and budget execution indicators at the target levels set by the MB and closed all audit recommendations.

Despite the exceptional circumstances mentioned above, the internal control systems put in place have functioned as intended to ensure the appropriate management of financial flows and the legality and regularity of the underlying transactions, based on 100% *ex ante* verifications of financial transactions and procurement procedures.

The objective of the systems is to ensure that the BEREC Office management has reasonable assurance that the total amount of any financial operation authorised during the reporting year that does not comply with contractual and regulatory provisions does not exceed 2% of total expenditure.

Without prejudice to existing possibilities for carrying out further audits, where an audit based on internationally accepted audit standards providing reasonable assurance has been

conducted by an independent auditor on the financial statements and reports setting out the use of a Union contribution, that audit will form the basis of the overall assurance, as further specified, where appropriate, in sector-specific rules, provided that there is sufficient evidence of the independence and competence of the auditor. To that end, the report of the independent auditor and the related audit documentation must be made available on request to the European Parliament (EP), the Commission, the European Court of Auditors (ECA) and the audit authorities of Member States.

To meet these requirements, the BEREC Office management also examined the Register of exceptions and non-compliant events (defined as control overrides or deviations from policies and procedures), the outcome of the audits performed by the Internal Audit Service (IAS), the ECA and the independent auditors and the assessment of the effectiveness of the internal control systems.

The examination of this evidence, including accounting and asset management information, shows that, although there is still room for improvement in some aspects of the internal administrative procedures (specifically associated with some missing profiles at the Agency), there are no errors that have a financial impact or could call into question the legality or regularity of the underlying transactions.

It is also to be noted that the audit work of the European Court of Auditors and the independent auditor have not led to any preliminary observations.

Based on the principle of cross-reliance on audits based on internationally accepted audit standards, the management and taking into account the limited human and financial resources of the Agency, in 2020 the BEREC Office management has not considered it necessary to introduce ex-post controls.

Part III: Assessment of the effectiveness of the internal control systems

1. Risk management

Following the entry into force of the BEREC Regulation at the end of 2018, which led to re-organisation of the Agency, in 2019 the BEREC Office carried out a full risk assessment. It was the second full risk assessment exercise undertaken at the BEREC Office following the one in 2015. The assessment took place in October-November 2019. The risk assessment was performed with the support of a dedicated Task Force composed of representatives from each BEREC Office unit and a representative of the Director of the BEREC Office. As the BEREC Office has no 'in-house' Internal Control Coordinator (ICC) function, and as ENISA decided to terminate the Service level agreement on sharing the ICC function, the risk assessment was coordinated by an Interim Finance and Internal Control Officer.

The outcome of the risk assessment demonstrated that, irrespective of the change in its mandate and internal organisational structure, the BEREC Office continues to operate in a low-risk environment³³. The risks identified as significant or showed high deviations were discussed during an internal risk assessment workshop, which took place in November 2019, and have been either accepted or addressed via action plans. Progress on the implementation of the action plans is monitored on a monthly basis with the objective of alerting management when indicators show that the achievement of the objectives is at risk.

2. Compliance and effectiveness of internal control principles

The assessment of the efficiency and effectiveness of the internal control system in the BEREC Office was performed in December 2020 by an independent auditor.

The controls & benefits assessment showed that the costs related to the controls in the BEREC Office are in line with the benefits.

The assessment of ABAC and the financial requirements showed that the BEREC Office is compliant with the Financial Regulation. However, the follow-up of audit comments indicate that there is scope for improvement.

The assessment of the ICS requirements was divided according to five different themes:

- Control Environment
- Risk Assessment
- Control Activities
- Information and Communication

³³ Ares(2019)7357563 – internal.

- Monitoring activities

The assessment of the **Control Environment** showed a good level of implementation of the principles overall; however, there is a risk for non-compliance in respect of one principle. The non-compliance is related to the 3rd principle, where there is a need for the implementation of a centralised file for deputising arrangements. Other opportunities for improvement for the BEREK Office are documenting the follow-up of internal controls in general, documenting official reporting lines and implementing the ethics and values of the BEREK Office in contracts with third parties.

The assessment of the **Risk Assessment** showed that there is clear room for implementation of all the principles. First of all, there is a risk of non-compliance for principle 9 'The BEREK Office identifies and assesses changes that could significantly impact the internal control system', as there is no continuous risk assessment ongoing due to lack of staff, mainly the absence of an Internal Control Coordinator or Internal Audit capability. This lack of ICC or internal auditor is also apparent in the other principles of the Risk Assessment theme. Unit and team missions should be put in place, training on fraud should be implemented and risk (as with internal controls and audit remarks) should be implemented in the monthly meetings by management, as there is no ICC or Internal Auditor to follow-up these actions accordingly.

The assessment of the **Control Activities** showed a good level of implementation overall; however, for ICS 10 there is a risk of non-compliance due to a lack of recent Business Continuity plans in the light of COVID-19.

The assessment of **Information and Communication** principles showed a very good level of implementation, and only few opportunities for improvement, such as push notifications via smartphone for urgent issues.

The assessment of the **Monitoring Activities** principles showed that principles 16 and 17 are at risk of non-compliance and need urgent re-adjustment. The risk assessment should be of a continuous nature, as for the entire internal control framework. There is an urgent need for an ICC or Internal Audit capability.

Overall, the assessment concluded that the BEREK Office complies with the internal control framework to the maximum of its ability without staff specifically hired for internal controls. The problems we have seen are mostly linked to the lack of specialised staff; other remarks are stated as opportunities.

3. Independent auditor's report on the annual accounts as at 31 December 2020

The BEREK Office requested an independent auditor to audit the provisional and annual accounts of the Agency for 2020, consisting of the financial statements and the reports on the implementation of the budget for the financial year that ended on 31 December 2020. The financial statements comprise the balance sheet as at 31 December 2020, the statement of financial performance, the cash flow statement, the statement of changes in net assets/liabilities for the year then ended, and a summary of significant accounting policies and

other explanatory information.

The audit was conducted in accordance with the International Standards on Auditing and the International Standards of Supreme Audit Institutions, as issued by the International Organisation of Supreme Audit Institutions.

In the opinion of the independent auditor, the provisional annual accounts of the Agency present fairly, in all material aspects, its financial position as at 31 December 2020, and the results of its operations and its cash flow, for the year then ended, and are prepared in accordance with its Financial Regulation, and, in accordance with the accounting rules adopted by the European Commission's accounting officer, and the International Public Sector Accounting Standards, as issued by the International Public Sector Accounting Standards Board.

The report of the independent auditor and the related audit documentation have been made available to the European Commission and the European Court of Auditors.

4. Validation of local accounting systems by the Commission's accounting officer

In 2020, the Directorate-General for Budget carried out an annual review for the validation of local accounting systems for the operations authorised by the BEREC Office during the financial year 2019. The assessment was carried out to provide assurance that the internal control systems in place are effective.

The results of the exercise concluded that the internal control systems in place are working as intended; the accounting officer did not identify any weaknesses in the internal control systems that would have a material impact on the accuracy, completeness and timeliness of the information required to draft the annual accounts and produce reliable reporting.

Based on this evidence and on the conclusions of the ECA and the IAS, the BEREC Office management has concluded that the internal control systems in place are efficient and effective and are fit for purpose.

5. Statement of the Manager in charge of risk management and internal control

I, the undersigned, Iskra STOILOVA-TSONEVA,

Manager in charge of risk management and internal control within the Agency for Support for BEREC (BEREC Office),

In my capacity as Manager in charge of risk management and internal control, I declare that in accordance with Agency's internal control framework, an independent audit report with recommendations on the overall state of internal control in the Agency has been presented to the attention of the Director and was provided to the BEREC Office Advisory Group – for information.

I hereby certify that the information provided in the present Consolidated Annual Activity Report and in its annexes is, to the best of my knowledge, accurate, reliable and complete.

Riga, 22 June 2021.

(e-signed)

Iskra STOILOVA-TSONEVA

Head of Administration and Finance

Part IV: Management assurance

1. Review of the elements supporting assurance

The information reported in Parts I and II stems from the results of management and auditor monitoring conducted in 2020. It is based on a systematic analysis of the evidence available, as stated below.

i. Ex ante controls of transactions

In 2020 all transactions (operational and financial) at the BEREC Office have been subject to ex ante controls. The staff under my responsibility entrusted with the ex-ante controls has the necessary professional knowledge to perform these controls. Their knowledge has been acquired during previous experience and the specific trainings offered by the BEREC Office.

ii. Assessment of the efficiency and effectiveness of the internal control system carried out by an independent auditor under DG Budget Framework Contract

In 2020, based on a recommendation by the BEREC Office Advisory Group, the BEREC Office tasked an independent auditor to assess the implementation of the new BEREC Office Internal Control Framework as defined by the Management Board in document MC (18) 69.

The assessment was done against the objectives and key performance indicators included in the BEREC Office Work Programme 2020 as part of the Agency Single Programming Document for 2020-2022 (document MB (19) 116) by taking into account the standards at the Commission services.

The outcome of the assessment demonstrated that the BEREC Office has overall a well performing internal control framework in place with the key criteria specified by the European Commission (DG Budget), the BEREC Office own regulations, the BEREC Office key policies and procedures, and with good practices.

iii. Validation of the accounting system carried out by the Commission Accounting Officer

In 2020 the staff of DG Budget carried out its annual evaluation of the local financial systems set up in BEREC Office, as provided for in Article 50 (e) of the BEREC Office Financial Regulation.

The evaluation has not identified any control weakness which would have a material impact on the accuracy, completeness and timeliness of the information required to draft the annual accounts and produce reliable reporting. On the basis of the available evidence, DG Budget concluded that the internal control systems are working as intended.

iv. Outcome of the full risk assessment carried out by the Internal Audit Service (IAS) in 2020 and the closure of all IAS recommendations stemming out from previous audits

In 2020 the IAS carried out a full risk assessment, which did not demonstrate any critical risks. It also confirmed that the BEREC Office remains a low-risk Agency. Furthermore, at the beginning of 2021 the IAS closed all open recommendations stemming out from previous years' audits, the implementation of which had been reported by the BEREC Office by the

end of 2020.

v. Lessons learned from the reports of the European Court of Auditors (ECA)

The management has taken into account the lessons learned from the ECA reports.

vi. Audit based on internationally accepted audit standards conducted by an independent auditor on the financial statements and reports setting out the use of a Union contribution

Under a framework contract of DG Budget the BEREC Office tasked an independent auditor on the bases of internationally accepted audit standards to audit the BEREC Office financial accounts (provisional and final) and to report setting out the use of a Union contribution. Following the audit of the provisional and final accounts and the documents containing information about the use of a Union contribution, the independent auditor issued a clean opinion according to which the provisional annual accounts of the Agency presented fairly, in all material aspects, its financial position as at 31 December 2020.

vii. Declarations of Assurance by the Authoring Officers by Delegation

In their capacity as Authorising Officers by Delegation, each Head of Unit has provided a Declaration of Assurance on the appropriate allocation of resources and their use for their intended purpose and in accordance with the principles of sound financial management, as well as on the adequacy of the control procedures in place.

viii. Declaration of the manager in charge of risk management and internal controls

The Manager in charge of risk management and internal control has signed a declaration taking responsibility for the completeness and reliability of management reporting. This declaration covers both the state of internal control in the BEREC Office and the robustness of reporting on operational performance. However, responsibility for achieving operational objectives remains with the relevant directorate and unit.

This approach provides sufficient guarantees of the completeness and reliability of the information reported, and the results achieved by the BEREC Office in 2020.

In conclusion, the management has reasonable assurance that, overall, suitable control systems are in place and working as intended, risks are being appropriately monitored and mitigated, and necessary improvements and reinforcements are being implemented.

2. Reservations and overall conclusions on assurance

Taking the above into consideration, no weaknesses were identified related to the financial management of appropriations inside the Agency; therefore, no reservations are made in this context in the declaration.

Part V: Declaration of Assurance

I, the undersigned, **László IGNÉCZI**, Director of the Agency for Support for BEREC (the BEREC Office), in my capacity as authorising officer, declare that the information contained in this report gives a true and fair view, and state that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

This reasonable assurance is based on my own judgement and on the information at my disposal, such as the ex-ante controls of all transactions (operational and financial) carried out by the BEREC Office staff, the assessment of the efficiency and effectiveness of the internal control system carried out by an independent auditor, the validation of the accounting system carried out by the Commission Accounting Officer, who is appointed as the BEREC Office Accounting Officer, the full risk assessment carried out by the Internal Audit Service (IAS) in 2020 and the closure of all IAS recommendations arising from the previous years' audits, the lessons learnt from the reports of the European Court of Auditors, the outcome of the audit based on internationally accepted audit standards conducted by an independent auditor on the financial statements and reports setting out the use of a Union contribution and the declarations of assurance of the authorising officer by delegation.

I confirm that I am not aware of anything not reported here which could harm the interests of the Agency.

Riga, 22 June 2021.

(e-signed)

László IGNÉCZI

BEREC Office Director and

Authorising Officer

Annex I: Core business information and statistics**Table 1: List of BEREC Working Groups (WGs) supported by the BEREC Office in 2020**

WGs established by a decision of the BEREC BoR³⁴	
1.	Regulatory Framework WG
2.	Open Internet WG
3.	Planning and Future Trends WG
4.	Market and Economic Analysis WG
5.	End-User WG
6.	Statistics and Indicators WG
7.	Roaming WG
8.	Fixed Network Evolution WG
9.	Wireless Network Evolution WG
10.	Remedies WG
Ad hoc WGs established by the BEREC Chair	
11.	Ad hoc Cybersecurity of 5G Networks WG

³⁴ https://berec.europa.eu/eng/document_register/subject_matter/berec/decisions/8904-decision-no-bor201908-of-the-board-of-regulators-on-the-berec-working-groups

Table 2: List of BEREC public consultations managed by the BEREC Office in 2020

PC No	Start	End	Topic	Documents subject to consultation	No of contributions
PC 01/20	10 March 2020	13 April 2020	BEREC Strategy 2021 - 2025	BEREC Strategy 2021 - 2025	17
PC 02/20	10 March 2020	30 April 2020	BEREC Guidelines on Very High Capacity Networks	BEREC Guidelines on Very High Capacity Networks	34
PC 03/20	10 March 2020	10 April 2020	Updated BEREC Guidelines on Intra-EU communications	Updated BEREC Guidelines on Intra-EU communications	6
PC 04/20	16 June 2020	31 July 2020	BEREC Guidelines on the Criteria for a Consistent Application of Article 61 (3)	BEREC Guidelines on the Criteria for a Consistent Application of Article 61 (3) EECC	19
PC 05/20	16 June 2020	4 September 2020	BEREC Guidelines on application of co-investment criteria	BEREC Guidelines to foster the consistent application of the conditions and criteria for assessing new very high capacity network elements (Article 76 (1) and Annex IV EECC)	15
PC 06/20	16 June 2020	31 July 2020	BEREC Guide to the BEREC 5G Radar	Guide to the BEREC 5G Radar and 5G Radar	11
PC 07/20	6 October 2020	5 November 2020	BEREC Work Programme 2021	BEREC Work Programme 2021	14
PC 08/20	6 October 2020	5 November 2020	BEREC Guidelines on Geographical surveys of network deployments Art 22 (2), 22 (3) and 22 (4)	BEREC Report on the outcome of the public consultation on the draft BEREC Guidelines on Geographical surveys of network deployments. Art 22 (2), 22(3) and 22(4) of the EECC	6

Table 3: Data collection exercises organised by the BEREC Office for the BEREC Working Groups (WGs) in 2020

WG	Data collection subject	Addressees
Roaming WG	Questionnaire for the international roaming BEREC benchmark data report (24th report and 25th report) The assessment of the international roaming market is based on the requirements set out in Article 19(4) of the Roaming Regulation	BEREC member and observer NRAs
	Questionnaire for Intra-EEA communication benchmark data (to gather proportions of regulated services as percentage of total services provided by operators)	BEREC member and observer NRAs
Statistics and Indicators WG	Data collection exercise for the regular MTR/FTR/SMS report (biannually)	BEREC member and observer NRAs
	Questionnaire on OTT services: internet-based interpersonal communication services (ICS)	Stakeholders
	Questionnaire on OTT services: video streaming services	Stakeholders
Open Internet WG	Internal Survey on the training session related to the NN tool project	BEREC member and observer NRAs
	Implementation Questionnaire	BEREC member and observer NRAs
	Information gathering for COVID impact assessment	BEREC member and observer NRAs
	Internal Questionnaire IPv6	BEREC member and observer NRAs

WG	Data collection subject	Addressees
Ad hoc Cybersecurity of 5G Networks WG	Questionnaire about Toolbox implementation	BEREC member and observer NRAs
	Questionnaire on Supplier Diversity (Toolbox SM05 and SM06)	BEREC member and observer NRAs
End Users WG	Questionnaire on Comparison Tool Links from MS	BEREC member and observer NRAs
	Questionnaire concerning Report on how to handle third party payment charges on mobile	BEREC member and observer NRAs
Regulatory Framework WG	Survey on national PSAPs in the database of E.164 numbers of Member State emergency services	BEREC member and observer NRAs
	Questionnaire on Premium Rate Numbers	BEREC member and observer NRAs

Table 4: BEREC events by type supported by the BEREC Office in 2020 under activities 2 and 6 of the BEREC Office WP 2020

Type of event	Number of events supported	Number of experts reimbursed	Number of late payments	Additional comments
Plenary meetings and high level workshops	8	31	0	Including the organisation of the extraordinary/informal BEREC BoR meetings
Contact Network meetings	8 ³⁵	40	0	Including the organisation of the extraordinary/informal BEREC CN meetings
Meetings with the EP or presentations at meetings organised by the Parliamentary committees	2	0	0	
Meetings and workshops with other EU bodies	6	1	0	
Public debriefings and engagement with BEREC stakeholders	7	3	0	Including the organisation of the BEREC Chairs webinar on BEREC Strategy and Work Programme 2021 and the 8th BEREC Stakeholder Forum and joint BEREC-IIC workshop
International events	11	9	0	
Events attended by the BEREC Chair and/or Vice-Chairs on behalf of BEREC and meetings between the Chair and Vice-	39	6	1	

³⁵ 1st BEREC CN meeting, 6-7.2.2020, Tromsø, Norway;
2nd BEREC CN meeting, 14-15.5.2020, virtual meeting;
1st BEREC Extraordinary CN meeting, 26.6.2020, virtual meeting
2nd BEREC Extraordinary CN meeting, 09.7.2020, virtual meeting
3rd BEREC CN meeting, 10-11.9.2020, virtual meeting;
3rd BEREC Extraordinary CN meeting, 30.9.2020, virtual meeting;
4th BEREC CN meeting, 19-20.11.2020, virtual meeting;
Informal BEREC CN meeting, 18.12.2020, virtual meeting.

Type of event	Number of events supported	Number of experts reimbursed	Number of late payments	Additional comments
Chairs				
Total	81	90	1	

Table 5: Overview of the 2020 ordinary and extraordinary plenary meetings of the BoR and the MB, CN meetings, BAG meetings, high-level events with stakeholders and public debriefings

Date and place	Event	Agenda (if applicable)	Conclusions (if applicable)
30 January 2020, virtual meeting	1 st BAG meeting in 2020	n/a	n/a
6-7 February 2020, Tromsø, Norway	1 st CN meeting in 2020	BEREC CN (20) 01	BEREC CN (20) 33
5-6 March 2020, Belgrade, Serbia	42 nd BEREC BoR plenary meeting	BoR (20) 30	BoR (20) 62
6 March 2020, Belgrade, Serbia	42 nd MB of the BEREC Office plenary meeting	MB (20) 18	MB (20) 31
10 March 2020, Brussels, Belgium	Public debriefing on the outcomes of the 42 nd BEREC plenary meetings	n/a	n/a
1 April 2020, virtual meeting	BEREC Chairs webinar on BEREC Strategy and Work Programme 2021	n/a	n/a
7 May 2020, virtual meeting	2 nd BAG meeting in 2020	n/a	n/a
14-15 May 2020, virtual meeting	2 nd BEREC CN meeting in 2020	BEREC CN (20) 35	BEREC CN (20) 62

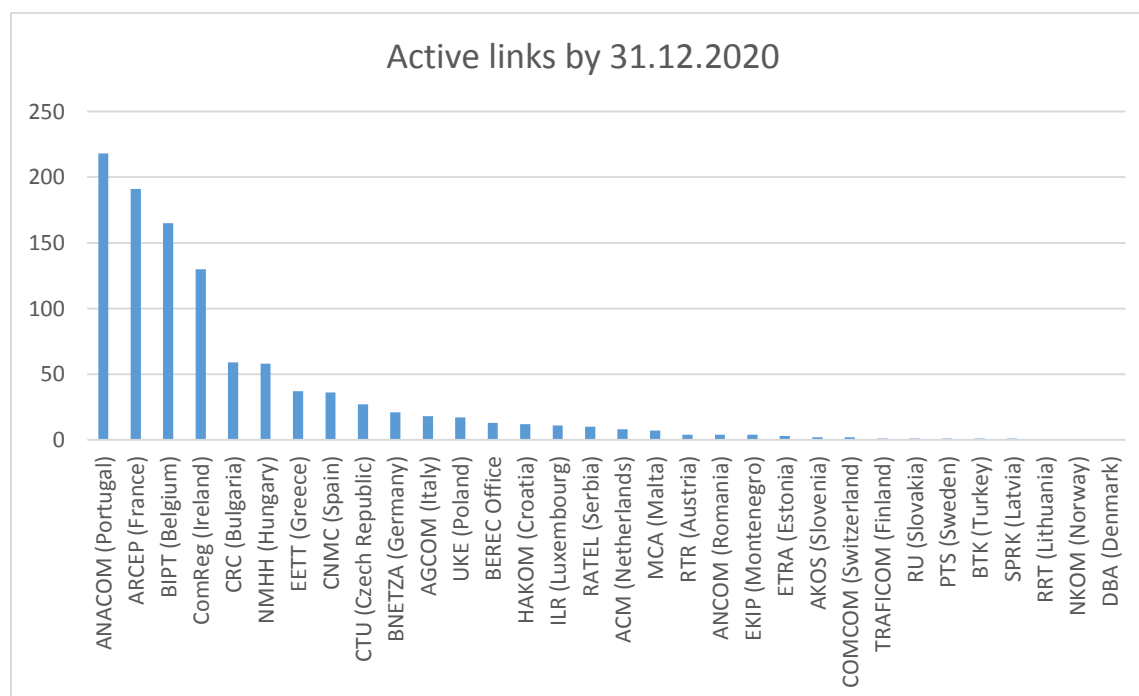
Date and place	Event	Agenda (if applicable)	Conclusions (if applicable)
10-12 June 2020, virtual meeting	43 rd BEREC BoR plenary meeting	BoR (20) 95	BoR (20) 128
12 June 2020, virtual meeting	43 rd MB of the BEREC Office plenary meeting	MB (20) 39	MB (20) 49
16 June 2020, virtual meeting	Public debriefing on the outcomes of the 43 rd BEREC plenary meetings	n/a	n/a
26 June 2020, virtual meeting	1 st Extraordinary BEREC CN meeting in 2020	BEREC CN (20) 64	BEREC CN (20) 66
09 July 2020, virtual meeting	2 nd Extraordinary BEREC CN meeting in 2020	BEREC CN (20) 68	BEREC CN (20) 69
15 July 2020, virtual meeting	1 st Extraordinary BEREC BoR plenary meeting	BoR (20) 136	BoR (20) 139
3 September 2020, virtual meeting	3 rd BAG meeting in 2020	n/a	n/a
10-11 September 2020, virtual meeting	3 rd BEREC CN meeting in 2020	BEREC CN (20) 71	BEREC CN (20) 99
30 September 2020, virtual meeting	3 rd Extraordinary BEREC CN meeting in 2020	BEREC CN (20) 101	BEREC CN (20) 104
30 September 2020, virtual meeting	High level BEREC Workshop on the future outlook of BEREC meeting organization	n/a	n/a
1-2 October, virtual meeting	44 th BEREC BoR plenary meeting	BoR (20) 153	BoR (20) 188

Date and place	Event	Agenda (if applicable)	Conclusions (if applicable)
1-2 October, virtual meeting	44 th MB of the BEREC Office plenary meeting	MB (20) 58	MB (20) 71
6 October 2020, virtual meeting	Public debriefing on the outcomes of 44 th BEREC plenary meetings	n/a	n/a
19 October 2020, virtual meeting	8 th BEREC Stakeholder Forum	Programme	n/a
12 November 2020, virtual meeting	4 th BAG meeting in 2020	n/a	n/a
13 November 2020, virtual meeting	High level BoR Exchange of information on the relevant spectrum issues	n/a	n/a
19-20 November 2020, virtual meeting	4 th BEREC CN meeting in 2020	BEREC CN (20) 106	BEREC CN (20) 138
9 December 2020, virtual meeting	High level BEREC Workshop on sustainability	n/a	n/a
10-11 December 2020, virtual meeting	45 th BEREC BoR plenary meeting	BoR (20) 206	BoR (20) 251
11 December 2020, virtual meeting	45 th MB of the BEREC Office plenary meeting	MB (20) 77	MB (20) 92
15 December 2020, virtual meeting	Public debriefing on the outcomes of 45 th BEREC plenary meetings	n/a	n/a
18 December 2020, virtual meeting	Informal BEREC CN meeting	n/a	n/a

Table 6: Number of uploaded links per section of the ISP in 2020

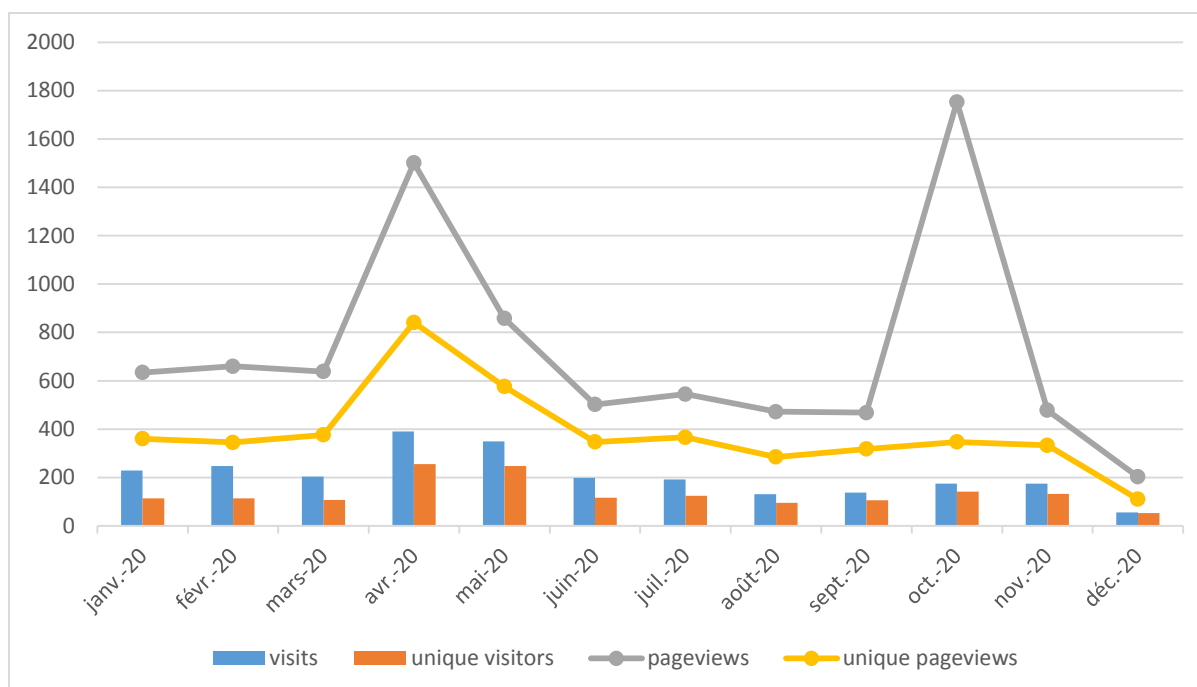
By the end of 2020, 28 NRAs had uploaded 1064 links to documents. The material most frequently uploaded by the NRAs was statistics and publications (39%), followed by news/other (23.9%).

No	Organisation	Total (active)
1	Decision	176
2	Consultation	172
3	News/other	254
4	Analysis	45
5	Statistics/statistical reports/publications	415
6	CIRCA	1
7	EFIS	1
	TOTAL ACTIVE	1064

Figure 4: Links uploaded on ISP by NRAs, 2020

The number of visits to the ISP between January 2020 and December 2020 reached 2482, with 1607 unique visitors. April and May 2020 were months showing increased activity, during which 30% of total visits to the ISP were made.

Figure 5: Number of visits to and page views of the ISP, 2020



The number of page views followed a different trend than the number of visits in October, showing an increased volume in this month. On average, the number of page views in 2020 was 726 per month.

Table 7: Most viewed documents on ISP (Top 10)

No	PAGE URL	NRA(Country) /launch date	Unique Page views
	- view-doc		1339
1	/ Access and call origination on mobile networks – Market 15	Nkom(Norway)/July, 2016	51
2	/ BIPT draft decision on the monthly tariffs for wholesale access to the cable operators' networks	BIPT(Belgium)/July, 2019	48

No	PAGE URL	NRA(Country) /launch date	Unique Page views
3	/Annual Report of the Communications Regulation Commission 2017	CRC(Bulgaria)/August, 2018	42
4	/Consumer protection, changing uses and innovation, efficient number management: Arcep adopts a decision updating the national numbering plan	ARCEP(France)/July, 2018	40
5	/ Guidelines and analysis of mobile network sharing	ARCEP(France)/May, 2016	20
6	/ Spectrum allocations (EFIS)	<i>Not applicable</i>	19
7	/ Electronic Communications Act	ETRA / January 2005	18
8	/ CIRCA	<i>Not applicable</i>	18
9	/ Broadband as a Universal Service: Ensuring the availability of an adequate broadband internet access service, including the underlying connection, at a fixed location.	MCA/August, 2020	16
10	/3.6 Ghz band spectrum award – benchmarking update	ComReg(Ireland)/October, 2016	14

Figure 6: Visits to ISP by country (top 25)

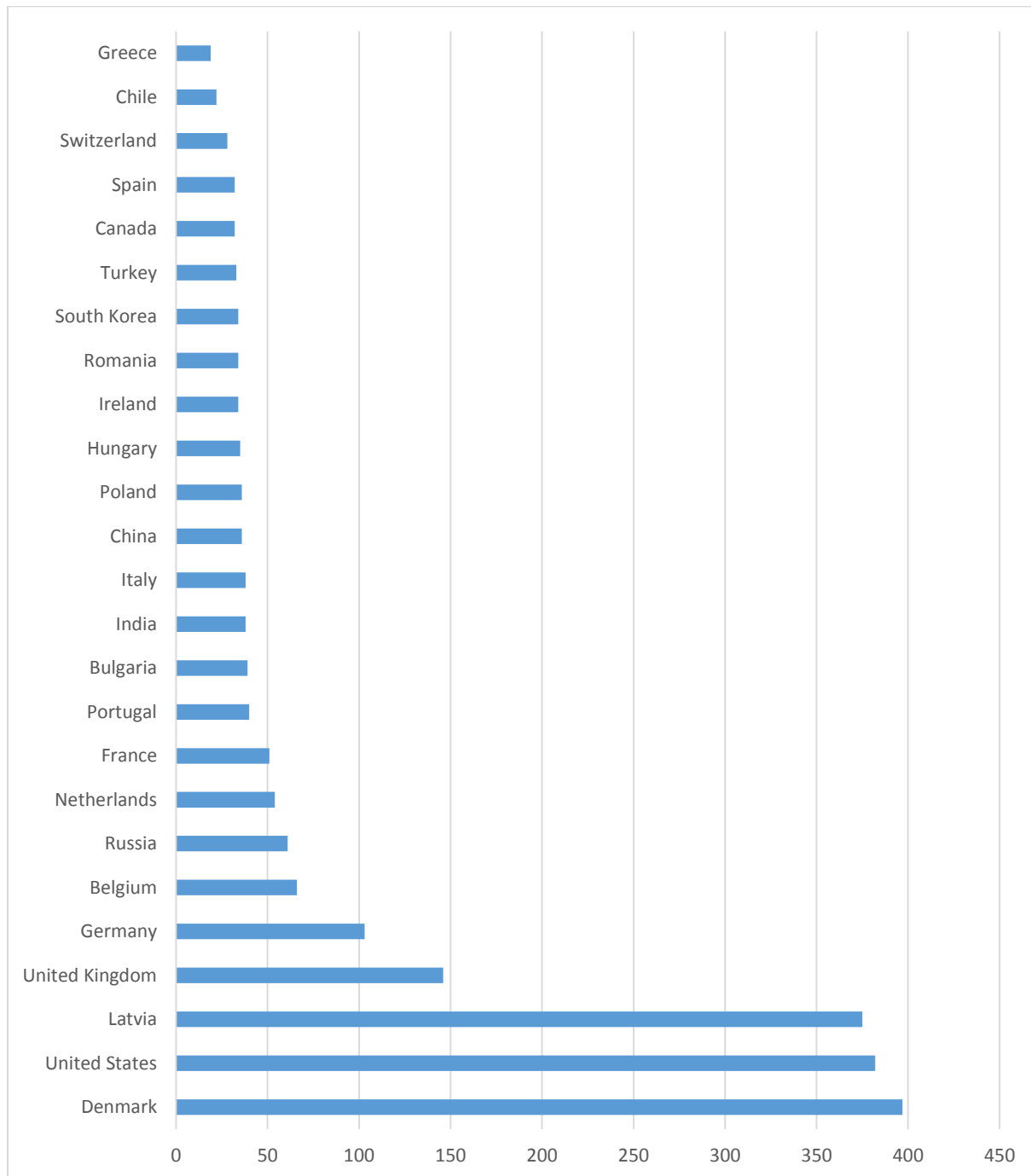


Table 8: WG deliverables in 2020

No	Document No	Documents on BEREC website
1	BoR (20) 09	Outline for BEREC Work Programme 2021
2	BoR (20) 31	24th BEREC International Roaming Benchmark Data Report
3	BoR (20) 32	BEREC Report on the outcomes of the public consultation on the BEREC draft Feasibility study on the development of coverage information for 5G deployments
4	BoR (20) 33	Feasibility study on the development of coverage information for 5G deployments
5	BoR (20) 34	Updated BEREC Guidelines on intra-EU communications
6	BoR (20) 41	BEREC Report on the outcomes of the public consultation on the draft BEREC Guidelines on Geographical surveys of network deployments
7	BoR (20) 42	BEREC Guidelines to assist NRAs on the consistent application of geographical surveys of networks deployment
8	BoR (20) 43	Draft BEREC strategy 2021-2025
9	BoR (20) 45	BEREC Report on the outcome of the Public Consultation on the draft BEREC Guidelines on common approaches to the identification of the network termination point in different network topologies
10	BoR (20) 46	BEREC Guidelines on common approaches to the identification of the network termination point in different network topologies
11	BoR (20) 47	Draft BEREC guidelines on very high capacity networks
12	BoR (20) 49	BEREC Report on the outcome of the public consultation on the draft BEREC guidelines on common criteria for the assessment of the ability to manage numbering resources by undertakings other than providers of electronic communications networks or services and of the risk of exhaustion of numbering resources if numbers are assigned to such undertakings

No	Document No	Documents on BEREC website
13	BoR (20) 50	<u>BEREC Guidelines on common criteria for the assessment of the ability to manage numbering resources by undertakings other than providers of electronic communications networks or services and of the risk of exhaustion of numbering resources if numbers are assigned to such undertakings</u>
14	BoR (20) 51	<u>BEREC response to the Public consultation on the proposed Recommendation for Internal Market Procedures under the European Electronic Communications Code</u>
15	BoR (20) 52	<u>BEREC Report on the outcome of the public consultation on the Guidelines detailing Quality of Service Parameters</u>
16	BoR (20) 53	<u>BEREC Guidelines detailing Quality of Service Parameters</u>
17	BoR (20) 96	<u>BEREC Annual Reports 2019</u>
18	BoR (20) 97	<u>Termination rates at the European level January 2020</u>
19	BoR (20) 98	<u>Draft Report on the outcomes of the public consultation on the BEREC Report on Member States' best practices to support the defining of adequate broadband Internet access service</u>
20	BoR (20) 99	<u>BEREC Report on Member States' best practices to support the defining of adequate broadband Internet Access Service (IAS)</u>
21	BoR (20) 100	<u>Report on BEREC International Mission to the USA</u>
22	BoR (20) 106	<u>Draft BEREC Guidelines on the Criteria for a Consistent Application of Article 61(3) EECC</u>
23	BoR (20) 107	<u>BEREC Report on the outcome of the public consultation on the draft BEREC Strategy 2021-2025</u>
24	BoR (20) 108	<u>BEREC Strategy 2021 - 2025</u>
25	BoR (20) 110	<u>Draft BEREC Report on the impact of 5G on regulation and the role of regulation in enabling the 5G ecosystem</u>

No	Document No	Documents on BEREC website
26	BoR (20) 111	<u>Report on the outcomes of the public consultation on the Update to the BEREC Guidelines on the implementation of the Open Internet Regulation</u>
27	BoR (20) 112	<u>BEREC Guidelines on the implementation of the Open Internet Regulation</u>
28	BoR (20) 113	<u>BEREC Guidelines to foster the consistent application of the criteria for assessing co-investments in new very high capacity network elements (Article 76 EECC)</u>
29	BoR (20) 114	<u>Report on the outcomes of the public consultation on the BEREC Guidelines on how to assess the effectiveness of public warning systems transmitted by different means</u>
30	BoR (20) 115	<u>BEREC Guidelines on how to assess the effectiveness of public warning systems transmitted by different means</u>
31	BoR (20) 116	<u>BEREC Report on parameter calculations according to the European Commission's WACC Notice</u>
32	BoR (20) 154	<u>Report on the outcomes of the public consultation on the updated BEREC Guidelines on intra-EU communications</u>
33	BoR (20) 155	<u>Updated BEREC Guidelines on intra-EU communications</u>
34	BoR (20) 156	<u>Intra EU Communications BEREC Benchmark Data Report April 2019 – March 2020</u>
35	BoR (20) 157	<u>International Roaming BEREC Benchmark Data Report October 2019 - March 2020 & 2nd Western Balkan Roaming Report</u>
36	BoR (20) 158	<u>Summary report on the joint OECD and BEREC's Webinars on Improving customer experience of electronic communication services through QoS and QoE</u>
37	BoR (20) 163	<u>Draft BEREC Work Programme 2021</u>
38	BoR (20) 164	<u>BEREC Report on the outcome of the public consultation on draft BEREC Guidelines on Very High Capacity Networks</u>
39	BoR (20) 165	<u>BEREC Guidelines on Very High Capacity Networks</u>

No	Document No	Documents on BEREC website
40	BoR (20) 166	BEREC Report on the implementation of Regulation (EU) 2015/2120 and BEREC Open Internet Guidelines
41	BoR (20) 168	Draft BEREC Guidelines to assist NRAs on the consistent application of geographical surveys of network deployments
42	BoR (20) 174	BEREC Opinion on the European Commission's draft Recommendation on relevant product and service markets susceptible to ex ante regulation
43	BoR (20) 169	BEREC Response to the Targeted consultation on the revision of the Commission's access recommendations
44	BoR (20) 170	Draft BEREC Report on penalties
45	BoR (20) 208	BEREC Report on Transparency and Comparability of International Roaming Tariffs
46	BoR (20) 209	Termination rates at European level July 2020
47	BoR (20) 210	BEREC Report on Regulatory Accounting in practice 2020
48	BoR (20) 219	Report on the outcome of public consultation on draft BEREC Work Programme 2021
49	BoR (19) 220	BEREC Work Programme 2021
50	BoR (20) 222	Report on the outcome of public consultation on the draft BEREC Guide to the BEREC 5G Radar and 5G Radar
51	BoR (20) 223	Guide to the 5G Radar and 5G Radar
52	BoR (20) 224	Report on the outcome of public consultation on the BEREC Guidelines on the criteria for a consistent application of Article 61(3) EECC
53	BoR (20) 225	BEREC Guidelines on the criteria for a consistent application of Article 61(3) EECC

No	Document No	Documents on BEREC website
54	BoR (20) 226	<u>BEREC response to the targeted public consultation on the evaluation of the state aid rules for the deployment of broadband networks</u>
55	BoR (20) 228	<u>Executive summary concerning the EU 5G Cybersecurity Toolbox Strategic Measures 5 and 6 (Diversification of suppliers and strengthening national resilience)</u>
56	BoR (20) 230	<u>Draft BEREC Guidelines on Geographical surveys. Verification of information</u>
57	BoR (20) 231	<u>BEREC Report on the outcome of public consultation on the Draft BEREC Guidelines to foster the consistent application of the conditions and criteria for assessing co-investments in new very high capacity network elements (Article 76(1) and Annex IV EECC)</u>
58	BoR (20) 232	<u>BEREC Guidelines to foster the consistent application of the conditions and criteria for assessing co-investments in new very high capacity network elements (Article 76(1) and Annex IV EECC)</u>

Table 9: Register of applications for access to BEREC/BEREC Office documents, 2020

No	Receipt of the initial application (date)	Type of document		Receipt of the confirmatory application, if applicable (date)	Decision taken (full disclosure, partial disclosure, refusal)	Reason(s) for refusal, if applicable
		BEREC document	BEREC Office document			
1	12.02.2020		X	N/A	Partial disclosure	Article 4(1) point (a) of Regulation 1049/2001 Article 4(1) point (b) of Regulation 1049/2001
2	07.04.2020	X		N/A	Full disclosure	
3	07.05.2020	X		N/A	Refusal	Article 4(2) first indent of Regulation 1049/2001
4	08.05.2020	X		N/A	Refusal	Article 4(2) first indent of Regulation 1049/2001
5	08.06.2020		X	N/A	Devoid of purpose	Documents not held

Annex II: Statistics on financial management

Table 1: Revenue — appropriations

Revenues in EUR	Budget 2020	Corrigendum	New Appropriations 2020
1. Revenue from fees and charges		N/A – No correction to initial budget in the course of the year	N/A – No correction to the appropriations in the course of the year
2. EU Subsidy	7,140,402		
2.a. of which “fresh” contributions in year 2019	7,117,000		
2.b. of which assigned revenues deriving from previous year 2018 surplus	23,402		
3. Third countries contribution (incl. EFTA and candidate countries)	93,251		
4. Other contributions ³⁶	0		
5. Administrative operations	0		
Of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Art. 58)	0		
6. Revenues from services rendered against payment	0		
7. Correction of budgetary imbalances	0		
Total revenues	7,233,653		

³⁶ Estimated voluntary contributions from Member States or from their NRAs. These contributions shall be used to finance specific items of operational expenditure as defined in an agreement to be concluded between the Office and the Member States of their NRAs.

Table 2: Budgetary transfer 2020

BL	Budget Item Description	Budget 2020 voted budget	10% ceiling	Transfer No. 1 - July 2020	Transfer No. 2 - September 2020	Transfer No. 3 - November 2020	Transfer No. 4 - December 2020	Transfer No. 5 - December 2020	Budget with transfers
	Budget	7,233,653	723,365.30	0.00	0.00	0.00	0.00	0.00	7,233,653
1	STAFF EXPENDITURE	3,357,221	335,722	16,141.21	0.00	0.00	30,528.84	-5,217.15	3,398,674
1100	Temporary Agent's salaries	1,338,441.87	133,844.19	0.00	0.00	-13,000.00	-2,707.42	0.00	1,322,734.45
1111	Contract staff and SNEs	1,099,329.00	109,932.90	-25,000.00	0.00	-20,000.00	-38,544.34	0.00	1,015,784.66
1120	Employer's social security contributions	80,000.00	8,000.00	0.00	-13,400.00	-1,500.00	-1,230.44	0.00	63,869.56
1200	Recruitment expenses	30,000.00	3,000.00	-10,000.00	18,400.00	-12,518.78	-2,324.09	0.00	23,557.13
1300	Missions expenses, duty travel and other ancillary expenditure	249,000.00	24,900.00	-180,858.79	-10,000.00	-8,000.00	-6,643.79	0.00	43,497.42
1400	Medical service	12,000.00	1,200.00	0.00	0.00	-4,266.00	0.00	0.00	7,734.00
1500	Training	90,000.00	9,000.00	-40,000.00	-4,000.00	0.00	-1,684.88	0.00	44,315.12
1600	External services	438,250.00	43,825.00	272,000.00	19,000.00	63,184.78	85,283.41	-5,217.15	872,501.04
1700	Representation, receptions and events, and miscellaneous staff expenses	20,000.00	2,000.00	0.00	-10,000.00	-3,900.00	-1,619.61	0.00	4,680.39

BL	Budget Item Description	Budget 2020 voted budget	10% ceiling	Transfer No. 1 - July 2020	Transfer No. 2 - September 2020	Transfer No. 3 - November 2020	Transfer No. 4 - December 2020	Transfer No. 5 - December 2020	Budget with transfers
2	BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE	1,070,440.00	107,044.00	-16,141.21	0.00	0.00	61,491.16	71,514.00	1,187,304.00
2000	Rental of buildings	232,565.00	23,256.50	-20,500.00	0.00	0.00	-5,586.51	0.00	206,478.49
2100	Data processing and telecommunications	423,224.87	42,322.49	0.00	40,000.00	0.00	21,783.20	-207.38	484,800.69
2200	Movable property and associated costs	55,200.00	5,520.00	0.00	0.00	0.00	-32,760.73	0.00	22,439.27
2300	Legal and other operational expenditure	269,450.00	26,945.00	17,500.00	0.00	0.00	90,588.44	71,868.43	449,406.87
2400	Non-operational media and public relations	68,000.00	6,800.00	-6,800.00	-40,000.00	0	-2,614.55	-147.05	18,438.40
2500	Non-operational meetings	22,000.00	2,000.00	-6,341.21	0.00	0.00	-9,918.69	0.00	5,740.10
3	OPERATIONAL EXPENDITURE	2,805.992	280,599	0.00	0.00	0.00	-92,020.00	-66,296.85	2,647,675.15
3001	BEREC programme management support	920,200.00	92,020.00	0.00	0.00	-310,000.00	-92,020.00	0.00	518,180.00
3101	Operation and strategic support to BEREC	1,885,792.20	188,579.20	0.00	0.00	310,000.00	0.00	-66,296.85	2,129,495.15

Table 3: Expenditure C1

Commitment and payment appropriations in EUR – C1 credits

TITLE 1 - STAFF

Official Budget Item	Budget Item Description	Credit Available Com/ Payment Amount	Commitment Accepted Amount (EUR)	% Commit	Payment Accepted Amount (EUR)	% Payment
A-1100	Temporary agents` salaries and allowances	1,322,734.45	1,322,734.45	100.00%	1,322,734.45	100.00%
A-1111	Contract staff and seconded national experts	1,015,784.66	1,015,784.66	100.00%	1,015,784.66	100.00%
A-1120	Employer`s social security contributions	63,869.56	63,869.56	100.00%	63,869.56	100.00%
A-1200	Recruitment expenses	23,557.13	23,557.13	100.00%	23,176.11	98.38%
A-1300	Mission expenses, duty travel and other ancillary expenses	43,497.42	43,470.37	99.94%	43,470.37	99.94%
A-1400	Medical service	7,734.00	7,734.00	100.00%	7,734.00	100.00%
A-1500	Training	44,315.12	44,315.12	100.00%	41,780.12	94.28%
A-1600	External services	872,501.04	872,501.04	100.00%	685,451.11	78.56%
A-1700	Representation and miscellaneous staff costs	4,680.39	4,680.39	100.00%	644.39	13.77%
TOTAL TITLE 1 FUND SOURCE C1 2020		3,398,673.77	3,398,646.72	100.00%	3,204,644.77	94.29%

TITLE 2 - BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE

Official Budget Item	Budget Item Description	Credit Available Com/ Payment Amount	Commitment Accepted Amount (EUR)	% Commit	Payment Accepted Amount (EUR)	% Payment
A-2000	Rental of buildings	206,478.49	206,478.49	100.00%	177,109.96	85.78%
A-2100	Data processing and telecommunications	484,800.69	484,800.69	100.00%	310,681.83	64.08%
A-2200	Movable property and associated costs	22,439.27	22,439.03	100.00%	18,397.34	81.99%
A-2300	Legal and other operational expenditure	449,406.87	449,369.02	99.99%	197,486.60	43.94%
A-2400	Non-operational media and public relations	18,438.40	18,438.40	100.00%	11,928.25	64.69%
A-2500	Non-operational meetings	5,740.10	5,740.10	100.00%	5,740.10	100.00%
TOTAL TITLE 2 C1 2020		1,187,303.82	1,187,265.73	100.00%	721,344.08	60.75%

TITLE 3 - OPERATIONAL EXPENDITURE

Official Budget Item	Budget Item Description	Credit Available Com/ Payment Amount	Commitment Accepted Amount (Euro)	% Commit	Payment Accepted Amount (Euro)	% Payment
B 3001	Support to the BEREC WGs	518,180.00	478,030.03	92.25%	166,904.54	32.21%
B 3101	Other support activities to BEREC and NRAs	2,129,495.15	2,102,653.31	98.74%	329,600.52	15.48%
TOTAL TITLE 3 C1 2020		2,647,675.15	2,580,683.34	97.47%	496,505.06	18.75%
Total	Title 1-3	7,233,652.74	7,166,595.79	99.07%	4,422,493.91	61.14%

Table 4: Expenditure C8 credits (C8 2020)

TITLE	Official Budget item	Budget Item Description	Amount carried over	Consumed amount	Cancelled amount	% Consumed
1 Staff expenditure	A-1111	Contract staff and seconded national experts	509.35	509.35	0	100%
	A-1300	Mission expenses, duty travel expenses and other ancillary expenditure	8,775.30	8,773.04	2.26	99.97%
	A-1400	Medical services	2,030.00	420.00	1,610.00	20.69%
	A-1500	Training	17,572.99	15,681.21	1,891.78	89.23%
	A-1600	External services	158,565.92	155,059.01	3,506.91	97.79%
	A-1700	Representation, receptions and events, and miscellaneous staff expenses	1,976.56	1,925.56	51.00	97.42%
	TOTAL TITLE 1 C8 2020		189,430.12	182,368.17	7,061.95	96.27%
2 Building, equipment and miscellaneous operating expenditure	A-2000	Rental of buildings and associated costs	27,415.15	27,382.64	32.51	99.88%
	A-2100	Data processing and telecommunications	108,267.72	95,698.04	12,569.68	88.39%
	A-2200	Movable property and associated expenditure	13,769.85	13,750.99	18.86	99.86%
	A-2300	Legal and other operating services	34,960.96	34,781.93	179.03	99.49%
	TOTAL TITLE 2 C8 2020		184,413.68	171,613.60	12,800.08	93.06%
Operational expenditure	B-3001	Support to the BEREK WGs	128,828.12	125,983.10	2,845.02	97.79%

TITLE	Official Budget item	Budget Item Description	Amount carried over	Consumed amount	Cancelled amount	% Consumed
	B-3101	Other support activities to BEREK and NRAs	443,917.48	428,891.49	15,025.99	96.62%
	TOTAL TITLE 3 C8 2020		648,832.27	629,312.38	19,519.89	96.99%
TOTAL C8 2020:			1,022,676.07	983,294.15	39,381.92	96.15%

Table 4: Payment times

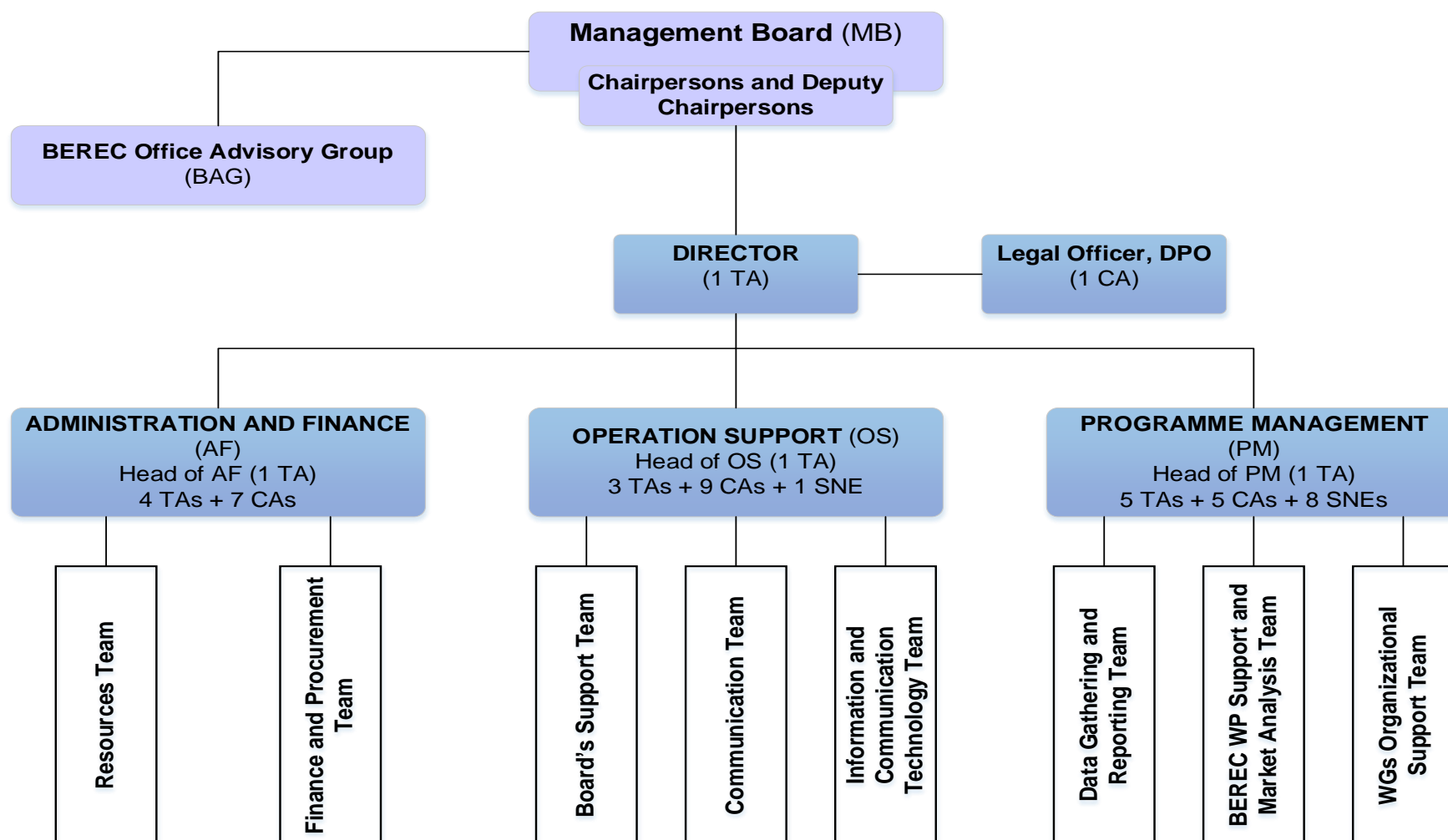
Legal Times									
Maximum Payment Time (Days)	Total Number of Payments	Nbr of Payments within Time Limit	Percentage	Average Payment Times (Days)	Nbr of Late Payments	Percentage	Average Payment Times (Days)	Late Payments Amount	Percentage
30	721	641	88.90 %	16.5	80	11.10 %	38.5	207,077.24	9. %
60	22	22	100.00 %	17.5				0.00	0. %

Total Number of Payments	743	663	89.23 %		80	10.77 %		207,077.24	8. %
Average Net Payment Time	18.89			16.52337858			38.5		
Average Gross Payment Time	19.58			17.18099548			39.5		

Suspensions							
Average Report Approval Suspension Days	Average Payment Suspension Days	Number of Suspended Payments	% of Total Number	Total Number of Payments	Amount of Suspended Payments	% of Total Amount	Total Paid Amount
0	30	17	2.29 %	743	90,946.45	3.61 %	2,518,917.17

No late interest was paid by the BEREC Office in 2020

Annex III: Organisational chart of the BEREC Office



Abbreviations

TA – Temporary Agent; CA – Contract Agent; SNE – Seconded National Expert

Annex IV: Establishment plan**Table 1: Information about authorised and filled posts in 2018-2020**

Temporary agents						
Function group and grade	2018		2019		2020	
	Authorised under the EU budget	Filled as of 31.12.2018	Authorised under the EU budget	Filled as of 31.12.2019	Authorised under the EU budget	Filled as of 31.12.2020
AD 16						
AD 15						
AD 14	1	1	1	1	1	1
AD 13						
AD 12						
AD 11	1		1		1	
AD 10	1	1	1	1	2	2
AD 9	2	1	2	1	2	1
AD 8	1	3	1	3	2	2
AD 7	2		4		2	0
AD 6	3	5	2	5	2	5
AD 5			1		1	0
Total grade AD	11	11	13	11	13	11
AST 11						
AST 10						
AST 9						
AST 8						
AST 7						

Temporary agents						
Function group and grade	2018		2019		2020	
	Authorised under the EU budget	Filled as of 31.12.2018	Authorised under the EU budget	Filled as of 31.12.2019	Authorised under the EU budget	Filled as of 31.12.2020
AST 6			1		1	
AST 5	1	1	1	1	1	1
AST 4	2		1	1	1	2
AST 3		2		1		
AST 2						
AST 1						
Total grade AST	3	3	3	3	3	3
AST/SC6						
AST/SC 5						
AST/SC 4						
AST/SC 3						
AST/SC 2						
AST/SC 1						
Total grade AST/SC						
GRAND TOTAL	14	14	16	14	16	14

Table 2: Information on the entry level for each type of post: indicative table:

Key functions	Type of contract (official, TA or CA)	Function group, grade of recruitment ³⁷	Indication whether the function is dedicated to administration support or operations
CORE FUNCTIONS			
Director (Level 1)	TA	AD 14	TOP COORD — FIN/CONT
Head of Unit — Administration and Finance (Level 2)	TA	AD 9	RES DIR/HoA — FIN/CONT
Head of Unit — Programme Management (Level 2)	TA	AD 9	TOP COORD
Head of Unit — Operation Support (Level 2)	TA	AD 9	TOP COORD
Senior Officer — Senior Programme Manager (Level 3)	TA	AD 7	GEN OPER
Administrator — Team Leader Resources (Level 3)	TA	AD 6	HR
Administrator — Team Leader, Procurement and Finance (Level 3)	TA	AD 6	FIN/CONT — PGM
Administrator — Team Leader, ICT (Level 3)	TA	AD 6	PGM
Team Leader — Boards' Support, Document Management Officer (Level 3)	TA	AD 6	GEN OPER — TOP COORD
Administrator — Team Leader Communications (Level 3)	TA	AD6	PGM M/IMPL
Officer — Programme Manager (Level 3)	TA	AD 5	PGM
Officer — Legal Officer, DPO (reporting directly to level 1)	CA	FGIV	LEGAL — GEN OPER

³⁷ Entry level for external selection

SNE — Programme Manager	SNE	SNE	PGM
SNE – Boards' Support Officer	SNE	SNE	GEN OPER
Officer — Communication Officer (Level 3)	CA	FG IV	PGM M/IMPL
Officer – ICT Officer	CA	FGIV	ICT — PGM
Officer — Support Officer in Programme Management Unit (Level 3)	CA	FG IV	PGM
Officer — Procurement and Legal Officer (Level 3)	CA	FG IV	FIN/CONT — PGM
Officer — HR Support Officer (Level 3)	CA	FG IV	HR
Officer — HR Support Officer (Level 3)	CA	FG IV	HR — FIN/CONT
Officer — Budget and Reporting Officer (level 3)	CA	FG IV	FIN/CONT
Assistant — Programme Management Assistant (Level 3)	TA	AST 3	PGM
Assistant — Budget and Finance Assistant, Mission Officer (Level 3)	TA	AST 3	FIN/CONT
Assistant — Finance and Accounting Assistant (Level 3)	TA	AST 3	FIN/CONT
Assistant – Communications Assistant (Level 3)	CA	FGIII	PGM — M/IMPL
Assistant — ICT Assistant (Level 3)	CA	FG III	ICT — PGM
Assistant — Financial Assistant (Level 3)	CA	FG III	FIN/CONT
Assistant – Facilities Assistant (Level 3)	CA	FG III	LOG
Assistant – Boards' Support Assistant (Level 3)	CA	FG II	GEN OPER — TOP COORD
Assistant — ICT, Logistics, Security and Facilities Management Assistant (Level 3)	CA	FG II	ICT — PGM
Assistant — Administrative Coordination Assistant (Level 3)	CA	FG II	FIN/CONT
Assistant — Event Management and Administrative Assistant (Level 3)	CA	FG II	PGM

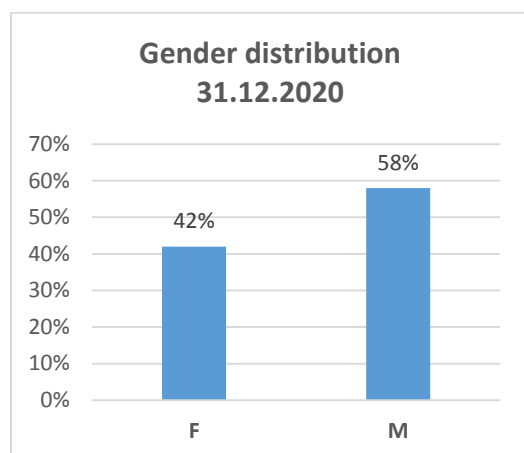
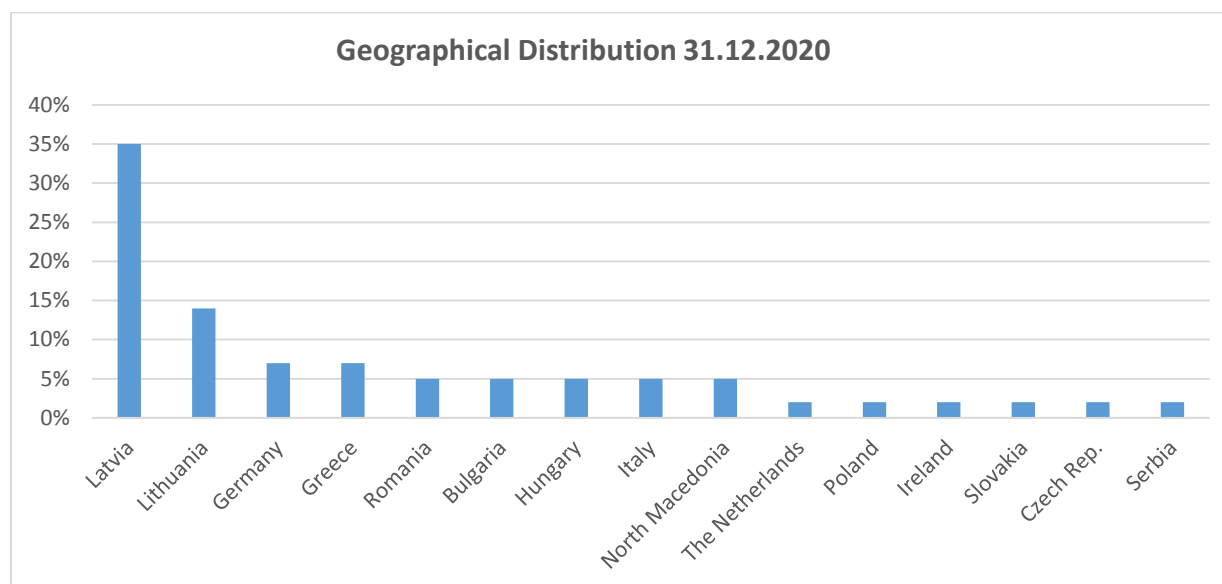
Table 3: Information on the gender distribution of staff**Table 4: Information on the geographical distribution of staff**

Table 5: Benchmarking against previous year's results

Job type (sub)category	2018 (%)	2019 (%)	2020 ³⁸ (%)
Administrative support and coordination	9.26	10.00	8.51
Administrative support	7.41	8.75	7.45
Coordination	1.85	1.25	1.06
Operational	74.07	72.50	75.53
Top-level operational coordination	7.41	7.5	6.38
Programme management and implementation	46.30	46.25	53.19
Evaluation and impact assessment	0	0	0
General operational	20.36	12.5	15.96
Neutral	16.67	17.50	15.96
Finance/control	16.67	17.5	15.96
Linguistics		0	0

³⁸ The data take into account the redistribution of tasks and the reorganisation of work implemented in 2020.

Table 6: Implementing rules adopted in 2020

Decision number	Entry into force	Decision title
MB/2020/07	6 April 2020	Decision of the Management Board of the Agency for Support for BEREC laying down the guidelines for assistance with home care or care for a sick child. The BEREC Office adopted individual rules.
MB/2020/09	13 June 2020	Decision of the Management Board of the Agency for Support for BEREC on the non-application of the Commission Decision on the maximum duration for the recourse to non-permanent staff in the Commission services The BEREC Office adopted a model decision provided by the European Commission on non-application of Commission Decision C(2019) 2548
C(2019) 6855 of 04/10/2019	9 July 2020	Commission Decision C(2019) 6855 of 4 October 2019 on procedures for dealing with professional incompetence, applied by the BEREC Office by analogy
C(2019)7822 of 30/10/2019	12 August 2020	Commission Decision C(2019)7822 of 30 October 2019 amending Commission Decision C(2004) 1318 of 7 April 2004 on the duties of Commission drivers, applied by the BEREC Office by analogy
C(2020) 1559 of 16/03/2020	19 December 2020	Commission Decision C(2020) 1559 of 16 March 2020 amending Decision C(2013) 9051 of 16 December 2013 on leave, applied by the BEREC Office by analogy

Table 7: Flexitime recuperation days taken per grade

Function Group and grade	Flexitime recuperation (days)
Contract Agents	26
FG IV	21,5
FG III	2
FG II	2,5
Temporary Agents	29
AD 8	4,5
AD 6	18
AST 5	3,5
AST 4	3
Total (CAs & TAs)	55,0

Annex V: Human and financial resources by operational activity

BEREC Office Activity 2020	Financial resources³⁹ used	FTEs used
Operational	€ 4,740,222.26	29.00
1.1. Support to BEREC WGs including Phase 2 cases	€ 1,460,731.48	17.07
1.1.1. Support to BEREC WGs including Workshops & Phase 2 cases	€ 1,235,805.08	14.95
1.1.2. Collect data & Pre-draft Documents (i.e. public consultation reports)	€ 224,926.40	2.11
1.2. High level meetings Board's secretariat	€ 406,453.34	4.19
1.3. ICT support to BEREC	€ 2,194,445.51	3.53
1.3.1. IT Support, Licenses, Hardware and Business Continuity for BEREC	€ 1,344,018.97	1.05
1.3.2. IT Projects for BEREC	€ 850,426.53	2.49
1.4. Information gathering and distribution	€ 455,177.16	0.66
1.4.1. Regulatory information & trainings for BEREC	€ 395,534.07	0.20
1.4.2. Studies & projects for BEREC	€ 59,643.09	0.46
1.5 BEREC Communications activities	€ 223,414.77	3.55
Horizontal	€ 2,426,373.53	19.74
2.1. Coordination activities	€ 446,926.25	3.25
2.1.1. General coordination	€ 330,724.76	1.53
2.1.2. Communication activities	€ 46,117.23	0.70
2.1.3. Legal advice and data protection (for BEREC and BEREC Office)	€ 70,084.27	1.02
2.2. Centralised finance and procurement (for BEREC and BEREC Office)	€ 824,874.29	8.96
2.3. Human Resources Management	€ 227,620.98	3.70
2.4. ICT, security, logistics and document management	€ 926,952.01	3.83
2.4.1. ICT & Document Management	€ 576,782.68	2.04
2.4.2. Security & Business Continuity for the Agency	€ 24,139.76	0.28
2.4.3. Facility Management and Logistics	€ 326,029.57	1.50
TOTAL:	€ 7,166,595.79	48.74

³⁹ Amounts committed on 31.12.2020

Annex VI: Specific annexes related to Part II

Table 1: 2020 electronic voting procedures of the BEREC Office MB

№	Subject	Comments Round		Voting Round	
		Start (link to launch)	End	Start (link to launch)	End (link to report)
1.	BEREC Office Draft Single Programming Documents for 2021-2023	23 January 2020	29 January 2020	30 January 2020	31 January 2020
2.	Decision of the Management Board of the Agency for Support for BEREC laying down the guidelines for assistance with home care or care for a sick child	1 April 2020	2 April 2020	2 April 2020	6 April 2020
3.	Draft CAAR 2019 & Draft MB Opinion on BO Final Accounts 2019	12 June 2020	19 June 2020	22 June 2020	29 June 2020

Table 2: Overview of public documents adopted in 2020 by the BEREC Office Management Board (MB)**Decisions**

Document number	Document date	Document title/hyperlink to document
MB/2020/01	31 January 2020	Decision of the BEREC Office MB on the adoption of the Single Programming Document of the BEREC Office Activities for 2021-2023
MB/2020/02	06 March 2020	Decision of the BEREC Office MB on the Anti-Fraud Strategy 2020-2022
MB/2020/03	06 March 2020	Decision of the BEREC Office MB concerning the secondment to the BEREC Office of national experts and national experts in professional training
MB/2020/04	06 March 2020	Decision of the BEREC Office MB on financing the acquisition of historical data sets for the calculation of certain parameters underlying the weighted average cost of capital (WACC)
MB/2020/05	06 March 2020	Decision of the BEREC Office MB on financing the acquisition of financial software for the calculation of additional financial parameters underlying the weighted average cost of capital (WACC)
MB/2020/06	06 March 2020	Decision of the BEREC Office MB on the appointment of the Co-Chairs of the Expert Networking Groups
MB/2020/07	06 April 2020	Decision of the BEREC Office MB laying down the guidelines for assistance with home care or care for a sick child
MB/2020/08	12 June 2020	Decision of the BEREC Office MB on the approval of the new Mission Charter of the Internal Audit Service in relation to bodies set up under the TFEU and the EURATOM Treaty and having legal personality and receiving contributions charged to the Budget

Document number	Document date	Document title/hyperlink to document
MB/2020/09	12 June 2020	Decision of the BEREC Office MB on the non-application of the Commission Decision on the maximum duration for the recourse to non-permanent staff in the Commission services
MB/2020/10	11 December 2020	Decision of the BEREC Office MB on the designation of two Reporting Officers to appraise the Director of the BEREC Office
MB/2020/11	11 December 2020	Decision of the BEREC Office MB for the Approval of the Headquarters Agreement between the BEREC Office and the Host Member State

BEREC Office MB opinion

Document number	Document date	Document title/hyperlink to document
MB (20) 47	29 June 2020	Opinion of the MB of the BEREC Office concerning the final accounts of the year 2019

BEREC Office Work Programme

Document number	Document date	Document title/hyperlink to document
MB (20) 05	31 January 2020	Draft Single Programming Document of the Activities of the BEREC Office for the period 2021-2023

BEREC Office Consolidated Activity Report 2019

Document number	Document date	Document title/hyperlink to document
MB (20) 46	29 June 2020	2019 Consolidated Annual Activity Report of the BEREC Office

Agendas for the 2020 ordinary meetings of the BEREC Office MB

Document number	Document date	Document title/hyperlink to document
MB (20) 18	26 February 2020	Draft Agenda for the 42nd ordinary meeting of the MB of the BEREC Office
MB (20) 39	02 June 2020	Draft Agenda for the 43rd MB virtual Meeting in 2020
MB (20) 58	18 September 2020	Draft Agenda for the 44th MB virtual Meeting in 2020
MB (20) 77	01 December 2020	Draft Agenda for the 45th MB virtual Meeting in 2020

Conclusions of the 2020 meetings of the BEREC Office MB

Document number	Document date	Document title/hyperlink to document
MB (20) 31	06 March 2020	Conclusions of the 42nd ordinary BEREC Office MB plenary meeting
MB (20) 49	12 June 2020	Conclusions of the 43rd ordinary BEREC Office MB plenary meeting
MB (20) 71	02 October 2020	Conclusions of the 44th Ordinary Plenary Meeting of the BEREC Office MB
MB (20) 92	11 December 2020	Conclusions of the 45th Ordinary Plenary Meeting of the BEREC Office MB

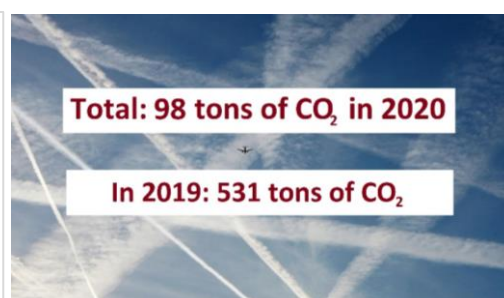
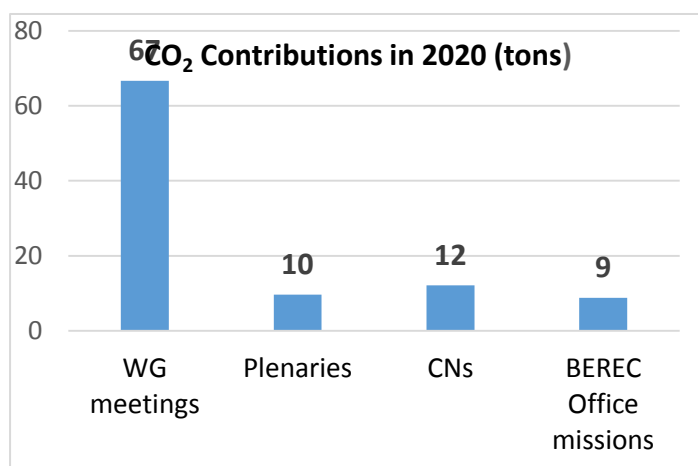
Annex VII: Final annual accounts

Presented in a separate file.

Annex VIII: Environment management

The BEREC Office is duly taking into consideration the impact of its operations on the planet and is constantly enhancing measures to reduce this impact. The two main factors that may affect the sustainability of an organisation like the BEREC Office are '*how the running of an organisation affects sustainability*' (such as the internal use of paper, plastic, water or CO₂ emissions) and '*how sustainability has been considered in the overall strategy and operations of the organisation*'.

Some elements related to the first factor have been recently assessed for the activities of BEREC and of the BEREC Office. There is no doubt that one of the main environmental impacts is CO₂ emissions from air travel. The BEREC Office has used the ICAO methodology⁴⁰ to determine that, in 2020, air-travel linked to the activities of BEREC / the BEREC Office generated only 98 tonnes of CO₂, compared to 531 tonnes in 2019. The following figure shows CO₂ emissions arising from the different categories of BEREC / BEREC Office meetings in 2020. In 2020, only 215 flights were taken by experts who participated in physical WG meetings, as compared to 2 092 flights in 2019 (-90%). In an effort to combat the environmental impact of air travel, and to save time and financial resources, a few years ago the BEREC Office introduced a modern Audio-Video Conferencing (AVC) facility which allows remote participation in meetings. This facility is extensively used during BEREC events and meetings and it significantly limits the need for



face-to-face meetings. More than 500 virtual WG meetings took place in 2020, gathering more than 8 000 participants. In this way, 2 483 tonnes of CO₂ emissions were saved in 2020, as compared to 393 tonnes in 2019 (-532%).

Another factor contributing to reduce CO₂ emissions is the location of the BEREC Office premises in the centre of the city. There are good connections by public transport and most staff members come to work by using public transport or bicycles, and only a minority uses cars.

Although the BEREC Office does not own its premises and despite the historical constraints of the building, it has taken action to improve the thermal insulation of its premises and reduce energy use, such as installing insulated glazing to reduce energy costs. During the renovation of the lighting system in part of the premises, low energy use solutions were

⁴⁰ <https://www.icao.int/environmental-protection/CarbonOffset/Pages/default.aspx>

chosen to comply with the European Directive on the energy performance of buildings.

The BEREC Office has significantly reduced its paper consumption by using the EC electronic document management system HAN (Hermes-Ares-NomCom), which is linked to the EC account system (ABAC). Since the beginning of 2020, with the introduction of the EC mission processing system (MiPS), the BEREC Office has managed staff missions electronically and no paper files are required anymore. In 2020, the BEREC Office introduced the use of electronic files for training as part of the BEREC Office Traineeship Programme. The BEREC Office also continued using the electronic procurement portal e-Submission, which shortens the duration of the procurement procedure, ensures electronic opening of tenders and eliminates the need for keeping paper files. The electronic opening of tenders using video-conference technology has proved particularly advantageous during the Covid-19 pandemic as it ensured that BEREC Office staff members did not have to be present at the office to manage the opening session.

Furthermore, the BEREC Office has improved its waste collection to 100% for glass, paper and plastics. The BEREC Office is working to purchase eco-friendly supplies in order to continue actively reducing its environmental impact.

BEREC has included sustainability as a key element in its five-year strategy for the period 2021-2023, which is currently under development. Additionally, an ENG was set up for the period 2020-2021 aiming to assess and propose actions in two dimensions, one internal (i.e. BEREC/BEREC Office's own activities) and one external (i.e. environmental impact of the electronic communications sector):

- in the internal dimension, a range of initiatives will be assessed in order to reduce the environmental footprint of BEREC/the BEREC Office as well as methodologies for measuring and reporting performance;
- in the external dimension, good practices will be identified in order to promote sustainability and virtuous behaviours by the market players.

BEREC/the BEREC Office also cooperate on this subject with other organisations, such as the ITU and RSPG, and organised in 2020 a high-level external workshop on sustainability with the participation of the Heads of the European NRAs and key persons from the telecommunication industry. Furthermore, the BEREC Office is financing an external study on ways to promote sustainability in the telecom sector.

Annex IX: Overview of the key performance indicators (KPIs) identified in the Single Programming Document (SPD) for 2020-2022

level	WP 2018-2020 activities	Objective: To provide efficient professional and administrative supporting services to the Chair and Vice-Chairs of the BoR, Chairperson and Deputy Chairpersons of the MB of the BEREC Office, Miniboard, the BoR and MB, the CN in execution of their tasks and responsibilities, including cooperation and liaison with the EC, EP, the Council, other Union bodies, offices, agencies, advisory groups, regulatory authorities of third countries, international organisations, and other stakeholders.			
2.1. Support to BEREC WGs, including workshops and phase II cases					
	Indicators	Results 2019	Target 2020	Results 2020	
	1. Provision of virtual WG meetings	421	100 <	523	
	2. Provision of support of physical WG meetings	110	≤150	19	
	3. Provision of support to workshops with external experts	5	≤10	9	
	4. Provision of support to participation in 3rd party meetings	5	≤10	1	
	5. Provision of ad hoc meeting under Article 33/34 procedures (former Art 7/7A)	2	≤10	0	
	6. Reimbursement of 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	985	≤1000 ⁴¹	199	
	7. Monitor sustainability KPIs (total carbon footprint related to support to BEREC WGs)	N/A – new indicator	n/a	n/a	

⁴¹ Subject to increase, in case third countries that participate in BEREC make financial contributions. Participants from such third countries will become eligible for reimbursement of expenses.

	Indicators	Results 2019	Target 2020	Results 2020
	1. Reimbursement of 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	98%	> 90 %	99%
	2. Completeness of document libraries (public & Internal)	N/A – new indicator	100%	100%
	3. Total carbon footprint related to high level meetings	N/A – new indicator	n/a	n/a
2.3 ICT Support to BEREC	Objective: Enable operations by maintaining high availability of IT services (dedicated applications, databases, web sites) in regard to IT infrastructure and services (on prem. and cloud). Provision of necessary licenses and IT support. Provision of ICT network (knowledge exchange).			
	Indicators	Results 2019	Target 2020	Results 2020
	1. Usage of Back-up as a service (BaaS)	100%	restoration success 100%	100%
	2. Usage of Disaster recovery as a service (DRaaS)	100%	DR system availability > 98%	100%
	3. Usage of Infrastructure as a service (IaaS)/Platform as a service (PaaS)	40%	> 60% of systems to be operational from cloud env.	100%
	4. Provision of video-conference software, support (onsite and remote)	N/A – new indicator	service availability > 98%	>98%
	5. Timely closure of IT tickets/requests in support to operational activities	1.5	average ticket resolution time: 1.5 days	met
	6. Number of tickets handled for BEREC	N/A – new indicator	N/A	1198

2.4 Information gathering and distribution	Objective: Provision of information and knowledge dissemination			
	Indicators	Results 2019	Target 2020	Results 2020
	Indicators	2019 results	Target 2020	Results 2020
	1. Provision of training sessions per academic year	5	4	4
	2. Availability of systems			
	1. Reimbursement of the expenses of the training participants	114	108	29
	Objective: Ensure visibility and better quality of BEREC deliverables			
	Indicators	Results 2019	Target 2020	Results 2020
	1. Number of Database Notifications published in general public consultation platform	d = 11/A	d ≥ 98%	d > 98%
	2. Timely response to user requests (BERECnet)	2019: N/A – new indicator	less than 10% of user requests require more than 1.5 days to resolve	less than 10% of user requests require more than 1.5 days to resolve

2.5 Expert Networking Groups (ENG)	Objective: ENG of ICT Experts - Provision of expertise on ICT matters in support to BEREC			
	Indicators	Results 2019	Target 2020	Results 2020
	Indicators	Results 2019	Target 2020	Results 2020
	1. Provision of virtual meetings (ICT ENG)	N/A – new indicator	> 2	18
	1. Availability of net neutrality measurement tool	N/A – new indicator	> 98%	> 98%
	Objective: Improvement of physical meetings (ESS via AGM)			
	Provision of support of physical meetings (ESS via AGM)	N/A – new	< 2	0
	Indicators	Results 2019	Target 2020	Results 2020
	Reimbursement of the expenses of meeting participants invited to BEREC events in compliance with the applicable BEREC Office rules and within the deadlines envisaged in the BEREC Office Financial Regulation.	N/A – new indicator	> 100 experts	2 ⁴²

⁴² Due to COVID-19 applicable restrictions, no physical meetings were held as of March 2020; thus only 2 BEREC Chairs travel reimbursement files were processed via AGM tool.

2.6 BEREC Communication activities	Objective: To provide efficient professional and administrative support services to BEREC in the implementation of the BEREC External Communications Strategy and the BEREC Communications Plan 2020			
	Indicators	Results 2019	Target 2020	Results 2020
	1. Provision of virtual meetings (Sustainability ENG) according to the request in the BEREC Annual Communications Plan	N/A – new indicator	≥ 2	35
	2. Provision of support of physical meetings (Communications ENG)	N/A – new indicator	< 2	1
	Objectives: ENG on sustainability - Provision of expertise on specific matters requested by the BEREC Office in support to BEREC			
	1. Provision of virtual meetings (Sustainability ENG)	N/A – new indicator	≤ 10	21
	2. Provision of support of physical meetings (Sustainability ENG)	N/A – new indicator	≤ 10	0

2.7 General coordination	Objective: Delivery of BEREC Office planning and reporting documents within the set deadlines			
	Indicators	Results 2019	Target 2020	Results 2020
	3. Assist the organization of BEREC public debriefings with up to 60 participants and connection to the BEREC Office in Riga	4 100%	4 100%	4 100%
	1. Compliance with legal deadlines or deadlines for submission of documents to MB ordinary meetings			
	Objective: Smooth running of activities linked to audit management, budgetary discharge and internal controls			
	Indicators	Results 2019	Target 2020	Results 2020
	5. Provision of virtual meetings of the network	3	4	35
	6. Support the provision of physical meetings of the network	3	3	1

	Objective: to further enrich the knowledge of EU rules on public procurement for the Latvian economic operators			
	Indicators	Results 2019	Target 2020	Results 2020
	Organisation by end of 2020 of a BEREC Office on-line seminar about the benefits for the Latvian economy and business from the EU Public Procurement ⁴⁴ Authority negative observations	8 comments which the BEREC Office has addressed	< 6 observations	6 comments which the BEREC Office would like to address
	Objective: Negotiating the best possible arrangements concerning the accommodation to be provided for the BEREC Office in the host MS and the facilities to be made available by that MS as well as the specific rules applicable in the host MS to the Director, members of the MB, the BEREC Office staff and members of their families as envisaged in Article 47 of the BEREC Regulation.)			
	Indicators	Results 2019	Target 2020	Results 2020
	1. Number of meetings organised	14	4	16
	2. Headquarters agreement signed following approval by the MB	N/A – new indicator	Q4 – 2020	21 December 2020

⁴³ By the end of 2020 the BEREC Office closed all its open IAS recommendations

⁴⁴ Seminar materials and video-recording are publicly available at: https://bereg.europa.eu/eng/bereg_office/public_procurement/7736-bereg-office-on-line-seminar-about-the-benefits-for-the-latvian-economy-and-business-from-the-eu-public-procurement

	Objective: To provide professional and administrative support to the BEREC Management Board in implementing the BEREC Office communication activities			
	Indicators	Results 2019	Target 2020	Results 2020
	1. Applications for access to documents processed within 15 working days	89 %	85 %	100 %
	Objective: Effective and efficient protection of personal data			
	Indicators	Results 2019	Target 2020	Results 2020
	1. Number of data protection policies (or DPO notification) in place compared to the number of processing operations identified	75,8%	80%	80%
	2. Number of personal data breaches notified to the European Data Protection Supervisor (EDPS)	0	≤ 3	0
	3. Negative references to the BEREC Office in the EDPS annual report	0	≤ 2	0
	4. Number of internal data protection trainings organised for newcomers	5	One training/each group of newcomers	3

our ce(HR)	Objectives: To maintain the appropriate HR capacity in line with the Agency's updated multiannual staff policy plan approved by the MB and to develop the skills required to offer the necessary support to BEREC and its members			
	2. Number of participants of the public events organized by the BEREC office	145	Up to 200	200
2.8 Centralised finance and procurement	Objective: Smooth running of activities linked to finance and budget management			
	Indicators	Results 2019	Target 2020	Results 2020
	1. Commitment appropriations' rate	99.93%	≥ 95 %	99.07%
	2. Cancellation rate of commitment and payment appropriations carried over	3.82%	≤ 5 %	3.85%
	3. Salaries to staff paid within the legal deadlines	100%	≥ 95 %	100%
	4. Payments of contractual obligations within the limits set by the Financial Regulation	88.20%	≥ 95 %	89.23%
	Objectives: Timely provision of state-of-the-art supplies and services in support to BEREC and for the needs of the BEREC Office			
	Indicators	2019 result	Target 2020	Results 2020
	1. % of procurement procedures launched within the deadlines agreed with the ordering services	N/A – new indicator	90%	95%
	2. % of inter-institutional procurement procedures disseminated to the concerned services within 2 working days	2019: N/A	90%	66,67%

⁴⁵ Due to COVID-19 applicable restrictions, no physical meetings were held as of March 2020; thus only couple of BEREC Chairs travel reimbursement files were processed via AGM tool.

	Objective: Preparation to ensure compliance with the provisions of Article 39 of the BEREC Regulation as of 2021 and beyond			
	number of a fully staffed BEREC Office)			
	2. Nr of trainings indicated on the training plans attended/overall number of trainings indicated in the training plans	69%	80%	85.85%
	3. Number of decisions of the Authority authorised to conclude contracts of employment	122	At least 100	119
2.10 ICT, Security, logistics and document management	Objectives: Provide ICT systems, services and infrastructure			
	Ensure ICT security, confidentiality, integrity and availability of BEREC Office data and ICT systems			
	Indicators	Results 2019	Target 2020	Results 2020
	1. Hours of continuous downtime of systems minimized	100%	minimum availability of systems hosted on premises > 95%	>95%
	2. Timely response to user requests provided	< 10%	less than 10% of user requests require more than 2.5 days to resolve	met
	3. Ensure availability of remote connection to BEREC Office IT infrastructure	>95%	Provision of remote access to IT infrastructure for staff with availability > 95%	>95%
	4. Usage of IaaS/PaaS services	40%	> 50% of systems to be operational from cloud env.	met

Facility management and	Objective: Ensure proper functioning of the physical infrastructure, while taking into account the growing needs of the Agency in cooperation with the property management company and the Latvian authorities			
	Indicators	Results 2019	Target 2020	Results 2020
	Objective: Ensure proper functioning of the access card and video-surveillance systems of the Agency			
	Indicators	Results 2019	Target 2020	Results 2020
	1. Operational CCTV system	100%	100%	100%
	2. Operational access control system	100%	100%	100%
	Objective: Deployment and use of proper off-site back-up services for the Agency data and development of a reliable disaster recovery plan			
	Indicators	Results 2019	Target 2020	Results 2020
	1. Usage of BaaS services	100%	100%	100%
	2. Usage of DRaaS services	100%	100%	100%

⁴⁶ The deliverable was received with a delay from the EC due to the outbreak of COVID-19

1. Operational technical facilities (electrical, sewage and heating systems, air-ventilation system, air-conditioning units, etc.)	85%	90% of the repair work are executed within the deadline of the Lease agreement	86%
2. Occupancy rates of the offices according to EC building manual ⁴⁷	109.4%	100%	115.46%
3. Timely registration of assets and inventory items	within maximum 7 calendar days from the receipt of the invoice	within maximum 7 calendar days from the receipt of the invoice	within maximum 7 calendar days from the receipt of the invoice
4. Garbage sorting	100%	Ensure garbage sorting for paper, glass, tin and plastics	99%
5. Availability and provision of the supplies and services ordered by the Agency	95%	Minimum 95%	99%
6. Organization of meetings with the premises management company	Ad hoc meetings organised at management level	Bi-monthly meetings organized onsite	Ad hoc meetings organised at management level
7. Organization of meetings for ensuring the future premises needs with the management company and/or Latvian authorities	Ad hoc meetings organised	Bi-monthly meetings at management level	Ad hoc meetings organised

⁴⁷ The data refers to office spaces only, thus excluding meeting rooms, technical spaces, etc.