

**Single Programming Document  
of the Activities of  
the Agency for Support for BEREC  
(‘BEREC Office’)  
for the period 2021-2023**

29 January 2021

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## Foreword

The Body of European Regulators for Electronic Communications (BEREC) and the Office (an EU agency) were established in 2009. BEREC acts as a forum for cooperation among the National Regulatory Authorities (NRAs) and between NRAs and the European Commission in the exercise of the full range of their responsibilities under the Union regulatory framework. BEREC was established to provide expertise and to act independently and transparently. BEREC also serves as a body for reflection, debate and advice for the European Parliament, the Council and the Commission in the field of electronic communications.

The Office as a decentralised EU agency with its seat in Riga, was established to provide professional and administrative support to BEREC. Initially it was expected to operate as a Brussels based support office but soon it was moved to Riga, Latvia, as an ordinary decentralised EU agency.

The new regulation of 2018 acknowledges that BEREC and the Office have made a positive contribution towards the consistent implementation of the regulatory framework for electronic communications. In order to further contribute to the development of the internal market for electronic communications throughout the Union as well as to the promotion of access to, and take-up of, very high capacity networks, competition in the provision of electronic communications networks, services and associated facilities and the interests of the citizens of the Union, the revised Regulation (EU) 2018/1971 (hereinafter BEREC Regulation) aims to strengthen the role of BEREC. Such a strengthened role would complement the enhanced role played by BEREC following adoption of multiple legislative acts in the past years, for example on mobile roaming.

The Office is confirmed in the new regulation as a decentralised EU agency. It is not just that the agency has now a proper name (Agency for Support for BEREC) and a formal short name (BEREC Office). The BEREC Office should provide all necessary professional and administrative support for the work of BEREC, including financial, organisational and logistical support, and should contribute to BEREC's regulatory work. Moreover, the rules on the governance and operation of the BEREC Office should be aligned with the principles of the Joint Statement of the European Parliament, the Council and the European Commission of 19 July 2012 on decentralised agencies.

We are proud of the achievements reached in past years. Aligning our operation with the principles of the referred Joint Statement and of the Inter-institutional Agreement on budgetary discipline, on cooperation in budgetary matters and on sound financial management, in accordance with the will of the co-legislators, will allow our Agency to acquire and to maintain the necessary expertise and competences during the programming period. Addressing the challenges of COVID-19 pandemic led to acceleration of digitisation in our operation, and we are going to continue the digital transition in the years ahead. The concept of 'Smart Agency' will be applied in efforts to improve facilities, internal processes and skills of staff.

We believe that our contribution to the completion of the digital single market will be even more visible and obvious within the revised regulatory framework.

**Annegret Groebel**

**Laszlo Ignecci**

BEREC Office Advisory Group Chair

Director

## List of Acronyms

Acronym	Meaning
ABAC	Accrual Based Accounting
ABB	Activity based budgeting
ABC	Activity based costing
AD	Administrator
AGM	Advanced Gateway to your Meetings application
AST	Assistant
AST/SC	Secretaries and clerks
BaaS	Backup as a service
BAG	BEREC Office Advisory Group
BEREC	Body of European Regulators for Electronic Communications
BEREC Office	Agency for Support for BEREC
BEREC Regulation	Regulation (EU) 2018/1971 of the European Parliament (EP) 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), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009 <sup>1</sup>
BoR	BEREC Board of Regulators
CA	Contract Agent
CAAR	Consolidated annual activity report
CEOS	Conditions of Employment of Other Servants
CERT	Computer emergency response team
CN	Contact Network
DRaaS	Disaster recovery as a service
DPO	Data Protection Officer
EC	European Commission
EECC	European Electronic Communications Code (Directive (EU) 2018/1972 of the EP and of the Council of 11 December 2018 establishing the European Electronic Communications Code <sup>2</sup> )
EDPS	European Data Protection Supervisor
EEA	European Economic Area
EFTA	European Free Trade Association

<sup>1</sup> OJ L 321, 17.12.2018, p. 1–35 (BG, ES, CS, DA, DE, ET, EL, EN, FR, GA, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV); <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1546511040230&uri=CELEX:32018R1971>

<sup>2</sup> OJ L 321, 17.12.2018, p. 36–214 (BG, ES, CS, DA, DE, ET, EL, EN, FR, GA, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV); <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1546582829499&uri=CELEX:32018L1972>

Acronym	Meaning
ENG	Expert Networking Group
ENISA	European Network and Information Security Agency
EP	European Parliament
EU	European Union
EUAN	European Union Agencies' Network
FG	Functional group
FTE	Full-time equivalent post
FWC	Framework contract
HAN	HERMES <sup>3</sup> -ARES <sup>4</sup> -NomCom <sup>5</sup>
HR	Human resources
ICT	Information and communication technologies
IT	Information technologies
KPI	Key performance indicator
MB	BEREC Office Management Board
MS	Member State
NRA	National Regulatory Authority
the Office	The Office of the Body of European Regulators for Electronic Communications as established by Regulation (EC) No 1211/2009 of the EP and of the Council of 25 November 2009 <sup>6</sup>
OLAF	European Anti-Fraud Office
PoC	Proof-of-concept
RBFM	Report on budgetary and financial management
RoP	Rules of Procedure
SLA	Service Level Agreement
SNE	Seconded National Expert
Sysper2	Système de gestion du Personnel <sup>7</sup> , version 2
RPO	Recovery point objective
RTO	Recovery time objective
TA	Temporary Agent

<sup>3</sup> The Commission unique repository for all official documents.

<sup>4</sup> Advanced Records System.

<sup>5</sup> Nomenclature Commune.

<sup>6</sup> OJ L 337, 18.12.2009, p. 1–10 (BG, ES, CS, DA, DE, ET, EL, EN, FR, GA, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV); a special edition (HR); <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1546582997398&uri=CELEX:32009R1211>; No longer in force, Date of end of validity: 19/12/2018; Repealed by [32018R1971](#)

<sup>7</sup> System for management of the personnel



<b>Acronym</b>	<b>Meaning</b>
TSM Regulation	Telecoms Single Market Regulation (Regulation (EU) 2015/2120 of the EP and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union) <sup>8</sup>
WG	Working Group
WP	Work Programme

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<sup>8</sup> OJ L 310, 26.11.2015, pp. 1–18

## Mission Statement

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](#), replacing the previous Regulation (EC) No 1211/2009. The BEREC Office is established as a body of the EU with legal personality to provide professional and administrative support services to BEREC, which is a body of the EU without a legal personality.

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

Following the review of the EU regulatory framework for electronic communications the mandate of the BEREC Office has been amended and it required a review of the mission statement of the Agency. The mission statement presented below has been drafted on the basis of Regulation (EC) No 2018/1971.

### **BEREC Office mission statement:**

The BEREC Office is an EU Agency supporting BEREC in the fulfilment of its mission to ensure the consistent implementation of the European regulatory framework for electronic communications. To achieve this, the BEREC Office provides all necessary professional and administrative support for the work of BEREC, including financial, organisational and ICT services, and contributes to BEREC's regulatory work for the benefit of people in Europe.

The guiding principles that lead the BEREC Office to achieve our professional objectives are as follows:

- **Professionalism:** We are results oriented and believe that by performing consistently to high standards we deliver value to our stakeholders. Professionalism also means for us transparency and integrity in all our actions, working always with the highest level of ethics in our contribution to the interests of the organisation and stakeholders;
- **Efficiency:** We take pride in our work and strive for both efficiency and quality in everything we do. We are committed to use the resources available in the most efficient way;
- **Effectiveness:** We aim to contribute to the work of BEREC with real value through tangible and evident results;
- **Accountability:** We take responsibility for our actions and their outcome both as individuals and as a team. We honour our commitments and obligations. We are held accountable to our constituency (and the public at large) regarding the adherence to the mission, the transparency of internal processes and the execution of our mandate.

The guiding principles of our behaviour in working with our colleagues and interacting with our stakeholders:

- **Teamwork** is the foundation of our organization. We share knowledge and expertise working cooperatively to achieve our goals. We foster collaboration while maintaining individual accountability;
- **Diversity**: We respect the diversity of our colleagues, BEREC community and the European Union. We understand that each individual is unique and we recognize and value the different skills and strengths of our team. We believe that diversity fosters creativity and growth and we promote an open and respectful working environment.

More information on the BEREC Office tasks and mission can be found on the BEREC and BEREC Office website at: [https://berec.europa.eu/eng/berec\\_office/tasks\\_and\\_role/](https://berec.europa.eu/eng/berec_office/tasks_and_role/)

## Section I – General Context

In view of the need to ensure the development of consistent regulatory practice and the consistent application of the Union's regulatory framework for electronic communications, the European Commission established, by Commission Decision 2002/627/EC<sup>9</sup>, the European Regulators Group for Electronic Communications Networks and Services (ERG) to advise and assist the Commission in consolidating the internal market for electronic communications networks and services and, more generally, to provide an interface between NRAs and the Commission.

BEREC and the Office were established by Regulation (EC) No 1211/2009 of the European Parliament and of the Council<sup>10</sup>. BEREC replaced the ERG and was intended to contribute, on one hand, to the development and, on the other, to the better functioning, of the internal market for electronic communications networks and services by aiming to ensure the consistent implementation of the regulatory framework for electronic communications. BEREC acts as a forum for cooperation among NRAs and between NRAs and the Commission in the exercise of the full range of their responsibilities under the Union regulatory framework. BEREC was established to provide expertise and to act independently and transparently. BEREC also serves as a body for reflection, debate and advice for the European Parliament, the Council and the Commission in the field of electronic communications.

The Office was established as a Community body with legal personality to carry out the tasks referred to in Regulation (EC) No 1211/2009, in particular the provision of professional and administrative support services to BEREC. In order to support BEREC efficiently, the Office was given legal, administrative and financial autonomy. It was expected to operate as a Brussels-based support office as the successor of the former ERG secretariat.

By Decision 2010/349/EU<sup>11</sup>, the Representatives of the Governments of the Member States decided that the Office would have its seat in Riga, thus becoming a decentralised regulatory agency.

<sup>9</sup> Commission Decision 2002/627/EC of 29 July 2002 establishing the European Regulators Group for Electronic Communications Networks and Services (OJ L 200, 30.7.2002, p. 38).

<sup>10</sup> Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office (OJ L 337, 18.12.2009, p. 1).

<sup>11</sup> Decision taken by common accord between the Representatives of the Governments of the Member States of 31 May 2010 on the location of the seat of the Office of the Body of European Regulators for Electronic Communications (BEREC) (2010/349/EU) (OJ L 156, 23.6.2010, p. 12).

BEREC and the Office have made a positive contribution towards the consistent implementation of the regulatory framework for electronic communications. In order to further contribute to the development of the internal market for electronic communications throughout the Union as well as to the promotion of access to, and take-up of, very high capacity networks, competition in the provision of electronic communications networks, services and associated facilities and the interests of the citizens of the Union, the revised BEREC Regulation aims to strengthen the role of BEREC. Such a strengthened role would complement the enhanced role played by BEREC following Regulations (EU) No 531/2012<sup>12</sup> and (EU) 2015/2120<sup>13</sup> and Directive (EU) 2018/1972<sup>14</sup>.

As stated in the new founding regulation, the new official name of the Office should be 'Agency for Support for BEREC' (the 'BEREC Office'). The designation 'BEREC Office' should be used as the Agency's short name. The BEREC Office should enjoy legal, administrative and financial autonomy. To that end, it is necessary and appropriate that the BEREC Office should be a body of the Union with legal personality that exercises the powers conferred upon it. As a Union decentralised agency, the BEREC Office should operate within its mandate and the existing institutional framework. The BEREC Office should provide all necessary professional and administrative support for the work of BEREC, including financial, organisational and logistical support, and should contribute to BEREC's regulatory work. When needed for carrying out its tasks, the BEREC Office may cooperate with competent Union bodies, offices, agencies and advisory groups, with competent authorities of third countries and with international organisations.

In order to guarantee the BEREC Office's autonomy and independence, and in order to provide support to the work of BEREC, the BEREC Office should have its own budget, most of which should derive from a contribution from the Union. The budget should be adequate and should reflect the additional tasks assigned and the enhanced role of BEREC and the BEREC Office. The financing of the BEREC Office should be subject to an agreement by the budgetary authority as set out in point 31 of the Inter-institutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management<sup>15</sup>.

The BEREC Office should be adequately staffed for the purpose of carrying out its duties. All tasks assigned to the BEREC Office, including professional and administrative services supporting BEREC in carrying out its regulatory tasks, together with compliance with the financial, staff and other applicable regulations, and the increased weight of operational tasks required of the BEREC Office vis-à-vis administrative ones should be duly assessed and reflected in the resource programming. Moreover, the rules on the governance and operation of the BEREC Office should, where appropriate, be aligned with the principles of

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<sup>12</sup> Regulation (EU) No 531/2012 of the European Parliament and of the Council of 13 June 2012 on roaming on public mobile communications networks within the Union (OJ L 172, 30.6.2012, p. 10).

<sup>13</sup> Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1).

<sup>14</sup> Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (see page 36 of this Official Journal).

<sup>15</sup> OJ C 373, 20.12.2013, p. 1.(see para.31 for reference to 'critical mass of staff and competences')

the Joint Statement of the European Parliament, the Council and the European Commission of 19 July 2012 on decentralised agencies.

## Section II - Multi-annual programming 2021-2023

### II.1. Multi-annual work programme and objectives

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

To align with the outcome of the review of the regulatory framework for electronic communications, the focus of the BEREC Office should be on maintaining this valuable human capacity along with the development and support of new applications, web-based portals and databases in view of supporting the demanding tasks that BEREC will face in the future. This requires the staff of the BEREC Office to be able to understand and cope with the job type and the workload that the challenges deriving from technology, market and regulatory domains will bring. On top of this, the BEREC Office shall support BEREC towards further improved working methods and higher quality on its output. The BEREC Office must be ready to assist BEREC to meet its future challenges for the benefit of the European telecom market and the welfare of European citizens.

Objectives	KPIs	Measure	Target
1. Maintain appropriate capacity for supporting existing and new BEREC tasks and activities	Fully staffed indicator	Number of temporary agents (TAs), contract agents (CAs), seconded national experts (SNEs) and interim staff / max. number of a fully staffed BEREC Office	100%
2. Improve the quality of work of BEREC by assisting with improvements to its work methods and the quality of its outputs by attracting and maintaining highly qualified staff	Quality of support to BEREC and its WGs	Measure quarterly the level of satisfaction of the BEREC Chair and the BEREC WGs Co-Chairs on a 5 grade scale on the basis of multiple questions	Minimum 85% of responses are in the top 2 scores
3. Develop and manage tools to operate effectively and efficiently	Availability rate of supporting tools	Percentage of time of proper operation of BEREC website, email server, BERECnet, Information sharing portal, public consultation platform, etc.	Minimum 95%

### **II.1.1. Developing and maintaining the appropriate capacity for supporting existing and new BEREC tasks and activities**

Although the tasks of BEREC are modified both in nature and in volume, the BEREC Office must continue providing high quality professional, financial and administrative support to all its activities. Therefore, the first strategic objective of BEREC Office should be associated with the capacity that must be developed for supporting existing and new BEREC tasks and activities.

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

In this context, the BEREC Office needs to attract and maintain high quality multidisciplinary staff while, at the same time, further improve its working methods and the quality of their output. This will ensure that the BEREC Office will continue to contribute effectively and efficiently to the strategic vision and to the priorities of BEREC improving its work planning and making optimum use of its resources.

In the next years we are going to witness a significant degree of regulatory developments at the EU level. In particular, the EEC, which estimated to be transposed into national law by the end of 2020, will be the top priority for BEREC and the BEREC Office.

Having said that the BEREC Office shall provide more resources to organise, assist, coordinate and provide professional support for the work carried out by BEREC members.

The BEREC Office can contribute significantly to these goals by assisting BEREC in the execution of its WP and the consistent application of the regulatory framework, thus contributing to the further development of the European single market. The BEREC Office can continue to contribute towards harmonisation and accountability via support to the internal market procedures, supporting BEREC in monitoring the application of common positions and best practices, assisting and providing support to BEREC on establishment and maintenance of BEREC databases, improving consistency through benchmarking and reporting activities and providing transparency to the BEREC activities via the IT platforms and the applications it manages and operates.

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

### **II.1.2 Attracting and maintaining highly qualified staff for the support of BEREC by continuing to ameliorate the facilities and the working environment at the office and the living conditions of its employees**

During the past years BEREC Office always had the challenge to attract and retain highly qualified staff for the support of BEREC activities. Such situation required a particular attention from the management and additional efforts from the HR function of the Agency, which managed to mitigate the high staff turnover keeping high the reputation of the BEREC

Office as a very attractive EU employer. Given the enhanced role the agency will have in the support of BEREC activities in the future the value of the human capital is increasing and the need to attract and maintain employees becomes more severe and imminent. Therefore, the third strategic objective of BEREC Office should be related to the development of the necessary conditions for making the agency attractive as an employer.

Being established as an EU agency in Riga the BEREC Office can enhance the cooperation with the host Member State providing more visibility to BEREC, strengthening the stakeholders' engagements ameliorating on the same time the office facilities and the living conditions of its employees. The new Headquarters agreement, as envisaged in the new BEREC Regulation and concluded on 21 December 2020, after its entry into force, is expected to serve as an instrument to increase the awareness and visibility of BEREC and the prestige of the BEREC Office as an EU employer to attract and retain highly specialized staff.

### **II.1.3. Developing and managing tools and resources that will assist BEREC to operate effectively and efficiently, reducing on the same time its environmental footprint**

In its strategy (2018-2020<sup>16</sup>) BEREC has given particular attention to the optimisation of its output and operational efficiency as a significant contributor towards its strategic vision and priorities. The BEREC Office can contribute significantly to this goal by safeguarding the application of BEREC rules and working procedures at all stages of BEREC working activities. This engagement can find application in a significant number of BEREC working tasks fostering optimum outputs and working methods. For instance, the BEREC Office can support a high level of accuracy and consistency in BEREC documents, the application of well-established methodologies in the projects run by BEREC and the effective and efficient use of resources. It can also pursue transparency and accountability that will improve the visibility of BEREC and support the enhancement of external relationships and recognition of BEREC among institutions, stakeholders and the citizens of Europe.

Over the last number of years BEREC has encompassed more and more the use of software and hardware tools as enablers both for its working activities as well as for its relationship with the stakeholders and the citizens/consumers. The BEREC Strategy 2018-2020 and WP 2020 focuses even more in the use of such tools for accomplishing BEREC strategic goals and priorities. These tools introduce a new interaction with the BEREC stakeholders and introduce a new type of service on behalf of BEREC requiring constant (24/7) operation and maintenance. BEREC relies on the BEREC Office for procuring, financing, managing the operation and maintaining these tools. Therefore, the BEREC Office must develop the capacity and the expertise to provide reliable and constant support on this new field of services. In addition, these new tools will generate valuable data that are essential to many activities both internal to BEREC and its members (i.e. NRAs) as well as

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<sup>16</sup> BoR (17) 173, BEREC Strategy 2018-2020, 05.10.2017, [http://bereg.europa.eu/eng/document\\_register/subject\\_matter/bereg/annual\\_work\\_programmes/7304-2017-bereg-work-programme-status-update](http://bereg.europa.eu/eng/document_register/subject_matter/bereg/annual_work_programmes/7304-2017-bereg-work-programme-status-update)



externally to a number of stakeholders. New areas of expertise might be required by the BEREC Office for managing, processing, using and opening these data to the public. The BEREC Office will need to meet the challenge and develop expertise and capacity for supporting BEREC in this new area of operation.

Aiming towards the provision of the best support to BEREC, the BEREC Office has been requested to invest in new tools and services that will ease the BEREC workload, improve its efficiencies and outcomes. Planning the years ahead, it is essential to consider the effective and efficient operation of BEREC without forgetting the effect of its activities on the environment. Therefore, the strategic objectives should also consider the environmental footprint of BEREC.

#### **II.1.4. Expected impact of Brexit**

The analysis carried out by BEREC and the BEREC Office in 2019 demonstrated that Brexit will have no major impact on the BEREC Office activity. When Brexit became effective, the BEREC Office undertook all necessary steps to ensure that OFCOM staff members will no longer have access to internal documents and meetings. Access rights of OFCOM members were revoked and all mailing lists and exploders were updated. As there are no staff members with sole UK citizenship in the BEREC Office, its staffing situation was not affected by Brexit. The withdrawal of OFCOM did not have impact on the organisation of BEREC neither, as OFCOM representatives did not hold any positions in the BoR or in WGs at the time of Brexit.

Brexit will not affect the operational arrangements of BEREC work (number of meetings, average number of participants, etc.) during the programming period. Only the number of reimbursements at full meetings (CN meetings, Plenaries, WG meetings) could be expected to change, but the impact on the relevant budget line will be negligible.

However, there might be new topics requiring more work of BEREC (and thus support of the BEREC Office), also on the other hand there will be less work as Ofcom will no longer be obliged to notify, thus no phase-II case can arise, but for other phase II expert teams, Ofcom experts might be missed.

The provisions related to telecommunications of the Trade and Cooperation Agreement between the EU and the UK concluded on 24<sup>th</sup> December 2020 will have to be analysed (e.g. in the light of Art. 35 Regulation (EU) 2018/1971).

#### **II.1.5. Impact of COVID-19**

The analysis carried out by the BEREC Office in 2020 demonstrated that COVID-19 had a significant impact on the organisation of the BEREC and BEREC Office work. All BEREC meetings had to be organised through the audio-visual facilities online. The meetings organised online were high-level meetings, working group meetings, workshops and events with stakeholder.

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. The ongoing work of BEREC was partially disrupted in March and April 2020 when several workshops and meetings had

to be postponed with no clear vision as to when the work could be resumed as normal. Adapting to the restrictions put forward by COVID-19, BEREC and BEREC Office resumed their meetings in digital form. The BEREC Office invested additional resources in improving the IT infrastructure for supporting the on-line BEREC events, which made possible the organisation of more events simultaneously. The increasing dynamic in the work of BEREC, as well as the availability of easy to use tools has resulted in significant increase of 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, due to saving travel time and cost to participate for the authorities. Majority of the co-chairs of the BEREC working groups expressed their preference on having a choice of operating with both physical and virtual meetings in the future.

Considering this transition from physical meetings to digital, BEREC Office made significant savings on travel reimbursements. This change has a significant impact on the relevant budget lines. This impact will remain if no physical meetings nor workshops happen.

The impact of the pandemic on staff and trainee selections is expected to be minimal since selection procedures can be conducted fully remotely as the experience of 2020 has shown. However, due to the travelling restrictions, there might be delays in the actual start of the assignments. Depending on the gravity of the situation, the start of the traineeships may be postponed.

The budget 2021 has been drafted taking into account the impact of the COVID-19 on the budget 2020, thus envisaging less resources for physical meetings, staff missions and travel reimbursements for experts. The savings are redirected to further improving the ICT capabilities (incl. in terms of security), deploying additional capacity for supporting the increasing number of virtual events and new BEREC projects. The consequences of more extensive use of digital meeting facilities and collaboration tools, parallel to physical sessions, are anticipated in resource allocation during the whole programming period.

## **II.2. Human and financial resource outlook for the years 2021-2023**

### **II.2.1. Overview of the past and current situation**

In 2015 the amended Roaming Regulation and the TSM Regulation assigned new tasks to BEREC. The new responsibilities of BEREC in the field of net neutrality have attracted the attention of the civil society<sup>17</sup>. The growing trend among consumers towards internet enabled services is expected to continue and therefore preserving open internet access will become even more important. To address adequately these expectations BEREC has defined new strategic areas of work and has requested more professional support from the BEREC Office. BEREC requested the Office to manage procurements of studies and tools, run public consultations, organise specialised training for NRA experts and to deploy modern IT applications in support to BEREC.

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<sup>17</sup> During the public consultation on the draft BEREC Guidelines in the summer of 2016 the BEREC Office received around 500 000 contributions.

Against this background the BEREC Office needed to cut two establishment plan posts thus further reducing its extremely limited capacity.<sup>18</sup> In 2019, the Agency received two additional establishment plan posts, reinstating the number of posts as it was at the Agency in 2013 and 2014. Additionally, in 2019 the Agency received 9 additional Contract Agent posts and 2 additional SNE's, and in 2020 4 new Contract Agent posts and an additional 3 SNE's were approved by the MB for the BEREC Office. To provide the requested support to BEREC and to cope with its day-to-day operations the Agency introduced different measures oriented to achieving efficiency gains and outsourced different technical tasks to EC services<sup>19</sup> or private contractors<sup>20</sup>. To free up further capacity for increased support to BEREC the staff involved in operational support has been discharged from administrative and accounting assignments. In particular as of the start of the implementation of Budget 2020 only the staff of the Administration and Finance will execute financial transactions in the IT system for accrued based accounting (ABAC), including for transactions in support for BEREC. This trend will continue in 2021. Unloading the operational units from the responsibility to perform financial transactions is essential for coping with the increasing workload of tasks as a result of more ambitious and demanding BEREC WPs every year.

It should be emphasised that on the administrative side the requirements of the Agency continue to increase. Although the BEREC Office is the smallest agency of the EU, the administrative requirements applied to the BEREC Office are identical to those applied to larger EU bodies, and relate not only to the implementation of the Financial and Staff Regulations but also to all relevant staff implementing rules and Commission Communications related to programming, reporting, internal controls, risk management, business continuity, etc. The changes in the data protection legislation introduced in 2018 and in the Framework Financial Regulation of 2019 increased the administrative burden for the BEREC Office.

In addition to the already existing heavy requirements for programming and reporting, as of 2020 the Agency is required to produce the additional strategies listed below, which will apply as of January 2021:

- (a) strategy for cooperation with third countries and/or international organisations;
- (b) strategy for achieving efficiency gains and synergies;
- (c) strategy for the organisational management and internal control systems.

<sup>18</sup> Against this background, in 2015, the BEREC Office was required to cut one establishment plan post, which constituted 6.25 % of the total number of establishment plan posts and, therefore, the BEREC Office completed the objective to render 5 % of its staff as agreed in the Inter-institutional Agreement of 2 December 2013 between the EP, the Council and the EC See p. 27, 2013/C 373/01, Interinstitutional Agreement of 2 December 2013 between the EP, the Council and the EC on budgetary discipline, on cooperation in budgetary matters and on sound financial management, OJ C 373, 20.12.2013, p. 1–11, <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32013Q1220%2801%29>. Moreover, in 2017 the BEREC Office had to contribute with one post to the redeployment pool of EU Agencies. As a consequence, the establishment plan post of the Budget Assistant, vacant as of September 2016, was not filled in and was removed from the establishment plan as of January 2017.

<sup>19</sup> Such as accounting officer services, treasury management, ICT procurement, development and maintenance of specific accounting, document management, HR, mission management and other IT tools, publications, establishment of individual rights for staff, interpretations, medical officer services.

<sup>20</sup> Event organisation, hiring interim agents, maintenance of plans, removal of officer and office furniture, cleaning, ensuring business continuity and disaster recovery, etc.

The limited size of the Agency requires the use of a multitasking approach, which makes the assignment of staff more challenging and demanding than in other bodies of the EU. In the last years, all these challenges in combination with other factors, such as low correction coefficient for Latvia, challenging working and living conditions and difficulties in the establishment of the family members of the staff in Latvia has led to high staff turnover and a decrease of the Agency's effectiveness and efficiency and thus putting at risk the delivery of the Agency WP.

To mitigate this risk the management has decided to implement several projects oriented to increasing the attractiveness of the Agency.

It should be emphasised that due to its supportive function of BEREC, the BEREC Office does not determine the work priorities for BEREC and has to be prepared to use the most appropriate and efficient approach to address the increase in its workload and so, to be able to fully support BEREC, as required by its new founding Regulation.

## II.2.2. Resource programming for the years 2021-2023

### II.2.2.1. Financial resources

The 2021 sources of revenue for BEREC Office are contribution from the EU and contributions from third countries, as shown below:

Main EU subsidy 2021	7 250 381
Assigned revenues deriving from previous years surpluses	32 419
Third countries contribution (incl. EFTA and candidate countries)	58 557
<b>TOTAL:</b>	<b>7 341 357</b>

Any additional revenue from third countries, MSs or from NRAs shall be incorporated in the amending budget and amending work programme.

The expenditure of the BEREC Office shall include staff remuneration, administrative and infrastructure expenses and operational expenditure.

Pursuant to Article 35(2) of Regulation (EU) 2018/1971 of the European Parliament and of the Council, the Board of Regulators, the working groups and the Management Board are to be open to the participation of regulatory authorities of third countries with primary responsibility in the field of electronic communications. It also provides that agreements working arrangements are to be developed between BEREC and third countries NRAs specifying, in particular, the nature, extent and manner in which the regulatory authorities of the third countries concerned will participate without the right to vote in the work of BEREC and BEREC Office, including financial contributions. In addition, on 18 March 2019 the European Commission adopted six decisions<sup>21</sup> on the participation of the National Regulatory Authority of third countries in the work of BEREC and BEREC Office. Each of the decisions is accompanied by an annex outlining the Terms of Reference (ToR) for the participation of the national regulatory authority of third countries in the work of BEREC and BEREC Office which states that the BEREC Office is obliged to collect the financial contribution from the third countries NRAs.

In order to implement provisions of the BEREC Regulation and European Commissions' decisions on 21 May 2019 the BEREC Office Management Board adopted Decision No MB/2019/08 establishing Working Arrangements between NRAs of Montenegro, Bosnia & Herzegovina, Albania, North Macedonia, Kosovo\*, Serbia, Norway, Iceland and

<sup>21</sup> Official Journal of the European Union, C 115, 27 March 2019 <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C:2019:115:TOC>>

Liechtenstein and the Body of European Regulators for Electronic Communications (BEREC)<sup>22</sup>.

As a result and following the abovementioned legal basis the BEREC Office is going to request contributions from each of the aforementioned third countries NRAs to cover costs of their participation in the work of BEREC and BEREC Office in 2021:

- 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).

The amount of the contribution will be based on the meetings planned in 2021 and real participation of experts from these NRAs in previous years. Any additional revenue from third countries, MSs or from NRAs shall be incorporated in an amending budget and amending work programme.

#### **Justification for the planned expenditure:**

The budget 2021 has been drafted taking into account the impact of the COVID-19 on the budget 2020, thus envisaging less resources for physical meetings, staff missions and travel reimbursements for experts, the saving are redirected to ICT expenditure and BEREC projects.

#### **Title 1 'Staff'**

The amounts requested in Title 1 are calculated taking into account:

- Staff number 2021 (no new staff requests for 2021)
- Planned number of trainees in 2021;
- Planned number of missions (significantly decreased compared to 2019<sup>23</sup>);
- Sociomedical services for the staff;
- Learning and development activities for the staff;

<sup>22</sup> Decision No MB/2019/08 of the BEREC Office Management Board to establish Working Arrangements between NRAs of Montenegro, Bosnia & Herzegovina, Albania, North Macedonia, Kosovo, Serbia, Norway, Iceland and Liechtenstein and the Body of European Regulators for Electronic Communications (BEREC), 21 May 2019 <[https://bereg.europa.eu/eng/document\\_register/subject\\_matter/bereg\\_office/decisions\\_of\\_the\\_management\\_board/8566-decision-no-mb201908-of-the-bereg-office-management-board-to-establish-working-arrangements-between-nras-of-montenegro-bosnia-amp-herzegovina-albania-north-macedonia-kosovo-serbia-norway-iceland-and-liechtenstein-and-the-body-of-european-regulators-for-electronic-communications-bereg](https://bereg.europa.eu/eng/document_register/subject_matter/bereg_office/decisions_of_the_management_board/8566-decision-no-mb201908-of-the-bereg-office-management-board-to-establish-working-arrangements-between-nras-of-montenegro-bosnia-amp-herzegovina-albania-north-macedonia-kosovo-serbia-norway-iceland-and-liechtenstein-and-the-body-of-european-regulators-for-electronic-communications-bereg)>

\* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

<sup>23</sup> 2019 is used for comparison due to the fact that the data for mission for 2020 is not representative due to COVID-19 travelling restrictions

- Associated costs as per total estimated number of staff, incl. for financing on a temporary basis of schooling for the children of the staff before the establishment of Accredited European School in Latvia;
- Interim worker's services for replacement of absent staff, filling in vacant posts or addressing heavy workload, HR related services (mainly to EC services, such as PMO and DG HR), etc.

**Chapter 11 Staff In active employment:** Appropriations under this Chapter are calculated taking into account potential impact of indexation and changes in the correction coefficient, adjustments of the automatic step and possible reclassifications. In addition, the increase in the chapter is due to the fact that the budget 2021 is calculated under the assumption that in 2021 the Agency will be fully staffed, while in 2019 and 2020 the recruitment was gradual and the Agency operated with multiple vacant posts throughout the year. A lot of selection procedures were delayed due to COVID-19 and the Agency filled in most of the posts in the last quarter of 2020).

**Chapter 12 Miscellaneous expenditure on staff recruitment and transfer:** The expenditure on Chapter 12 is slightly decreased in comparison to 2020, under assumption that majority of the recruitments will be concluded via on-line tools, which will not require travel.

**Chapter 13 Mission and Duty travel:** The budget for missions for 2021 is significantly decreased compared to the 2019 levels as a result of the current, predominantly on-line mode of operation of the BEREC Office and the travel restrictions as a result of the COVID-19 pandemic. However, it is slightly increased compared to the expenditure in 2020, to take into account the potential organisation of physical meeting in the 2<sup>nd</sup> half of 2021.

**Chapters 14 Sociomedical services** planned expenses are taking into the actual number of staff and the average costs paid in the last years.

**Chapter 15 Training:** The expenditure for learning and development activities is planned at the levels of 2019, includes, among others training for the new comers, needed for their new assignments, learning and development of all other staff and the traditional all agency training event with physical presence, which in 2020 was organised online.

**Chapter 16 External services:** The BEREC Office expects to work in fully staffed situation and will use interim staff mainly for addressing heavy workload or temporary replacement of staff absence for a long period of time. Consequently, the planned budget for the external services is kept at the level of 2019 and will be used for external services, temporary support to the schooling of the children of the BEREC Office staff, HR translation and compliance with the language requirement, social welfare service to staff, etc. If possible, the appropriations of this chapter will be used also for ensuring compliance with the new internal control framework in the HR domain are also planned under this chapter.

**Chapter 17 Representation and miscellaneous staff costs:** The expenditure under this chapter is increased to reflect the possibility for physical meetings and representation events in 2021.

### ***Title 2 'Buildings, equipment and miscellaneous operating expenditure'***

The expenditure under Title 2 has been kept widely at the level of 2020 with slight increases

planned to reflect inflation and the increases necessary due to the growth in number of staff.

**Chapter 20 Rent of building and associated costs:** The current expenditure under Chapter is calculated taking into account the following: the rent rate as of 1 January 2021, cost of the security and the estimates of the utilities, property insurance, rent of parking places and consultancy services for real estate consultant for the future BEREC Office premises.

**Chapter 21 Data processing and telecommunications** is slightly lower in comparison to 2020 due to some of the project that took place in 2020 being of one-off nature.

**Chapter 22 Movable property and associated expenditure** is planned slightly above the level of 2020 due to the expected higher presence of the staff in the Office during the second half of 2021.

**Chapter 23 Current administrative expenditure** is intended to cover the Agency's legal expenses, and other operating expenditure not specifically provided for, such as: accounting officer services, external audit and/or consultancy services, BEREC Office budget publication in OJ, translations related to the BEREC Office budgetary and legal issues, postal and courier services, fees and expenditure arising from the Headquarters Agreement and SLA with Latvian authorities, costs for participation in the activities of the EUAN (excluding missions and meetings) and others.

**Chapter 24 Non-operational media and public relations** demonstrates significant increase, mainly due to the one-off project for the development of intranet envisaged for 2021.

**Chapter 25 Non-operational meetings** has a reserve amount planned, while no major events/meetings are envisaged in 2021.

### ***Title 3 'Operational expenditure'***

The appropriations under Title 3 will be used for operational activities of the BEREC Office. The operational activities consist of the following:

- a) financing the support to BEREC Working Groups (WGs) and Expert Networking Groups (ENGs), including organisation of meetings and workshops, as well as activities of market analysis including organisation of ad hoc meetings for Article 32 and 33 (former Article 7/7A) Phase II cases;
- b) financing and support to high-level meetings and Board's secretariat, including support and organisation of BEREC Chair and Vice-Chairs, Plenary and CN meetings and international events;
- c) financing BEREC Communication activities, including BEREC Communication Strategy and Plan;
- d) ICT support to BEREC including maintenance of the existing ICT tools and platforms as well as developing new on demand from BEREC;
- e) Information gathering and distribution, including purchasing of data, studies and projects for BEREC;
- f) organising training for the BEREC NRAs experts.



Considering the launch of measures for the implementation of the new Agency mandate in support to BEREC, resources of Title 3 also will be used for:

- g) addressing public transparency and accountability obligations of BEREC;
- h) covering costs for update and maintenance of all BEREC IT tools and information and communication systems, such as BERECnet, BEREC website, etc.;
- i) maintenance and expansion (where needed) of the audio/video-conference systems;
- j) addressing the additional ICT projects requested by BEREC;
- k) providing any other support to BEREC and the NRAs, duly requested from the BEREC Office;
- l) covering the expenditure for the Expert Networking Groups (ENGs) including studies and the work of the experts from the participating NRAs in the work of BEREC.

### ***Budget 2022 and 2023***

Increase in the expenditure for years 2022 (by 0.5 million EUR) and 2023 (by 1 million EUR) is envisaged due to the following considerations, which were not known at the time of the establishment of the Legislative Financial Statement in 2018 and consequently, not taken into account:

- the current BEREC Office premises are not compliant with the safety and security rules of the EC, as evidenced by a EC Security Expert Report of 06/10/2020; to achieve compliance, the building owner (a state-owned company) will need a significant investment which will increase the rental price and will align it with the actual market prices; the project for renovation of the current offices is expected to take from 3 to 5 years; possibility to rent offices from the private market is also under consideration;
- in addition to the investment mentioned above by the property owner, the BEREC Office will need a lump sum for one time investment for purchasing security equipment<sup>24</sup>;

The BEREC Office estimates that out of 1.5 million total increase needed (for years 2022 and 2023 combined) 1 million is for one-time investments and 0.5 million for recurring costs each year.

The EC and Budgetary Authority will be requested to consider these additional needs in the budget cycles for 2022 and on-wards.

More details on the financial resources needed in the period 2021-2023 are provided in tables in Annex II, including on the budget outturn and cancellation of appropriations.

### **II.2.2.2. Human resources**

#### ***Resource outlook over years 2021 to 2023***

Since 2019, the BEREC Office operates with 16 TA posts in the establishment plan that is below the number of posts that are actually needed for the mandatory profiles. The missing capacities are covered by using external staff (CAs, SNEs) or via outsourcing some service

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<sup>24</sup> Such as: metal detector, X-ray tunnel for the main entrance, CCTV system, access card readers and intrusion detection system

(part of the functions of the internal control coordinator). Despite some remaining difficulties of attracting and retaining staff, the BEREC Office is aiming to be fully staffed in 2021.

2021-2023 will be a period of stabilisation of the operations and the job profiles. The main objective for the period of 2021-2023 is to provide a stable working environment for staff by the measures described below, thus increasing staff job satisfaction, their motivation, and decreasing staff turnover to the minimum.

The new BEREC Regulation, among others, envisages the establishment of a new Headquarters Agreement between the BEREC Office and the host MS (the Republic of Latvia) by the end of 2020. The new Headquarters Agreement was signed on 21 December 2020 and is expected to enter into force in the first half of 2021. Once in force, it will gradually improve the living conditions of the staff in the Republic of Latvia due the need for the Latvian authorities to undertake additional legislative changes within a period of 2 years after the entry into force of the Agreement. The new Headquarters Agreement envisages recognition of the Joint Sickness and Insurance Scheme of the EU officials in Latvia, more favourable VAT exemption conditions for the staff, establishment of accredited European school for the school year 2022/2023 and others and is expected to contribute to staff retention and increasing the attractiveness of the Agency for future staff.

During the programming period 2021-2023, the BEREC Office management with the support of the HR professionals will consider possible measures for promoting career development within the Agency through internal mobility, stabilisation of the job profiles, and the implementation of a competency framework. Last but not least, the Agency will continue the implementation of the social welfare plan for staff, and keep continuous close collaboration with the Latvian authorities with regard to the improvement of the living conditions for the staff and their family members, including via the provisions of different services to the staff financed from the Agency's budget.

#### **a) New tasks**

No new tasks are expected to be assigned to the Agency in the period 2021-2023.

Where and if a new task is assigned to BEREC or to the BEREC Office, the Management Board shall amend the annual programming document, as required by the provisions of Article 23 (3), 1<sup>st</sup> paragraph of the BEREC Regulation.

#### **b) Growth of existing tasks**

- Implementation of the new strategy for the organisational management and internal control systems and implementation of comprehensive risk management

In accordance with the Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 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<sup>25</sup> (new Framework Financial Regulation), which was used as the basis for [Decision No MB/2019/13 of the Management Board of the BEREC Office on the financial regulation applicable to the BEREC Office](#) (BEREC Office Financial Regulation), the BEREC Office has to develop and implement as of 2021 a strategy for the

<sup>25</sup> OJ L 122, 10.5.2019, p. 1–38 (BG, ES, CS, DA, DE, ET, EL, EN, FR, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV), <https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:32019R0715>

organisational management and internal control systems and the implementation of a comprehensive risk management.

- Ensuring compliance with the Commission security rules.

Article 39 of the BEREC Regulation requires BEREC and the BEREC Office to adopt and implement their own security rules equivalent to the Commission's security rules for protecting European Union Classified Information and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443 and (EU, Euratom) 2015/444. BEREC and the BEREC Office have not been previously subject to such requires and consequently the BEREC Officer never had a local security officer (LSO) or similar rules. Therefore, to ensure compliance, the BEREC Office will have to add this new activity to its programming. The work in the field of security will start in substance during the programming period. This will require reshuffling of the existing human resources due to the need to establish the position of the LSO as an establishment plan post, as required by Commission Decisions (EU, Euratom) 2015/443. The establishment of environment compatible with the EC requirements on physical security is associated with one time investment, which will required additional financial resources.

### **c) Matching job profiles and staff categories**

The Agency is operating with 16 posts in the establishment plan (temporary agents). These posts perform tasks that are mandatorily covered by officials or temporary staff in EU rules, therefore a reshuffle of tasks assignments will be executed at the beginning of the programming period. Executive tasks and jobs with needs for specific skills will be assigned to contract staff, SNEs or outsources to service providers, where possible.

## **II.2.2.3. Strategy for achieving efficiency gains and synergies**

### ***Introduction and background***

The BEREC Office is an EU Agency with limited capacity on the administrative side due to its small size. As mentioned above since its establishment the BEREC Office has been operating in an environment of missing key capacities. While in certain instances, as confirmed by the European Commission (EC) the establishment of such capacities is a must, for example in the field of security or internal controls, in other areas this may not be justified by the size of the Agency. Therefore since its establishment the BEREC Office has seen the outsourcing of administrative and auxiliary tasks as the main means for filling in missing capacities, where possible and achieving efficiency gains (both quantitative and qualitative).

The BEREC Office has already signed multiple Service level agreements (SLA) or Memoranda of Understanding with the Commission services, other Agencies of the EU and the Government of the host Member State for use of full set of services or sharing capacities in the field of meeting organisation and expert reimbursement, IT (including security), procurement, translations, interpretation, accounting, payroll and management of individual entitlement of staff, missions, HR management, medical services, premises management, etc.

The extensive use of services already provided to the BEREC Office by the EC and other EU bodies or Agencies of the EU has almost exhausted the possibilities for achieving further efficiency gains and synergies for cooperation with them during the programming period.

However, the latest changes of the Framework Financial Regulation, as well as the outcome of the negotiations of a new Headquarters agreement with the Government of the Republic of Latvia open the possibilities for achieving higher synergies with the Latvian public authorities. These possibilities can be used for achieving qualitative and quantitative efficiency gains, as well as for filling in missing capacities in administrative areas.

Therefore the strategy for achieving efficiency gains and synergies in the period 2021-2023 will focus on the following main areas:

1. Efficiency gains in the field of procurement;
2. Efficiency gains achieved due to the higher use of EC IT applications;
3. Shared services and capacities with the Latvian public authorities in the files of security, logistics, premises management, accredited European School establishment and other technical support;
4. Outsourcing of technical and auxiliary tasks to private service providers.
5. Efficiency gains in the field of BEREC support achieved by applying a matrix management system that effectively utilises all the available resources.

It should be recalled that the BEREC Office suggested to the EC downsizing the tasks related to risk management and deployment of internal control strategies based on the low risk profile of the Agency. However, this proposal was rejected by the EC. Therefore in the field of administrative and horizontal activities it is not possible to downsize or discontinue any activities, as this will lead to non-compliance with the existing legal obligations.

In the field of operational activities, due to the supportive role of the BEREC Office vis-à-vis BEREC, the Agency is not in a position to decide on downsizing /discontinuation of tasks due to the fact that the priorities are set up by the BEREC Board of Regulators.

#### ***II.2.2.3.1. Strategy for achieving efficiency gains and synergies in the field of procurement***

Joint purchasing arrangements can give rise to efficiency gains. In particular, due to economies of scales they can lead of cost savings such as lower purchase prices or improved client services for the same price. Moreover, joint procurement arrangements may give rise to qualitative efficiency gains by leading supplies to innovate and introduce new or improved products or services on the market.

Therefore, during the programming period the BEREC Office will join as many interinstitutional procedures as possible for the provision of goods and services that the Agency may need for its administrative and operational projects.

Additionally, in 2021 the BEREC Office intends to increase joint procurement projects with the Government of the host Member State for its administrative needs. Some preparatory steps are undertaken in that direction already in 2020, including identifying any potential needs for legislative changes in the Latvian legislation led to the start of the collaboration already in 2020 in the area related to the server and IT equipment. It is planned that BEREC

Office will be allowed to use joint procurement for administrative needs for purchase of the stationery from August 2021 and for the household goods.

The target for the BEREC Office would be to agree with the Latvian Government on all necessary steps in that area during the negotiations on the new Headquarters agreement by 21 December 2020 with a view to implementation of these provisions during the programming period.

#### ***II.2.2.3.2. Efficiency gains achieved via the higher use or introduction of additional EC IT applications***

##### **i. Use of Advanced Gateways for Meetings (AGM)**

In 2019 the BEREC Office introduced the EC on-line tool for organisation of meetings and expert reimbursements AGM, which is still not used due to the complicated requirement associated with the initial registration of the experts. Consequently, as a transition, all expert reimbursements were processed “in-house” by the staff with the support of interim workers.

In 2020 the BEREC Office started gradual use of the AGM for the organisation of BEREC events. The objective would be to reach a high level of use of the tool in 2021-2023 with the target to process 95% of the applications for expert reimbursement by the end of the programming period through the tool.

The extensive use of the AGM tool by experts is expected to lead to both qualitative and quantitative efficiency gains and to free-up HR and financial resources, which could be redirected to other activities.

##### **ii. Use of additional modules of Sysper for managing the HR resources**

The BEREC Office introduced the use of Sysper for staff as of the beginning of 2019. In 2020 the Agency signed an additional agreement with the EC services for the deployment of the digital personal files. Consequently, in 2021 the entity in charge of HR will work with a priority on the up-load of all digital files of the staff in Sysper2

During the programming period the BEREC Office will continue the discussion with the EC services for getting access to these or other modules not available to the decentralised Agencies yet, such as probation, appraisal and reclassifications

Such an approach will lead to qualitative efficiency gains due to the establishment of a single, high quality database of the personal files of the staff, which currently are managed in the electronic document management system with a parallel paper e-signatory and parallel paper files.

##### **iii. Use of e-Invoicing**

In 2018 the BEREC Office signed a MoU with DG DIGIT for the use of the IT tool e-Prior for e-Tendering, e-Submission and e-Invoicing.

The BEREC Office started the use of e-Tendering in 2019 and e-Submission in 2019 but has not stated the use of e-Invoicing due to lack at the EC service to ensure on-boarding the Agency.

Therefore during the programming period, the BEREC Office would like to consider the introduction of e-Invoicing at the Agency, based on cost-benefit analysis. The objective would be to have the tool operational by the end of 2022, provided that the cost-benefit analysis confirms the usefulness of the tool.

#### ***II.2.2.3.3. Use of shared services and capacities with the Latvian public authorities.***

As mentioned in the introduction, the BEREC Office has some missing capacities, which could be addressed via finding synergies with the Latvian public authorities, to the extent possible, under conditions to be agreed in a Service Level Agreement for the implementation of the of the new Headquarters agreement with the Government of the Republic of Latvia, signed on 21 December 2020.

The main objective will be to ensure smooth running of the Agency, while achieving qualitative and quantitative efficiency gains.

#### ***II.2.2.3.4. Outsourcing of technical and auxiliary tasks to private service providers***

The achieving of the efficiency gains listed in points II.2.2.3.1, II.2.2.3.1. (3) and II.2.2.3.3. is strongly dependent on external parties and reaching appropriate agreements with them.

If the BEREC Office does not reach an agreement for the implementation of these measures, it will outsource these activities, to the extent possible, to economic operations following procurement procedures.

The implementation of this measure will be considered as last resort and if only all efforts to implement the other measures for achieving efficiencies of gains as listed above have failed.

#### ***II.2.2.3.5. Matrix management of human resources***

In an effort to optimise the limited resources for the support of the BEREC WGs, the Programme Management Unit of the office is applying since 2015 a matrix management approach. This approach treats the available staff of the unit as a pool of human resources and allows the three Teams Leaders of the unit to assign experts of all teams to their work tasks according to the day-to-day needs and the availability while leaving the line management of the people to the Team Leaders and to the Head of Unit. By using this method, the unit eliminates any idle time of the staff and offers the best experts available to the WGs and a variety of work to the employees. It allows also for effective backups to all activities which perfectly match to the work type the units must fulfil.

### ***Conclusions***

The BEREC Office has played an essential role enabling BEREC and the NRAs to deliver results in the past several years.

The BEREC Office already demonstrated its capabilities to contribute to the work of BEREC with more added value. This has led to the decision of the legislator to entrust the Agency with more responsible tasks, which could make a difference at EU level.

To ensure the sustainable operation and to fully exploit the potential of having a support agency, the BEREC Office needs to get and to maintain adequate financial and human resources, with enough flexibility to re-allocate resources in accordance with the needs.

Further details about the human resources needs over the programming period are provided in Table 2 of Annex III.

## Section III – Annual Work Programme 2021

### III.1. Executive summary

The activities in the BEREC Office WP for 2021 are split into the following main groups as follows:

- a) operational activities;
- b) horizontal activities;
- c) administrative support activities.

The multi-annual objectives outlined earlier in Section II 1 compliments each of these activities and will assist their execution.

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

1. **Support to WGs and phase II cases** - this activity includes assistance in setting-up of WGs and supporting their activities to fulfil the BEREC WP, including organisation of external workshops, participation of WG experts in 3rd party meetings, costs of WG event organisation, reimbursement of travel expenses and accommodation allowance of event participants, etc. Additionally, this activity includes supporting BEREC activities under Articles 32 and 33 of the EECC, including collection and tracking of all notifications, establishing and coordinating relevant ad hoc WGs, ensuring high-level quality and consistency of the BEREC opinions and others.
2. **High level meetings** - Boards' secretariat, which includes assisting the Board of Regulators (BoR), the Management Board of the BEREC Office (MB), and respectively their Chair and Chairperson and Vice-Chairs and Deputy Chairpersons, the Contact Network (CN) in fulfilling their assignments, especially in preparation of the BoR, MB and CN meetings, the BEREC meetings with the EU institutions, high-level BEREC workshops, events attended by the Chair and Vice-Chairs on behalf of BEREC as well as international events.
3. **ICT support to BEREC**, which includes IT support, licenses, hardware and business continuity provision to BEREC. This activity also covers maintaining the internal platform for collaboration (BERECnet), procuring and maintaining IT applications and tools (for example, audio video conferencing), portals and platforms. This activity covers the establishment and maintenance of databases in accordance with the EECC.
4. **Information gathering and distributing** includes procuring and managing the necessary services, such as subscription to regulatory intelligence services related to telecommunications and digital economy, commissioning of studies upon request from BEREC, provision of public consultations online tool, Net Neutrality measurement tool, necessary data to support Remedies WG work, maintenance of IS Portal and trainings for NRAs' experts. The activity also includes coordination of the preparation of the BEREC annual reports.
5. **BEREC communications activities**, which includes ensuring maximum internal and external transparency and accountability of BEREC activities, including through implementation of the BEREC External Communications Strategy and annual communications plans, maintaining the BEREC website, responding to requests of citizens



and stakeholders, including the provision of documents and data, organisation of public debriefings and managing relations with media and BEREC stakeholders.

6. Expert Networking Groups, which includes covering the expenditure for the Expert Networking Groups (ENGs) meetings and related expenses.

**The horizontal activities include:**

1. General coordination activities, which include activities that have the overall objective to support the management in addressing matters of horizontal nature, which have impact on all other Agency's activities, as follows:
  - **General coordination**, which includes mainly recurring activities, such as: preparation of the draft and final Single Programming Documents (SPD); the interim and final Consolidated Annual Activity Reports (CAAR); any reports to the Discharge Authority; participation in the activity of the EU Agencies' Network (EUAN); coordination of the external and internal audits from the Agency's side performed respectively by the European Court of Auditors (ECA), including independent auditor performing audit with a focus on finance, and the European Commission Internal Audit Service (IAS); implementation of the internal control framework, including risk management; relations with the Latvian authorities and full support to the entity missions and authorised travel management.
  - **Communications activities** - not directly implementing the mandate of the Agency, such as traditional BEREC Office public events;
  - **Legal advice and data protection** - Legal advice, which includes activities of the Legal Officer of providing in-house legal advice on staff Regulation, access to documents, implementation of the BEREC Regulation, ethics and anti-fraud and any other legal matter as well as activities of coordinating the work on court cases, the investigations by OLAF or the Ombudsman (activities not directly linked to the Agency mandate)). Data Protection, which includes the activities of the Data Protection Officer in ensuring compliance with the applicable data protection rules (activities not directly linked to the Agency mandate).
2. **Centralised finance and procurement activities**, which include: budget management, finance, accounting and procurement (for all activities: in support to BEREC and for the day-to-day Agency operation); payroll and reimbursement of mission and authorised travel costs; reimbursement of experts; asset management; legal advice for implementation of measures govern by the Financial Regulations.

**The administrative support activities include:**

1. **HR management**, which includes selection and recruitment, day-to-day personnel management (including payroll), career development, provision of social welfare to the staff, as required by the Staff Regulations, running of the traineeship programme, provision of interim workers' services, etc.;
2. **Security, information and communication technology (ICT) and logistics**, which include activities primarily supporting informatics infrastructure and services (e.g. workstation support, hardware support, ICT management, ICT service support with a role at Agency level (not directly implementing the mandate of the Agency); provision of security services, postal and courier services, building and facility management (including premises and equipment) and office supplies and document management and archive activities (except operational).

The annual activity work programme contains detailed objectives, expected results and the description of the actions to be financed, including an indication of the amount of financial and HR allocated to each action. All activities listed above are developed on the basis of the availability of the following financial and HR:

Amount of EU contribution	Establishment plan posts	External personnel
EUR 7 250 381	16	31

The split of financial and HR between the different activities is presented in Annex II.

## III.2. Activities

### Operational Activities

#### III.2.1 Support to BEREC WGs and phase II cases

The total resources required for the support to BEREC WGs, including assist in setting up WGs and providing support, workshop organisation and participation in 3rd party meetings:

Financial resources (EUR)	FTEs
1,495,845	18.18

##### III.2.1.1 Overview

According to the BEREC Regulation, the BEREC Office assists in setting up BEREC WGs and ENGs, upon request of the BoR and provides them with the appropriate administrative, professional and logistics support. This forms the framework of contribution by national experts to delivery of the BEREC WP.

The BEREC Office also manages changes relating to WGs, if required, during the calendar year. To enable smooth working of WGs, the BEREC Office collects resource commitments from the NRAs, sets up and manages the email lists and email exploders related to the WG activities.

The BEREC Office provides administrative support to WGs with organising meetings and workshops – either physical or fully virtual and maintaining the information flow among members. Furthermore, it also provides logistical support to WGs, such as reimbursement of experts' travel expenses to the NRAs. Depending on the actual deliverable, the BEREC Office provides professional support to WGs in preparation of BEREC documents, assisting in public consultations and undertaking the role of drafters whenever needed.

##### III.2.1.2 Objective, indicators, expected results and main outputs

Objective	Provision of administrative and professional support to WGs with organising of meetings		
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Organisation of the WGs meetings (both virtual and physical);</li> <li>2) Undertaking roles for the support of the WGs in accordance with the request of BEREC or of the WGs co-Chairs;</li> <li>3) Maintaining updated distribution and contact lists of BEREC WG drafters and members;</li> <li>4) Provision of support, assistance in and coordination on dissemination of any kind of BEREC information and/or analysis of collected market data;</li> <li>5) Assistance in the timely submission of BEREC Opinions to the European Commission;</li> <li>6) Updated records of Market Analysis notifications;</li> <li>7) Contribution to the drafting of BEREC reports.</li> </ol>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>

1. Provision of virtual WG meetings	2019: 421 <sup>26</sup>	≤400	Monthly report, Interim report, CAAR
2. Provision of support to physical WG meetings	2019: 110	≤50	Monthly report, Interim report, CAAR
3. Provision of support to workshops with external experts	2019: 5	≤10	Monthly report, Interim report, CAAR
4. Provision of support to participation in 3rd party meetings	2019: 5	≤10	Monthly report, Interim report, CAAR
5. Provision of ad hoc meeting under Article 32/33 procedures (former Art 7/7A)	2019: 2	≤10	Monthly report, Interim report, CAAR
6. Reimbursement of expenses of the meeting participants invited to the events listed above in compliance with the applicable BEREC Office rules	2019: 985	≤1000 <sup>27</sup>	Monthly report, Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Support to physical WG meetings, workshops with internal and/or external experts and audio-video conferences to ensure their proper functioning (including invitations to meetings, document circulation and reimbursement of related travel and accommodation expenses to persons invited to attend meetings in and expert capacity)</li> <li>2. Active participation of BEREC Office members as drafters in the work of WGs upon request;</li> <li>3. Structured and timely provision of support for BEREC information and/or analysis on collected market data (upon the request or in accordance with SPD);</li> <li>4. Full logistic and technical support to the organisation of WGs' public workshops – selection and rental of venue, ICT services, technical equipment and tools (like microphones, recordings, remote access provision, translation / interpretation services etc.), catering services;</li> <li>5. Data collection and dissemination upon request from WGs or the BEREC Chair;</li> <li>6. Coordination of the BEREC activities in accordance with the Article 32/33 EECC procedures;</li> <li>7. Establishment of Ad Hoc WGs for Article 32/33 EECC cases and regularly updating the list of focal points, keeping –up and updating the notification database and coordinating the work on BEREC Opinion and its timely submission and acting as experts/rapporteurs of the group if required;</li> <li>8. Contribution to the drafting of the following reports (in due time): <ol style="list-style-type: none"> <li>a. Annual reports;</li> <li>b. International roaming benchmark reports;</li> <li>c. Termination rates at European level;</li> <li>d. Report on transparency and comparability of international roaming tariffs;</li> <li>e. Report on the implementation of the Open Internet Regulation.</li> </ol> </li> </ol>			

### III.2.2 High level meetings and support to the Boards

The total resources required for the organisation of high-level meetings and support to the Board's secretariat are, as follows:

<sup>26</sup> The number of AVC meetings organised in 2019 for all BEREC WGs (full group, drafters, only between co-chairs, bilateral, etc) in parallel to the physical meetings or purely by AVC.

<sup>27</sup> Subject to increase or decrease, in case third countries that participate in BEREC make financial contributions. Participants from such third countries become eligible for reimbursement of expenses.

<b>Financial resources (EUR)</b>	<b>FTEs</b>
581,322	3.37

Due to the new tasks and responsibilities assigned by the new BEREC Regulation as well as the formalisation of the Miniboard and BAG, additional and more extensive services are expected to be provided by the BEREC Office. Therefore, in order to provide efficient and high quality professional and administrative supporting services to BEREC and BEREC Chairs' team and to fulfil all the objectives as indicated in this chapter, the Board's Support team needs additional human resources to be able to cope with the expected workload.

### **III.2.2.1 Overview**

According to the BEREC Regulation, BEREC should assist and advise the NRAs and the Commission in the execution of their responsibilities under the Union regulatory framework through the pooling of expertise from NRAs without duplicating work already undertaken. BEREC, as a technical body with expertise on electronic communications and composed of representatives from NRAs and the Commission, should contribute to consistent implementation of the regulatory framework for electronic communications. BEREC should also serve as a body for reflection, debate and advice for the European Parliament, the Council and the Commission in the electronic communications field.

These objectives, among others, are achieved through the adoption of a number of BEREC deliverables, which are approved either during the meetings of the Board of Regulators and the Management Board, with the former deciding mainly on regulatory matters and the latter on administrative matters such as the budget, staff and audits etc., or by electronic voting procedures.

Additionally, in order to enhance the cooperation between NRAs, Commission, European Parliament, the Council and interested parties (stakeholders) BEREC organizes different events and participates in events organized by third parties during which the Chair or the Vice-Chair present BEREC views and share BEREC expertise. Therefore, the BEREC Office provides professional and administrative support services to the Board of Regulators (BoR), the Management Board of the BEREC Office (MB), and respectively their Chair and Chairperson and Vice-Chairs and Deputy Chairpersons, the Contact Network (CN) and BEREC Office Advisory Group (BAG) in fulfilling their assignments.

In order to increase efficiency and flexibility for BEREC meetings, BEREC Office will introduce new smart tools enhancing videoconference capabilities to allow the organisation of numerous remote high-level events.

### **III.2.2.2 Objectives, indicators, expected results and main outputs**

<b>Objective 1</b>	<b>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 and BAG</b>
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	<b>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.</b>		
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Assistance in the organisation of the high-level BEREC events, such as BoR, MB, Miniboard, CN and BAG meetings, and high-level workshops, including via videoconferencing systems;</li> <li>2) Assistance in the organisation of BoR and MB electronic voting procedures;</li> <li>3) Maintaining updated public lists of BoR, MB Members, Participants without voting rights and their Alternates, including their Declaration of Interest and Commitments and CVs;</li> <li>4) Maintaining updated lists of the CN Members and BAG Members and their Alternates;</li> <li>5) Assistance in the organisation of the high-level BEREC and BEREC Office events, such as high-level workshops, meetings with the EU institutions and other similar events also via videoconferencing systems;</li> <li>6) Assistance in the establishment and implementation of working arrangements 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.</li> </ol>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
Level of satisfaction with high-level meetings (measure the level of satisfaction of the CN members, WG Co-Chairs and the Miniboard on a 5 grade scale on the basis of multiple questions)	2019: n/a	85% of responses are in the top 2 scores	Interim Report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Assistance in the organisation of 4 CN meetings;</li> <li>2. Assistance in the organisation of 4 ordinary BoR and MB plenary meetings;</li> <li>3. Organisation of 4 BEREC Office Advisory Group (BAG) video conferences;</li> <li>4. Assistance in the organisation of 20-30 Miniboard meetings;</li> <li>5. Management of documents related to the above-mentioned activities and follow-up activities;</li> <li>6. High-quality support to the organisation of up to 25 electronic voting procedures;</li> <li>7. Preparation of regular overviews of the outcome of electronic voting procedures as well as information on electronic voting procedures planned in the period to the next plenary meeting (for each CN and plenary meetings);</li> <li>8. Regular updates to internal BoR, MB, Miniboard, CN and BAG contact lists and publishing the updated BoR and MB Members and Alternates lists;</li> <li>9. Collection and publication of the Declarations of Interests and Commitments and CVs of the BoR and MB Members Participants without voting rights and their Alternates on the BEREC website;</li> <li>10. Assistance in the organisation of up to 2 BEREC high-level workshops (public or internal) organised back-to-back with the BoR ordinary meetings;</li> <li>11. Assistance in the organisation of up to 2 BEREC meetings with the EU institutions (excluding</li> </ol>			

- meetings only with the BEREC Chair/Vice-Chairs, which are included in the Chair's events);
12. Assistance in the organisation of approx. 45 meetings of the BEREC Chair and Vice-Chairs and Chairperson and Vice-Chairpersons of the MB of the BEREC Office and events attended by them or their representatives, such as: conferences, events organised by other EU bodies and/or EU institutions, bilateral meetings with interested parties, etc.;
  13. Assistance in the organisation of up to 15 BEREC international events (organised by BEREC or other stakeholders), including the Miniboard study trip;
  14. Assistance in the organisation of 5 events and meetings related to the implementation of the Memoranda of Understanding or Working Arrangements signed by BEREC;
  15. Management of documents related to the above-mentioned activities;
  16. Maintaining updated lists of key contact points and liaising with the EC, EP, the Council, other Union bodies, offices, agencies, advisory groups, regulatory authorities of third countries, international organisations, and other stakeholders with whom BEREC and BEREC Office cooperates;
  17. Calculation of financial contributions from the third country NRAs participating in the work of BEREC and BEREC Office.

### III.2.3. ICT support to BEREC

The total resources required for the support to ICT support to BEREC are as follows:

Financial resources (EUR)	FTEs
1,769,397	4,63

#### III.2.3.1. IT Support, Licenses, Hardware and Business Continuity for BEREC

##### III.2.3.1.1. Overview

In order to provide the necessary technical functionality of the existing operational IT systems and platforms certain number of software licenses and IT services must be purchased on a yearly basis. The specific ICT services which has to be procured such as an IT expertise and/or managed services for providing the necessary support activities in regard to the Information and communication system for the exchange of information, providing BEREC, the Commission and NRAs with the necessary information for the consistent implementation of the Union regulatory framework for electronic communications. In addition, the provision of ICT services such as necessary hardware, software, services like IaaS, SaaS and PaaS, ICT consultancy have to be ensured on a yearly basis.

The BEREC Office is committed to continue providing a high-quality support to BEREC and business partners regarding video conferencing ensuring the availability of different software solutions, professional equipment (including mobile/portable video conferencing equipment/kit), unified communication services and high-quality IT support services during Audio-Visual meetings and events. In order to comply with the corporate BC strategy, it is necessary to continue usage of back up as a service and disaster recovery as a service of business-critical operational data and ICT systems, which are already implemented with a cloud service provider.

According point 2.5 the BEREC Office has established an Expert Networking Group of ICT experts.

### III.2.3.1.2. Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>Enable operations by maintaining high availability of IT services (dedicated applications, databases, and websites) in regard to IT infrastructure and services (on prem. and cloud). Provision of necessary licenses and IT support. Provision of expertise on ICT matters in support to BEREC (knowledge exchange).</b>		
<b>Expected result</b>	1) Continuous provision of software licenses and IT support services for operational needs; 3) Ensure a sustainable back-up system for the BEREC data as well as functional disaster recovery service; 4) Maintained and secured infrastructures and applications, hosted as per SLA requirements; 5) Continuous support for the NRA's ICT network.		
<b>Indicator</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
System Availability: BERECnet+ Website	2019: n/a	98,5% 98,5%	Interim report, CAAR
Number of BERECnet+ users	2019:n/a	1300	Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Signed contracts for software licensing (no interruption of IT services related to software licensing), ensuring the continuous availability of licensees (BERECnet+, Microsoft, Cisco, Webex, Vydio, Sophos and other licenses);</li> <li>2. Continuous availability of necessary software products for IT support to BEREC;</li> <li>3. Continuous availability of IT support in regard to ICT system for the exchange of information - user management and WG sections;</li> <li>4. Continuous availability of licenses for video conferencing needs;</li> <li>5. Continuous availability of IT support and managed services for video conferencing;</li> <li>6. Continuous availability of IT support for management of email distribution groups and managed security services for email communication system;</li> <li>7. Continuous availability of IT support for provision of necessary security administration of corporate website;</li> <li>8. Continuous availability of IT support for the management of cloud infrastructure linked to back up as a service and disaster recovery as a service of business-critical operational data and ICT systems;</li> <li>9. Continuous availability of licenses for backup solution;</li> <li>10. Continuous availability of onsite IT support for the development and maintenance of ICT projects such as databases and ICT systems linked to BEREC activities;</li> <li>11. Continuous availability and operability of ICT systems for operational needs;</li> <li>12. Reduced time and increased efficiency for provided IT support to BEREC activities;</li> <li>13. Continuous availability of business-critical operational data and IT systems;</li> <li>14. High-level security of IT operations. Ensured security measures and procedures are in place for the usage of tools and ICT systems;</li> <li>15. Usage of cloud services in order to ensure business continuity linked to Information systems, Back up as a service (BaaS), Disaster recovery as a service (DRaaS) and Infrastructure as a service (IaaS); Provision of systems operational from cloud environment;</li> <li>16. Reduced RTO and RPO as defined in the corporate BCM programme;</li> <li>17. Provision of security and risk assessment services when needed;</li> <li>18. Fully independent management of DNS records;</li> <li>19. Promote shared ICT knowledge and experience sharing in order to exchange good ICT practices;</li> <li>20. Inter-NRA cooperation on issues of common interest in the area of Information and Communication Technologies;</li> <li>21. Sustain an Expert Networking Group of ICT professionals across NRAs in order to benefit from</li> </ol>			



- synergies and shared experience;
22. Organisation of 2 meeting of the ICT Expert Networking Group;
  23. Foster collaboration on common ICT problems.

### **III.2.3.2. IT Projects for BEREC**

#### **III.2.3.2.1. Overview**

The development of a new corporate website starting during 2020 will be completed by a final phase of deployment in 2023. In parallel, the organization of several dedicated workshops and technical meetings linked to the new futures and functionalities of the system are envisaged to take place. The development of a new corporate website aims to include better and more modern technological solution (back office – content management system), improved end user experience and website functionality (including multi-lingual requirement), improved features for people with disabilities as well as new higher level of security features following the latest technological developments and trends. The necessary security updates of the current corporate website are aimed to ensure higher level of security and website availability. Corporate data is a vital asset for strategic and operational decision-making. The management of BEREC's data, data governance, data quality, data collection, data access and usage of metadata described in a data management strategy in relation to the new corporate is considered as an important aspect of the new corporate website, which will be providing publicly available access of documents to all citizens.

The BERECnet platform is considered to fulfil the requirements stated in Art. 41 of the BEREC Regulation (EU) 2018/1971 (i.e. paragraphs a, b and c) supporting knowledge-sharing and facilitating collaboration being a common platform for the exchange of information, providing BEREC, the Commission and National Regulatory Authorities (NRAs) with the necessary information for the consistent implementation of the Union regulatory framework for electronic communications. The BERECnet platform is a single-entry point for access to BEREC documents and organisation of the meetings and video conferences. In order to facilitate, manage better the organization of events as well as to provide a user-friendly solution to BEREC members for meetings and high-level event a functionality within the system, or integration of an external app, is considered as appropriate. During 2021 a number of operational costs and managed services linked to the maintenance, availability and operability of the Information and communication system are envisaged to be procured via existing Inter-institutional FWC already in place.

According to the EECC (Article 12(4)), in order to approximate notification requirements, BEREC shall maintain an EU database of the notifications transmitted to the competent authorities. The notification should contain a minimum set of data, a declaration by a legal or natural person of the intention to commence the provision of electronic communications networks or services. Article 12(3) sets out the minimum set of data to be provided. During the course of 2020 the BEREC Office started to work on the system development with envisaged delivery date December 2020. During 2021 a number of operational costs linked to maintenance costs of the database will have to be allocated in terms of licences, technical and security upgrades, operational costs for the system infrastructure and technical support works. In addition, the BEREC Office would need to allocate financial resources linked to the migration/import of legacy data into the new system coming from the NRAs as defined in the EECC (Article 12).

According to the EECC (Article 93(4)), BEREC shall establish and maintain a central registry database on the numbering resources with a right of extraterritorial use within the Union. For this purpose, to which 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 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 on the competent authority on numbering issues in their MS. BEREC will rely on the resources of the BEREC Office for maintaining the database. During the course of 2020 the development of the database is envisaged to be completed. During 2021 a number of operational costs linked to maintenance costs of the database will have to be allocated in terms of licences, technical and security upgrades, and technical support works.

According to the BEREC Regulation (Article 39), the BEREC Office shall adopt their own security rules equivalent to the Commission's security rules for protecting European Union Classified Information and sensitive non-classified information, inter alia, provisions for the exchange, processing and storage of such information as set out in Commission Decisions (EU, Euratom) 2015/443 (21) and (EU, Euratom) 2015/444 (22). This will likely require the deployment of infrastructure for processing classified data. Under the assumption that the Agency will not operate with classified data the BEREC Office does not foresee development and deployment of an infrastructure for the period 2021 and 2023.

BEREC regulation (Article 5(c)) determines that the BEREC Office shall produce regular draft reports on specific aspects of development in the European electronic communications market, such as roaming and benchmarking reports to be submitted to BEREC. Present tool, like excel, is used for this exercise and requires a lot of manual work. Considering that benchmark exercise involves a significant number of several different type data sets, the present form of data analysis, extraction and aggregation should be improved by tool which allows data aggregation and graph production automatically. Thus, the development and implementation of such tool for data aggregation purpose will ease and provide better performance of this benchmark exercise. During 2021 a number of operational costs linked to maintenance costs of the database will have to be allocated in terms of licences, technical and security upgrades, and technical support works.

The BEREC Office is required by BEREC to collect, exchange and transmit information between NRAs regarding regulatory tasks assigned to BEREC. BEREC Office is also mandated to contribute to draft reports on specific aspects of the communications market, such as roaming and benchmarking of termination rates. Considering the amount and the complexity of the data collection, BEREC Office has to maintain an appropriate database to gather the necessary data for BEREC.

Video-conferencing services, their continuous availability and usage became very important for all BEREC and BEREC Office staff members. In order to reduce travel expenses linked to missions, when possible and appropriate, all staff is encouraged to participate in video-conferencing calls and meetings with partner organizations. In addition, BEREC Office staff is allowed to work from home, due to justified reasons, for which reliable VC solutions and services provided to the staff are of an utmost importance in order for the staff to be able to benefit from meetings and collaboration. The provision of high-availability Unified

communication services including AVC equipment in meetings rooms have to be ensured during the course of 2021 to BEREC and BEREC Office, both in Brussels and in Riga premises. This will serve as enabler for a higher level of efficiency, cooperation and objective outcomes. Considering the COVID-19 outbreak and all limitations which came along with it, reliable AVC services are becoming crucial for the successful completion of BEREC's mandate and therefore for the fulfilment of the BEREC Office's mission. The organization of virtual plenaries, contact networks meetings, BEREC Stakeholder Forums and other events becomes essential. More virtual meetings (compared to 2019) helps to reduce the carbon footprint. During the first half of 2020, the BEREC Office has identified a reliable web streaming platform as a service, which will allow for much easier organization of digital meetings, for which content has to be delivered to the general audience, in a very reliable and user-friendly way. During the second half of 2020, the on boarding to the platform is envisaged to be completed. Therefore, during 2021 the costs linked to renewal of the service, would have to be considered in Q4 of 2021 as an operational expense and renewed for an additional 12 months term.

Given the need for more digital collaborations and effective organisation of virtual high-level meetings, during 2021, BEREC Office will work on a Proof-of-Concept (PoC) project for easy and instant organisation of chat rooms, breakout rooms, shared or private discussions in virtual spaces during meeting breaks.

Furthermore, a development of PoC for a digital work space with enhanced access to information, mobility and collaboration is considered of a high importance. The results of both PoCs are expected to deliver future solutions for BEREC's needs in order to enable more productivity and allowing to achieve even higher outcomes.

### **III.2.3.2.2. Objectives, indicators, expected results and main outputs**

<b>Objective 1</b>	<b>Development and maintenance of ICT systems according to BEREC regulation. Maintenance and availability of the existing products for ensuring their reliability, their need to meet evolving business needs and the need to be kept interoperable with other systems overtime.</b>		
<b>Expected results</b>	1) New systems developed; 2) Existing solutions maintained; 3) Systems and services piloted and implemented (on prem. and cloud).		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
1. Timely response to user requests (BERECnet+)	2019: N/A	less than 10% of user requests require more than 1.5 days to resolve;	Monthly report, interim report, CAAR; extract from ticketing system;
<b>Main outputs</b>			
1. Reliable IT solutions and infrastructure meeting the business needs; 2. Developed and maintained new core-business and administrative solutions; 3. Usage of modern and secure cloud services and solutions; 4. Assessment, development and maintenance of BEREC Website and its data assets; 5. Availability of mobile AVC equipment (portable AVC suitcases); 6. Maintained BERECnet+ product; Availability and usage of managed services BERECnet+; 7. Maintained data set tool for benchmarking exercise; 8. Maintained Database (notifications under general authorisation); 9. Maintained Database (numbering);			

- |   |
|---|
| 10. Developed and maintained Infotainment system for WG meetings;<br>11. Developed and maintained other ICT tools for the needs of BEREC;<br>12. Ensure availability of Video-conferencing licences and services as well as equipped meeting rooms in Brussels and Riga sites for such reasons. |
|---|

<b>Objective 2:</b>		<b>Creation of “BEREC ICT strategy 2022-2025”</b>		
Expected results	To align the technology with the BEREC business goals, enabling a better contribution to the organisation’s strategic objectives;			
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>	
Signature of IT consultancy contract in support to the development of “BEREC ICT strategy 2022-2025”	2019: N/A	Signed contract by the end of Q4 of 2021	Signed specific contract for service delivery;	
<b>Main outputs</b>				
Outputs relating to the work programme objectives: 1. Creation of “BEREC ICT strategy 2022-2025”; 2. To allow comprehensive approach to reviewing and developing ICT strategic plans and roadmaps, so to attain benefits and optimization of costs and enhance cyber security.				

### III. 2.4 Information gathering and distribution

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

<b>Financial resources (EUR)</b>	<b>FTEs</b>
491,829	0.92

#### III.2.4.1 Regulatory information and training for BEREC

##### III.2.4.1.1. Overview

A need for a regular subscription to the regulatory intelligence services related to telecommunications and digital economy was identified by the management of the BEREC Office to provide the required professional support to the BEREC in accordance with its WP objectives. In view of the new BEREC regulation and the new EECC adopted at the end of 2018, the BEREC Office requires the highest level of accuracy and relevance of real-time data and information available in the sector.

Therefore, relevant updates on major EU level developments related to telecommunications regulation, key regulatory initiatives, market analysis, Telecom single market proposal and other important topics related to BEREC activity areas are necessary, in particular in view of the new EECC.

The BEREC Office organises training for NRA experts on the regulatory framework for electronic communications and other topics related to BEREC activities. The training

programme covers latest developments of the legal framework and trends within the electronic communications sector.

The training is to be extended to cover issues such as sustainability and its relevance to the area of BEREC activities and other issues like planning the work of the working groups and expert networking groups and moderating the work of the groups.

The BEREC Office is required by BEREC to collect, exchange and transmit information between NRAs regarding regulatory tasks assigned to BEREC. The BEREC Office is also mandated to contribute to draft reports on specific aspects of the communications market, such as roaming and benchmarking of termination rates. Considering the amount and the complexity of the data collection, the BEREC Office has to develop or purchase an appropriate database or data sets for calculation of certain parameters and related software to gather the necessary data for BEREC.

#### **III.2.4.1.2. Objective, indicator, expected results and main output**

<b>Objective 1</b>	<b>Provision of information and knowledge dissemination</b>		
<b>Expected results</b>	1) Regular update on regulatory and financial intelligence services related to BEREC work; 2) Provision of regular training to update and enhance the professional knowledge of experts; 3) Provision of data sets for the calculation of certain parameters underlying the weighted average cost of capital (WACC).		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
1. Provision of training courses per academic year for NRA experts	2019: 1	4	Monthly report, Interim report, CAAR
2. Reimbursement of the expenses of the training participants	2019: 89	≥50	Monthly report, Interim report, CAAR
<b>Main outputs</b>			
1. Purchase of regulatory intelligence services related to telecommunications and digital economy provided; 2. Organisation of procurement procedures for the provision of content of the training courses as well as for the organisational and logistical aspects if the training is organised onsite and not remotely (selection of venue, catering, invitations to registered participants, reimbursement of travel and accommodation expenses); 3. Provision of data sets for the calculation of certain parameters underlying the weighted average cost of capital (WACC) and other financial parameters; 4. Professional training delivered (yearly) to experts.			

#### **III.2.4.2 Studies and other projects for BEREC**

##### **III.2.4.2.1. Studies, projects, IS Portal and language service**

###### **III.2.4.2.1.1. Overview**

The BEREC Office supports the implementation of the BEREC Work Programme. In fulfilling this supporting role BEREC Office shall deliver studies and research reports or any other material, upon request from the WGs or from BEREC, including by launching and managing the necessary procurement procedures (where applicable) and/or contracts. Furthermore, BEREC Office supports already initiated projects defined in the previous year's SPD.

In 2021, the BEREC Office will launch a procurement for purchasing an external study to provide the necessary insights to assist NRAs in developing their approach on closing the digital gap. The purpose of the study is to investigate how NRA's can contribute in developing and implementing effective measures in the short and medium term to diminish the digital divide within their competence and/or in cooperation with other bodies and institutions. This will include a quantitative and qualitative research on the impact of the COVID-19 pandemic on the digital ecosystem, in particular its effect on the digital divide. The study should draw conclusions and design possible sets of recommendations to further strengthen Europe's digital capabilities to activate also the digital most vulnerable citizens in the digital ecosystem who lack sufficient access to broadband networks and digital services to become full participants in the digital age.

Ensuring that there is maximum internal and external transparency and accountability of BEREC activities for external stakeholders, the BEREC Office will continue providing the on-line public consultation platform for BEREC public consultations and discussions.

The Information Sharing (IS) Portal is designed to complement the information available on NRAs websites. The IS Portal 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 portal includes several sections and covers all categories of documents issued by NRAs for public use.

In order to ensure good quality of the BEREC documents, the BEREC Office shall use the service of the European Commission Translation Centre, with which a Service Level Agreement (SLA) is signed. The translation services may be used further to ensure that publicly available documents of BEREC are also available in other EU languages to guarantee transparency and accessibility of BEREC documents.

The BEREC Office will provide a tool to help monitoring the working group deliverables set in the work programme. The tool will monitor ongoing work and will help to visualise different workflows (at BEREC and the BEREC Office level) linked to each deliverable. Such tool will help to avoid delays and shortcomings during the year and will provide the working groups with timelines and deadlines of each deliverable.

#### ***III.2.4.2.1.2. Objective, indicator, expected results and main output***

<b>Objective 1</b>	<b>Ensure visibility and better quality of BEREC deliverables</b>
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Study (ies) according to the BEREC WP is procured and delivered;</li> <li>2) Better stakeholders' engagement achieved by using the on-line consultation tool;</li> <li>3) BEREC visibility provided through the IS Portal;</li> <li>4) Language service for BEREC documents is provided;</li> <li>5) The monitoring tool is procured and is set to function.</li> </ol>

Indicators	Latest result	Target Year 2021	Means and frequency of verification
1. Number of the draft documents published in on-line public consultation platform	2019: 5	< 10	Quarterly
2. Number of documents sent for language service	2019: 3	>6	Quarterly
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Purchase (procurement) of the study (ies);</li> <li>2. Coordination and monitoring during elaboration phase of the study;</li> <li>3. Supervision of final delivery of the studies;</li> <li>4. Draft BEREC documents upload on public consultation platform for public consultations;</li> <li>5. Maintenance of the IS Portal;</li> <li>6. Language services of relevant BEREC documents;</li> <li>7. The monitoring tool is procured and activated.</li> </ol>			

### **III.2.4.2.2. Net Neutrality measurement tool**

#### **III.2.4.2.2.1. Overview**

In accordance with the Regulation (EU) 2015/2120 and the underlying BEREC Guidelines, BEREC will provide a Net Neutrality (NN) measurement tool, which can be reused by the NRAs and thus creating a federated system.

BEREC Office engages and follows up the contractor work on the measurement tool. Open Internet working group contributed in development phase of the project and will continue its work during the following maintenance phase.

#### **III.2.4.2.2.2. Objective, indicators, expected results and main outputs**

Objective 1	Provision of independent open internet measurements		
Expected results	NN measurement tool is created and accessible for NRAs		
Indicators	Latest result	Target Year 2021	Means and frequency of verification
1. Availability of NN measurement tool	2019: >98%	>98%	Monthly reports, Interim report, CAAR
<b>Main outputs</b>			
1) The contractor provides support and maintenance services of the tool to the BEREC Office and NRAs within the period of 36 months.			

### **III.2.4.2.3. Advanced Gateway to Meetings (AGM)**

#### **III.2.4.2.3.1. Overview**

EC Advanced gateway for meetings (AGM) – for meeting organisation and expert reimbursement tool will be gradually introduced in order to automate the meeting registration and expert reimbursements process. The BEREC Office will initiate usage of AGM services for BEREC working groups and other meetings in order to streamline the process of experts' registration for the events and their reimbursements. The BEREC Office will be invoiced

based on the number of reimbursements paid through the AGM system in accordance to the Service Level Agreement (SLA).

### III.2.4.2.3.2. Objective, indicators, expected results and main outputs

<b>Objective 1</b>	<b>Improvement of reimbursement process</b>		
<b>Expected results</b>	Experts handle reimbursement requests independently (in self-serving manner)		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
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	2019: N/A	>100 experts	Monthly reports, Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1) Organisation of meetings;</li> <li>2) Online registration of participants for the meetings;</li> <li>3) Provision of expert reimbursements to registered participants;</li> <li>4) Provision of training about the new tool and support to BEREC experts regarding the tool.</li> </ol>			

## III.2.5. Expert Networking Groups

### III.2.5.1 Overview

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

The following ENG's are created:

1. ENG of ICT experts for duration of 2 years (2020-2021);
2. ENG of communications experts for duration of 1 year (2021);
3. ENG on sustainability for duration of 2 years (2020-2021).

When there is a need at the BEREC Office for additional expertise on a particular subject additional ENG's can be created by the Management Board decision on an ad hoc basis. Any request for establishing additional ENG shall describe the purpose of the ENG, the relevant area of expertise of the ENG members, and the duration of its mandate.

### III.2.5.2 Objective, indicators, expected results and main outputs

#### III.2.5.2.1. ENG of ICT experts

<b>Objective :</b>	<b>Provision of expertise on ICT matters in support to BEREC</b>
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<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Sharing experience and benefiting from synergies, e. g. optimisation of security settings for on-premises and cloud environments; surveys on important topics;</li> <li>2) Fostering collaboration on common ICT problems, e.g. impacting smooth communication services provided by ICT tools, implementation and usage of secure email;</li> <li>3) Support of the coordination of common ICT initiatives among NRAs, e. g. usage of video-conferencing solutions, better IT Governance and IT Security; usage of 2FA for log in and mobile devices (BYOD);</li> </ol>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
1. Provision of virtual WG meetings (ICT ENG)	2019: N/A	>2	Interim report, CAAR
2. Provision of support of physical WG meetings (ICT ENG)	2019: N/A	<2	Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Bi-annual meetings organized with ICT colleagues from across NRAs. Establishment of contact details for communication concerning ICT emergency response – for issues and immediate collaboration linked to security and urgent issues;</li> <li>2. Plot version of common collaboration space (section on BERECSNet) for sharing ideas, procedures, policies, guidelines, comments, etc. – for fostering the ICT collaboration across NRAs;</li> <li>3. Identified settings/connection details and software used for Videoconferencing across NRAs. Usage of different software pros and cons. List of VC solutions used. Possible synergies and common approach in that regard;</li> <li>4. Provision of support to the proper functioning of ENGs and audio-video conferences and ENG meetings (such as invitations to meetings, document circulation and reimbursement of related travel and accommodation expenses to persons invited to attend meetings in expert capacity).</li> </ol>			
<b>Duration</b>			
2 years			

### III.2.5.2.2. ENG of communications experts

<b>Objective:</b>	<b>Provision of expertise on communications matters in support to BEREC</b>
<b>Expected results<sup>28</sup></b>	<ol style="list-style-type: none"> <li>1) Implementation of the BEREC External Communications Strategy and its annual plans and deliver the communications outputs;</li> <li>2) Promotion of BEREC in the individual Member States, mainly by encouraging knowledge exchange between the communications staff of all the BEREC members, who can also act as multipliers of the message;</li> <li>3) Proper functioning of ENGs and provision of support, including audio-video conferences and meetings (such as invitations to meetings, document circulation and reimbursement of related travel and accommodation</li> </ol>

<sup>28</sup> The mandate is under revision

	expenses to persons invited to attend meetings in an expert capacity).		
Indicators	Latest result	Target Year 2021	Means and frequency of verification
1. Provision of virtual WG meetings (Communications ENG)	2019: N/A	>2	Interim report, CAAR
2. Provision of support of physical WG meetings (Communications ENG)	2019: 3	2	Interim report, CAAR
Main outputs			
<ol style="list-style-type: none"> <li>As identified in BEREC Communications Plan 2021;</li> <li>Document to deliver for adoption: Communications Plan 2022;</li> <li>Proper functioning of ENG and provision of support, including audio-video conferences and meetings (such as invitations to meetings, document circulation and reimbursement of related travel and accommodation expenses to persons invited to attend meetings in an expert capacity).</li> </ol>			
Duration			
1 year			

### III.2.5.2.3. ENG on sustainability

As BEREC aims to include sustainability as a key element in its strategy and annual work programmes, there are the following groups that will deal with sustainability issues within BEREC: an ad-hoc working group on sustainability (activities of the WGs including ad hoc WGs are described under section III. 2.1 Support to BEREC WGs and phase II cases) and an expert networking group (ENG). The ENG is established for 2 years period in order to:

- identify the steps to be taken to be sustainable in its operation and through its deliverables;
- define the mid- and long-term sustainability objectives and KPIs to monitor the progress.

Objective :	Provision of expertise on specific matters requested by the BEREC Office in support to BEREC		
Expected results	1) Implementation of mid- and long-term sustainability objectives and KPIs to monitor the progress.		
Indicators	Latest result	Target Year 2021	Means and frequency of verification
1. Provision of virtual WG meetings (Sustainability ENG)	2019: N/A	≤12	Interim report, CAAR
2. Provision of support of physical WG meetings (Sustainability ENG)	2019: N/A	≤3	Interim report, CAAR
Main outputs			
<ol style="list-style-type: none"> <li>Support to physical ENGs meetings, active participation of BEREC Office members as drafters in the work of ENG upon request including one BEREC Office member who is acting as co-Chair of the ENG;</li> <li>Support in webinars and workshops;</li> <li>Support to the procurement and the management of studies and projects;</li> </ol>			

4. Provision of support to the proper functioning of ENGs and audio-video conferences and ENG meetings (such as invitations to meetings, document circulation and reimbursement of related travel and accommodation expenses to persons invited to attend meetings in expert capacity).
5. Monitoring sustainability KPIs and the report.

**Duration**

2 years

**III. 2.6 BEREC Communications activities**

The total resources required for the support to BEREC communications activities are, as follows: half of the envisaged FTEs assisting with the production of communications outputs, management of the communications tools, production of audio-visual and information materials, managing the BEREC Communications Expert Networking Group, social media accounts, etc. and half of the envisaged FTEs dealing /supporting the events organisation.

<b>Financial resources (EUR)</b>	<b>FTEs</b>
582,936	3.15

**III.2.6.1 Overview**

According to the establishing Regulation, BEREC should carry out its activities with a high level of transparency and have to ensure that the public and any interested parties are given appropriate, objective, reliable and easily accessible information, in particular in relation to its tasks and the results of its work.

The BEREC Office supports BEREC in reaching its communications objectives by ensuring that the BEREC target audiences are given appropriate, objective, reliable and easily accessible information on the BEREC tasks and the results of its work. This objective is reached by implementing the BEREC External Communications strategy through its annual communications plans. Both are drafted and implemented by the BEREC Office Communications Team in cooperation with the BEREC Communications Expert Networking Group. The mentioned documents are adopted by the Board of Regulators.

**III.2.6.2 Objectives, indicators, expected results and main outputs**

<b>Objective 1</b>	<b>To provide efficient professional and administrative support services to BEREC in the implementation of the BEREC External Communications Strategy and the BEREC Communications Plan 2021</b>
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Assistance in the implementation of the activities and outputs planned under the BEREC Communications Plan 2021;</li> <li>2) Support provision to the development of BEREC communications projects and campaigns by the BEREC Communications Expert Networking Group;</li> <li>3) Dissemination of information on BEREC tasks, activities and results of its work through the BEREC</li> </ol>

	<p>Communications Expert Networking Group;</p> <p>4) Assistance in the identification and planning of the BEREK communications activities for 2022;</p> <p>5) Regular update of the information on the website and its mobile version;</p> <p>6) Regular update of the information on the BEREK social media accounts on Twitter, LinkedIn and YouTube;</p> <p>7) Maintaining and updating the lists of website subscribers, stakeholders and journalists;</p> <p>8) Active interaction with stakeholder and media representatives upon request and according to the projects foreseen in annual communications plans;</p> <p>9) Assistance in the production, publication and distribution of BEREK Annual reports, Work Programme, and annual BEREK Calendar;</p> <p>10) Production, publication and distribution of infographics, brochures, newsletters, banners, posters, and other type of information materials, branded items and audio-visual content;</p> <p>11) Assistance in debriefings and hearings, press events, high-level stakeholder events, including two BEREK Stakeholder Forums, etc. Certain public events are organised with the livestreaming on the BEREK website. Assist the engagement with stakeholders at the events and via social media during the livestreaming;</p> <p>12) BEREK Visual Identity guidelines are up-to-date and used when communicating on BEREK, its tasks and the result of its work;</p> <p>13) Assistance in content and design development for the new BEREK website.</p>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
Number of live connections to BEREK public events	2019: 1893	2000	CAAR
Number of mentions of BEREK on social media (Twitter LinkedIn)	2019: N/A	50	CAAR
Target satisfaction (BEREK Chair) on BEREK public events regarding the logistics	2019: N/A	100%	CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Online and printed information materials produced according to the request in the annual BEREK Communications Plan;</li> <li>2. Contribution to the drafting of an annual BEREK Communications Plan;</li> <li>3. News items published on the BEREK website monthly;</li> <li>4. Regularly updated content on the BEREK website;</li> <li>5. Social media posts published on the BEREK social media accounts monthly;</li> <li>6. Information updates sent via email to the website subscribers, stakeholders and journalists monthly;</li> </ol>			

7. Regularly updated lists of website subscribers, stakeholders and journalists;
8. Responses provided to the stakeholders and media upon request;
9. Support the design and publication/distribution of BEREC Annual reports, BEREC Work Programme and BEREC Calendar;
10. Up to six livestream recordings are produced and published;
11. Two Stakeholder Forums with the livestreaming;
12. International stakeholder conference with the livestreaming;
13. Support of four public debriefings with the livestreaming and connection to the BEREC Office in Riga;
14. Updated BEREC visual identity guidelines;
15. Assist in the content and design development for the new BEREC website.

### III.2.7 Horizontal activities

#### III.2.7 Coordination activities

The total resources required for coordination activities are as follows:

Financial resources (EUR)	FTEs
612,098	3,37

#### III.2.7.1 General coordination activities

##### III.2.7.1.1. Overview

The general coordination includes the following recurring activities: preparation of the Single Programming Documents (SPDs), reporting on the past activities (H1 reports and Annual reports); coordination of discharge process; coordination of the BEREC Office participation in the EU Agencies' Network, coordination of the audits (by the European Court of Auditors (ECA), including independent auditors and the European Commission Internal Audit Service (IAS) as well as implementation of the Internal control framework, including risk management.

Additionally for the year 2021 this activity includes the implementation of the ratified Headquarters Agreement and preparation of the respective Service Level Agreement (SLA). This is an activity of temporary nature, which will be covered by 1 interim worker, until the establishment of the Liaison Office.

##### III.2.7.1.2. Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>Delivery of BEREC Office planning and reporting documents within the set deadlines and smooth running of activities linked to audit management, budgetary discharge, internal controls and risk management</b>		
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Timely preparation of the following documents: <ul style="list-style-type: none"> <li>• Single programming documents</li> <li>• Consolidated interim and annual activity report (CIAR and CAAR)</li> <li>• Other horizontal documents requested</li> </ul> </li> <li>2) Timely transmission of information to the Discharge Authority, ECA, the IAS and the independent auditors;</li> <li>3) Implementation of the internal control framework and risk management at appropriate level.</li> <li>4) Provision of clerical and other support services.</li> </ol>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>

1. Compliance with legal deadlines or deadlines for submission of documents to MB ordinary meetings	2019: 100%	100 % of FR deadlines are met	Interim report, CAAR, management meetings (if and when relevant)
2. Number of IAS audit recommendations	2019: 3 <sup>29</sup>	<5	Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. ICAR and CAAR.</li> <li>2. BEREC Office SPDs.</li> <li>3. Other documents for the MB ordinary meetings or BAG meetings, not following in the scope of any of the other activities of the BEREC Office.</li> <li>4. Reply to ECA observations;</li> <li>5. Report to Discharge Authority and reply to EP questionnaires related to the budget discharge;</li> <li>6. Risk assessment workshop, risk management peer review;</li> <li>7. Maintenance of risk register and reporting on follow-up of most significant risks;</li> <li>8. Assessment of the efficiency and effectiveness of the internal control framework;</li> <li>9. Action Plan to address IAS recommendations;</li> <li>10. Availability of clerical, logistics and support services.</li> </ol>			

<b>Objective 2</b>	<b>Implementation of the ratified Headquarters Agreement, which envisage regular interaction between BEREC Office and Host Member State in order to ensure smooth and efficient functioning of the BEREC Office.</b>		
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Smooth functioning of the BEREC Office and instant support in specific areas of concern in order to facilitate everyday activities of the BEREC Office and its staff;</li> <li>2) Effectiveness of the performance of the BEREC Office to focus on the tasks entrusted to the Agency to provide professional and administrative support to BEREC.</li> </ol>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
Number of meetings organised	2019: N/A	4	Interim report; CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Signature of Service level agreement under the new Headquarters Agreement;</li> <li>2. Preparation for the establishment of Liaison Office;</li> <li>3. Organisation of regular meetings with the respective Latvian authorities in order to follow up on the Headquarters Agreement implementation process;</li> </ol>			

<sup>29</sup> Final audit report on procurement, missions, and reimbursement of experts in the BEREC Office

4. Minutes of the meetings held presenting the agreed topics and the follow-up actions.

### III.2.7.2 Communications activities

#### III.2.7.2.1 Overview

According to the founding Regulation, communications activities of the BEREC Office should be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board. In this regard, this document presents the plan on the BEREC Office communications activities. To complement the list of communications activities in support to BEREC, the BEREC Office as the EU Agency based in Latvia, Riga, will continue its efforts in raising awareness of BEREC work among citizens in the hosting country by the organisation of small-scale communications activities. It will also make efforts for the improvement of its internal communication among staff.

#### 2.7.2.2. Objectives, indicators, expected results and main outputs

<b>Objective</b>	<b>To provide professional and administrative support to the BEREC Management Board in implementing the BEREC Office communications activities</b>		
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Organisation of traditional BEREC Office public events including production of relevant materials;</li> <li>2) Production of information items (social media posts, newsletters, news, press releases) targeted to the stakeholders in the host country of the Agency;</li> <li>3) Production and distribution of internal newsletters to the staff of the Agency and to the BEREC Management Board;</li> <li>4) Implementation of the BEREC Office Internal Communications strategy.</li> </ol>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
Number of events organized	2019: 4	5	CAAR
Number of info items and promotional activities produced (social media posts, newsletters, news, press releases, etc.)	2019: N/A	20	CAAR
Number of internal info items (newsletters to staff and to the MB)	2019: N/A	30	CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Organisation and participation to up to four BEREC Office public events;</li> <li>2. Information items (social media posts, newsletters, news, press releases, etc.);</li> <li>3. Internal information items (bi-weekly newsletters to staff, monthly newsletters to MB);</li> <li>4. The BEREC Office Internal Communications Annual plan 2022.</li> </ol>			



### III.2.7.3 Legal advice and data protection

#### Overview

This horizontal activity supports the Agency's activities by providing state-of-the art services to all operations in the areas of legal (including processing of applications for access to documents – Objective 1) and data protection (Objective 2). Objectives relating to access to documents and data protection listed below are recurring and continue from year-to-year.

The professional exercise of the legal and data protection function at the BEREC Office ensures compliance of the Agency with the applicable rules (such as Staff Regulation, access to documents, ethics and anti-fraud) including data protection rules and mitigates risks of complaints to the European Ombudsman, to European Court of Justice or to the European Data Protection Supervisor (EDPS) as well as risks of criticism during an auditor and/or EDPS inspection.

As regards the legal function, in 2021, the Legal Officer will continue to provide in-house legal advice to staff and Units on the implementation of the Staff Regulation, of the access to documents rules and of the respective implementing rules and will provide advice on any other legal matter that may arise in the context of the activities of the Agency. In addition, the Legal officer, will continue to coordinate the work of any arising court case, investigations by OLAF or by the Ombudsman. As Anti-Fraud Officer and OLAF contact point, the Legal Officer will continue to advice on the field of fraud prevention and implementation of the BEREC Office Anti-Fraud Strategy 2020-2022. In the context of the implementation of the Anti-Fraud Strategy 2020-2022, it is foreseen that in 2021 the Legal Officer will develop and provide training on anti-fraud and ethics for all staff members and will provide regular anti-fraud/ethics training sessions to newcomers. As regards access to documents, it is foreseen that in 2021 the Legal Officer will provide a staff training on the implementation of the rules on public access to European Parliament Council and Commission documents (Regulation EC 1049/2001) as well as on the respective BEREC Office implementing rules (Decision MB/2019/11 and Decision BoR/2019/03).

In addition, in the upcoming years, the BEREC Office Legal Officer will continue to provide advice on the implementation of the BEREC Regulation (Regulation (EU) 2018/1971) and will assist in revising internal rules that may need to be aligned to the requirements set by the new legal framework.

In 2021, in the area of the data protection, BEREC Office, supported and guided by the Data Protection Officer (DPO), needs to continue fulfilling the data protection obligations and requirements set in the new data protection Regulation applicable to the Agency (Regulation 2018/1725). This will entail to continue updating the Register of processing operations, to publish records of processing operations on the BEREC website, to implement data protection by design and by default in new projects and systems managed by the Agency (such as the General Authorisation database, BERECnet plus, the NN-tool), to perform risk checks of new data processing operations, to adopt a data protection impact assessment (DPIA) and a data breach procedure. Furthermore, following the launch in October 2020 by the EDPS of the mapping international data transfers exercise, in 2021 BEREC Office will need to make a transfer impact assessment of transfers of personal data outside the EU/EEA as to identify whether an essential equivalent level of protection as provided in the EU/EEA is afforded in the third country of destination. In this regards, it is expected that Agency will have to conclude Working Arrangements on data protection with BEREC

participating NRAs of non-EU countries not offering an adequate level of protection of the personal data.

In order to raise staff awareness on the new data protection obligations and requirements, it is foreseen that the Data Protection Officer (DPO) will provide regular training sessions to newcomers and dedicated data protection training sessions to staff and Management. The cooperation with the European Data Protection Supervisor (EDPS) will continue as a priority and key element for accountability.

<b>Objective 1</b>	<b>Timely processing of applications for access to documents</b>		
<b>Expected results</b>	Processing of applications for access to documents within the deadlines prescribed by Regulation 1049/2001 on access to documents		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
Applications processed within 15 working days	2019: 13	100%	Interim report, CAAR
<b>Main outputs</b>			
Replies to the applicants.			

<b>Objective 2</b>	<b>Effective and efficient protection of personal data</b>		
<b>Expected results</b>	Full compliance with EU data protection rules and enhanced awareness on data protection related issues		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
1. Number of data protection policies <sup>30</sup> (or DPO notification) in place compared to the number of processing operations identified	2019: 58%	85%	Interim report, CAAR
2. Number of personal data breaches notified to the EDPS	2019: 0	≤ 3	Interim report, CAAR
3. Negative references to the BEREC Office in the European Data Protection Supervisor (EDPS) annual report	2019: 0	≤ 2	Interim report, CAAR
4. Number of internal trainings organised for newcomers	2019: 5	Training is provided to each newcomer	Interim report, CAAR

<sup>30</sup> The preparation of the data protection policies is under the responsibility of the Controller and the respective working time needed is included in each activity, which involved the processing of personal data

<b>Main outputs</b>
Data protection policies.

### III.2.8 Centralised finance and procurement

The total resources required for the finance and procurement activities are as follows:

<b>Financial resources (EUR)</b>	<b>FTEs</b>
569,902	5.9

#### III.2.8.1 Overview

The activities of the BEREC Office in this area consist of managing the budget of the Agency, ensuring that all financial transactions and workflows are executed in compliance with the requirements of the Financial Regulation and managing procurement procedures in a centralised way. This activity also includes timely preparation of all budgetary and legal commitments, payments, other financial documents and further reporting for the approval of Authorising Officer and Authorising Officers by delegation as well as the implementation of the activity based costing and budgeting.

This activity also includes developing and updating the internal instructions, guidelines and templates for staff in line with the legislation in force. It also includes full support for mission and authorised travel management.

#### III.2.8.2 Objectives, indicators, expected results and main outputs

<b>Objective</b>	<b>Timely provision of state-of-the-art supplies and services in support to BEREC and for the needs of the BEREC Office and smooth running of activities linked to finance and budget management and accounting</b>
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Management of all procurement procedures, incl. reopening of competition and inter-institutional procurement procedures;</li> <li>2) Updating templates and the internal procurement procedures in the fields of procurement, activity-based management and finance</li> <li>3) Implementation of e-procurement tools and usage of procurement platforms (provided by EUAN and Latvian Government);</li> <li>4) Preparation of the draft budget, the financial statement, amended budget(s) and other documents in accordance with the legal requirements;</li> <li>5) Monitoring and coordination of the level of budget execution</li> <li>6) Activity based budget and costing management</li> <li>7) Application of EC Accounting Officer accounting standards,</li> </ol>

	rules and ensuring the accounting quality of accounting; 8) Ensure the ex-ante controls of the Agency's financial transactions;		
Indicators	Latest result	Target Year 2021	Means and frequency of verification
1. Number of launched procurement procedures per type (NP1, NP3, NP5, OT, RoC and other).	2019: 11	25	Interim report, CAAR
2. Commitment appropriations' rate	2019: 99.94%	≥95 %	Monthly reports, internal budget meetings, interim report, CAAR,
3. Cancellation rate of commitment and payment appropriations carried over	2019: 3.8%	≤5 %	Internal budget meetings, interim report, CAAR, RBFM
4. Payments of contractual obligations within the limits set by the Financial Regulation	2019: 88% <sup>31</sup>	≥95 %	Monthly reports, internal budgetary meetings. interim report, CAAR, RBFM
Main outputs			
<ol style="list-style-type: none"> <li>1. Director's documentation (incl. decisions, letters, guidelines, policies, financial circuits, etc.);</li> <li>2. Procurement documentation;</li> <li>3. Interinstitutional agreements (memoranda of understanding, delegation agreements, working arrangements and other documents.) for participation in institutional procurement procedures.</li> <li>4. Legal commitments (contracts, SLA, MoU, etc.);</li> <li>5. Documents relating to court decisions related to procurement/contracts;</li> <li>6. Maintenance of registers and reporting (on procurement (BEREC Office and interinstitutional), contracts, exceptions);</li> <li>7. Financial transactions (budgetary commitments, invoices and asset registration, payments);</li> <li>8. Mission and authorised travel management and reimbursement;</li> <li>9. Monthly, quarterly, annual budget and financial reports;</li> <li>10. Draft/final BEREC Office Budget 2022;</li> <li>11. Estimate and final financial statements for the financial years;</li> <li>12. Report on Budgetary and Financial Management 2020;</li> <li>13. Regular reports on the quality of accounting;</li> </ol>			

<sup>31</sup> This number includes payments for which the applicable deadline was wrongly encoded in the financial system, while de-facto the payments were done within the deadlines, the final information on the payment times will be reflected in the RBFM and CAAR 2019.

14. Implementation of the ABM practices (costing and budgeting);
15. VAT exoneration;
16. Implementation of the BEREC Office obligations stemming from the SLA with the EC Accounting Officer and DG Budget;
17. Provisional and final annual accounts and MB Opinion on final accounts.

### III.2.9 Human Resources (HR) management

The total resources required for the HR management activities are, as follows:

Financial resources (EUR)	FTEs
237,082	3

#### III.2.9.1 Overview

The current activity covers the tasks executed by the HR professionals (frequently referred to as the “Entity in charge of HR”) and includes a lot of recurring tasks, related to the management of the Agency HR, such as: salaries management (initiation and verification), managing selection and recruitment procedures, establishing staff individual rights, running appraisal and reclassification procedures, managing annual and special leave, monitoring the implementation of the working time arrangements, incl. flexitime, telework, and sick leave, supporting the management of probationary periods, administrative inquiries, disciplinary measures, HR reporting, managing interim staff, management of HR related contracts, etc.

While in 2022, the Agency’s entity in charge of HR will continue its efforts to retain and further develop the highly specialised staff through different measures, it will focus also on:

- promoting career development within the Agency;
- reviewing the existing staff implementing rules in order to align them with the recent changes in the legislation in force (in particular the BEREC Regulation) and further developing internal staff-related policies;
- continuing the efforts with the Latvian Authorities for improving the living and working conditions of the staff, in particular by ensuring the implementation of the new Headquarters Agreement that is to be concluded by the end of 2020;
- continuing and review of the implementation of the action plan for social welfare;
- increased efforts to ensure the establishment of a European School in the host Member State;
- efficient and timely recruitment of highly specialised staff to fill vacant posts (if any).

In parallel, the entity in charge of HR will continue its efforts to ensure paperless HR management by optimising and further expanding the use of the relevant European Commission’s tools (mainly Sysper2) made available to the decentralised agencies. This task is strongly depended on the will and availability of EC staff to further enhance the use of the available HR management tools for the Agencies.

## III.2.9.2 Objectives, indicators, expected results and main outputs

<b>Objective</b>	<b>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</b>		
<b>Expected results</b>	<p>1) timely payment of salaries to the staff;</p> <p>2) recruitment of the staff (including trainees) in line with the Agency's updated multiannual staff policy plan and replacement of departing staff (if any) in an efficient and timely manner, and a high staff retention rate;</p> <p>3) management of career development opportunities through appropriate learning and development activities aimed to improve skills and competencies, and the annual appraisal and reclassification exercises;</p> <p>4) continuation of the efforts for digitalizing the HR management to the benefit of managers and staff and to ensure consistent application of the staff implementing rules throughout the Agency;</p> <p>5) assurance that the legal basis in force and the procedures in place are up to date;</p>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
1. Fully staffed indicator (Nr of TAs, CAs, SNEs and interim staff / max. number of a fully staffed BEREC Office)	2019: 98%	100%	Interim report, CAAR
2. Average duration of absences for sick leave (TAs, CAs and SNEs and trainees)	2019: 7.48 days	Reduce	Interim report, CAAR
3. Gender balance (TA, CA, SNE and trainees)	2019: 44% Female 56% Male	50% Female 50% Male	Interim report, CAAR
4. Geographical balance (TA; CA; SNE and Trainees nationalities)	2019: 46% of 28 EU member states	48% of 27 EU member states	Interim report, CAAR
5. Staff turnover (Ratio of total number of leavers divided by average number of staff at the beginning period and end period <sup>32</sup> ) per category of staff and total; a)	2019: a) N/A -new indicator b) N/A -new indicator	Reduce	Interim report, CAAR

establishment plan posts (TAs); external staff: b) CAs; c) SNEs; d) total (all staff: TAs + CAs +SNEs)	c) N/A -new indicator d) 10%		
6. Average duration of contracts (TA and CA (combined and split per category of staff))	2019: TA 2(f) – 3.60 years; CA – 2.14 years; CAs + TAs 2(f) excluding SNEs and TA 2(a) – 2.93 years	At least 3 years	Interim report, CAAR
7. Job screening and benchmark (Percentage of operational, neutral and administrative jobs)	2019: Operational – 72.50% Neutral – 17.50% Administrative – 10%	Maintain	Interim report, CAAR
8. Number of days spent in trainings per year (TA; CA; SNE)	2019: N/A – new indicator	N/A	Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Salaries to staff are paid in a timely manner;</li> <li>2. Staff with the necessary knowledge and skills (including trainees) is recruited and retained in the Agency in line with the interest of the service and the applicable law;</li> <li>3. Learning and development activities are made available as per identified needs in the annual objectives and training plans of staff;</li> <li>4. Up-dated HR policies and rules (including in the field of protection of personal data);</li> <li>5. Availability of interim workers in case of need in line with the internal policy;</li> <li>6. Annual traineeship programme availability.</li> </ol>			

### III.2.10 ICT, security and document management

The total resources required for the ICT, security and document management activities are as follows:

Financial resources (EUR)	FTEs
1,000,945	4,48

#### III.2.10.1 ICT systems

##### III.2.10.1.1 Overview

The BEREC Office operates in one site, in Riga, Latvia, with a standard office IT environment.

In 2021 more than 75% of the IT infrastructure and ICT systems of the Agency will be operational from a cloud environment.

The software development and maintenance of tailor-made applications for the Agency's day-to-day operation, which requires high number of FTEs consisting of several teams for software development, testing, deployment and maintenance for these reasons, taking into account the limited number of IT personnel currently in place is therefore not possible. The Agency will continue to use as far as possible applications already developed by the EC and offered to the EU decentralised agencies. The BEREC Office has used since its establishment the EC accounting system ABAC. In addition, the BEREC Office started to use the EC application on document and records management and archiving (HAN), electronic management of learning (EU-LEARN) and e-tendering. To increase its IT security the BEREC Office also signed a Memorandum of Understanding with the EU Computer emergency response team (EU-CERT) for usage of the services offered it. In order to provide centralised service for the entire organization with regard to surveys the Agency has implemented the EC application EU-Survey, which is hosted locally on premises. The BEREC Office has signed also a SLA with DG DIGIT for use of the full scale of services offered to agencies, such as: establishment of FWCs for IT equipment and services, hosting of ABAC, use of ABAC Assets, use of e-Prior, use of telecommunication services and others.

The BEREC Office participation to the ICTAC network (ICT Advisory Committee) composed of all EU Agencies IT professionals, which aim is to promote inter-agency cooperation on issues of common interest in the area of Information and Communication Technologies, through knowledge and experience sharing and exchange of good practice, is very beneficial for the high quality of ICT service offered to BEREC, BEREC Office and partners. In order to further benefit and establish a better spirit of cooperation with other EU Agencies, not only in the ICT field, the BEREC Office could provide logistical support for the organization of ICTAC meeting (outside of BEREC Office premises, around 80 participants, 2 days event) in Riga for one of the 4 planned annual meetings during the course of 2021 and 2022, volunteering to be a host.

In light of COVID-19, the BEREC Office would like to modernize its onsite AVC facilities and set of offered services. During the course of 2021, several upgrades, in terms of hardware and software will have to take place in order for the Agency to provide more modern and user friendly facilities for the organisation of digital meetings and collaborations.

### III.2.10.1.2 Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>Provide ICT systems, services and infrastructure Ensure ICT security, confidentiality, integrity and availability of BEREC Office data and ICT systems</b>		
<b>Expected results</b>	1) Ensure reliable IT services to BEREC Office; 2) Secure and reliable IT environment and guaranteed high level of availability of the BEREC Office corporate IT systems.		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>



1. Hours of continuous downtime of systems minimized	2019: 95%	minimum availability of systems hosted on premises >95%;	Reports on incidents and user requests through ticketing system;
2. Timely response to user requests provided	<10%	less than 10% of user requests require more than 2.5 days to resolve;	Reports on incidents and user requests through ticketing system;
3. Ensure availability of remote connection to BEREC Office IT infrastructure	2019: 95%>	Provision of remote access to IT infrastructure for staff with availability > 95%;	Secure and reliable environment for staff when teleworking;
4. Usage of IaaS/PaaS services	2019: -	> 50% of systems to be operational from cloud env.	Reports for system usage;

#### Main outputs

1. Ensured access to corporate tools and ICT systems;
2. Ensured IT support services to BEREC Office;
3. Improved administration of IT infrastructure, security management and user performance;
4. Ensured smooth running of the EC applications already in place at the BEREC Office such as ABAC, HAN, Sysper2, EU-Learn, e-Tendering, MiPs, etc. Continuous support to the staff with the migration to any new applications;
5. Ensured licences and maintenance subscriptions for IT products such as, Microsoft, Sophos, GlobalSign, Adobe, AutoCAD, Veeam, MDM solutions, etc.
6. Gradual replacement of hardware (servers, routers, computers and mobile phones) with more modern and secure operation;
7. High-level security of IT operations. Ensured security measures and procedures are in place for the usage of tools and ICT systems;
8. Usage of cloud resources such as IaaS, SaaS and PaaS and dedicated managed services;
9. Penetration testing of on-site systems and networks, verification of IT security compliance;
10. Deployment and usage of IT audit software and EU CERT services;
11. Organization of information security awareness training for BEREC Office staff;
12. Preparation of IT security plan according to MC/2018/03 - BEREC Office MC Decision concerning the decision on IT security and ensuring compliance.

<b>Objective 2:</b>	<b>Creation of “BEREC Office ICT strategy 2022-2025”;</b>		
Expected results	<ol style="list-style-type: none"> <li>1) Technology alignment with the BEREC Office business goals, enabling a better contribution to the organisation’s strategic objectives;</li> <li>2) ICT systems enablement to be fully integrated across each Unit, allowing organisation-wide management of the Agency ICT environment.</li> </ol>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>

1. Signature of IT consultancy contract in support to the development of "BEREC Office ICT strategy 2022-2025"	2019: N/A	2021: Signed contract by the end of Q1 of 2022	Signed specific contract for service delivery;
2. Creation of "BEREC Office ICT strategy 2022-2025"	2019: N/A	2021: Creation of strategy by the end of Q4/2022	Approved document;
<b>Main outputs</b>			
Outputs relating to the work programme objectives: <ul style="list-style-type: none"> <li>1. Creation of "BEREC Office ICT strategy 2022-2025";</li> <li>2. Provision of comprehensive approach to reviewing and developing ICT strategic plans and roadmaps, so to attain benefits and optimization of costs.</li> </ul>			

### III 2.10.2 Security and business continuity of the Agency

#### III 2.10.2.1 Overview

According to the provision of Article 39 of Regulation (EU) 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), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009 (BEREC Regulation) the BEREC Office has to adopt its own security rules equivalent to the Commission's security rules for protecting European Union Classified Information and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443<sup>33</sup> and (EU, Euratom) 2015/444<sup>34</sup>. Alternatively, the BEREC Office may adopt a decision applying the Commission's rules *mutatis mutandis*. These requirements are new for the Agency and were not required under Regulation (EC) No 1211/2009 and the Agency has no experience in the implementation of such requirements. For this reason, the BEREC Office never had a Security Officer, a post which has to be occupied by an official or temporary agent and which was not granted to the BEREC Office by the Budgetary Authority in the 2020 establishment plan. Until that moment the BEREC Office will try to ensure physical and technical security at its premises to the strict minimum required as explained below. Until the appointment of the Security Officer the responsibility for the physical security will be entrusted on a temporary basis to the Logistics Assistant (CA FG II).

From 11 to 13 March 2020 the BEREC Office premises was the object of a physical security audit requested by the Director of the Agency and done by an inspector coming from European Commission - DG HR – Security. During the closing meeting, the inspector highlighted the following recommendations:

- The Agency must have a Local security officer;
- The intrusion detection system shall be upgraded and programmed with different zones;

<sup>33</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission ([OJ L 72, 17.3.2015, p. 41](#)).

<sup>34</sup> Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information ([OJ L 72, 17.3.2015, p. 53](#)).

- The emergency exit must be better protected;
- The windows looking into the public spaces must be covered with window protection film;
- The parking and its entry/exit must be under CCTV surveillance from BEREK;
- The technical rooms must be protected with security access system;
- The main entrance door to the building must be a burglar resistant door (meeting the EN norm), operated by a badge reader and fitted with a videophone/parlophone;
- Missing of metal detector and X-ray tunnel close to the main entrance.

As of 2021 the Agency will take some actions to improve the physical security of the BEREK Office premises considering the recommendations included into the report prepared by the security inspector.

In order to provide an extra layer of protection and security for the visitors and the staff members of the Agency, two security measures are applied and achieved by CCTV for surveillance and security of the premises and Access Control System providing automated badge access control.

Another important task under this activity is the obligation for ensuring business continuity. The purpose of this task is to enable the BEREK Office to withstand interruptions to business functions, and to protect mission-critical business functions from the effect of major failures of information systems or disasters and to ensure their timely resumption.

### III 2.10.2.2 Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>Ensure proper functioning of the access card and video-surveillance systems of the Agency</b>		
Expected results	Appropriate level of security and protection for the staff and visitors, safeguards of the Agency's assets (incl. informational).		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
1. Operational CCTV system	2019: N/A	Minimum: 98%	Reports on registered incidents through ticketing system; Daily morning / evening checklist report
2. Operational access control system	2019: N/A	Minimum: 98%	Reports on registered incidents through ticketing system; Daily morning / evening checklist report
<b>Main outputs</b>			
1. Ensure continuous availability and performance of CCTV and access control systems; 2. Provide additional layer of security and protection.			

<b>Objective 2</b>	<b>Deployment and use of proper off-site back-up services for the Agency data and development of a reliable disaster recovery plan</b>
Expected results	1) Up-date of the business continuity strategy and plan; 2) Reduced recovery point objective (RPO) and recovery time

objective (RTO) for corporate data.			
Indicators	Latest result	Target Year 2021	Means and frequency of verification
1. Usage of BaaS services;	2019: N/A	100%	Biannual recovery reports for restoration success;
2. Usage of DRaaS services	2019: N/A	100%	Biannual recovery reports for restoration success;
Main outputs			
<ol style="list-style-type: none"> <li>1. Up-dated business continuity and disaster recovery plan;</li> <li>2. Ensured reliable backup and disaster recovery procedures are in place - usage of BaaS and DRaaS services with cloud provider;</li> <li>3. Ensured critical infrastructure operational from cloud environment; Usage of IaaS and managed services;</li> <li>4. Continuous availability of business-critical corporate data and IT systems;</li> <li>5. Reduced RTO and RPO as defined in the up-dated corporate business continuity strategy;</li> <li>6. Ensured system availability from cloud environment and improved costs for system maintenance;</li> <li>7. Provision of core ICT hardware on demand in disaster events for the secondary location of the Agency as described in the BCM programme.</li> </ol>			

### III.2.11 Facility management and logistics

#### III.2.11.1 Overview

The BEREC Office operates in one site, in Riga, Latvia (detailed information on the building is available in Annex VII: Buildings).

Currently, the BEREC Office premises are located at 14 Zigfrida Annas Meierovica boulevard, Riga, Latvia, and they occupy a part of an historical building owned by the property management company - VNI. The lease agreement has been amended several times with a view to gradually increase the leased office space. As of 1 June 2020 the BEREC Office has rented additional office space on the 3.5<sup>th</sup> floor of the current building (of total area 79.80 m<sup>2</sup>) reaching a total surface area of 1,195.80 m<sup>2</sup>. The infrastructure of the current historical building is outdated and the premises are not compliant with the security rules.

Consequently, the priority in the Agency's activity related to facility management in 2021 will be finding a solution for proper premises, incl. following a procurement procedure, if needed. The target is to move to new premises in 2022 or in 2023 at the latest.

Another priority for facility management in 2021 in addition to ensuring the proper functioning of the premises will be the establishment of standard workplaces for comparable positions and categories of staff. This will result in a gradual phasing out of outdated and depreciated furniture and its replacement with new ergonomics furniture (incl. standing adjustable desks).

The target would be, in cooperation with the staff in charge of IT, to establish standard workplaces, which could facilitate the introduction of shared desk policy, moving toward a fully digital and paperless working environment.

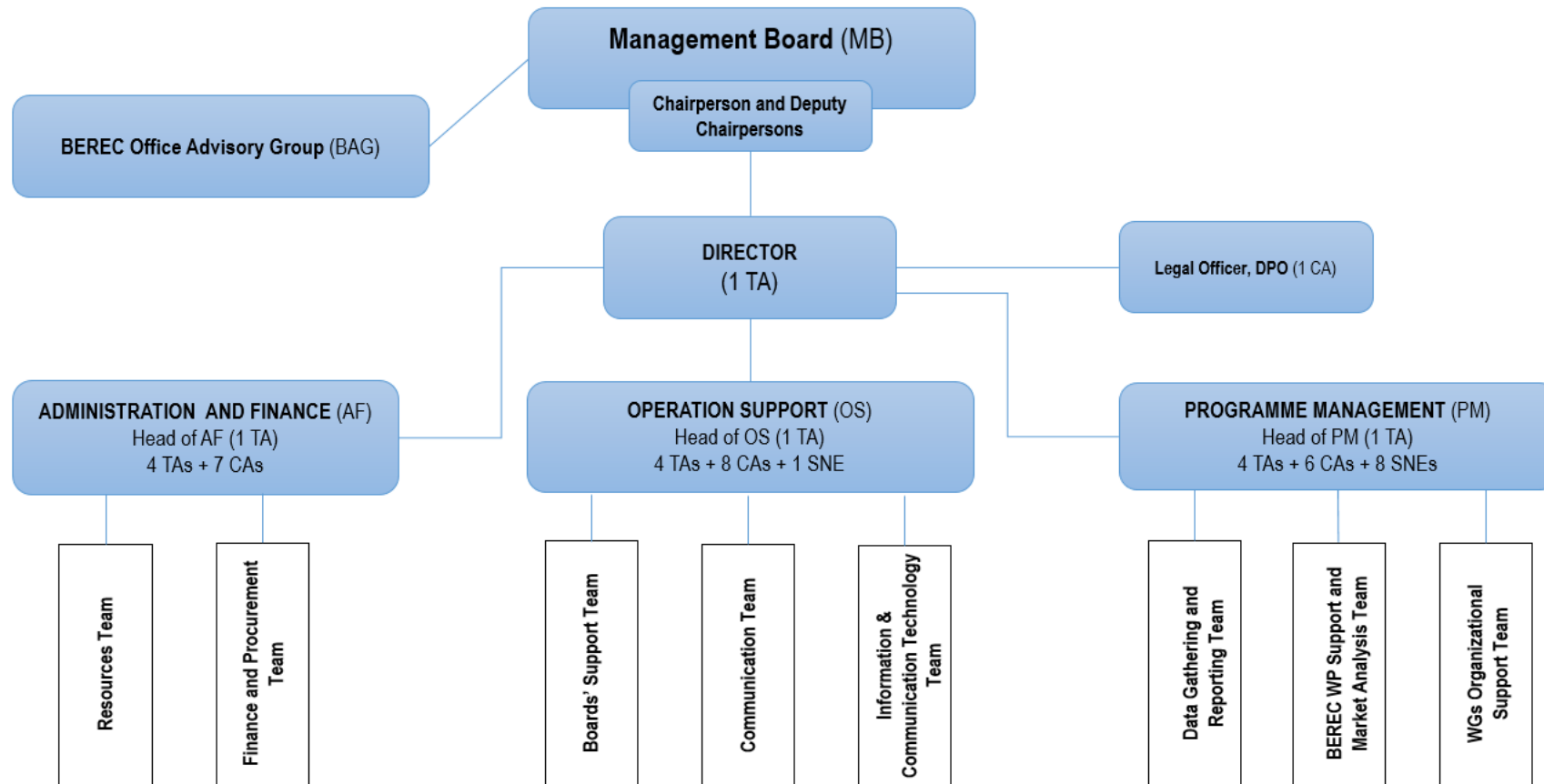
### III.2.11.2 Objectives, indicators, expected results and main outputs

<b>Objective</b>	<b>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, where applicable</b>		
Expected results	1) Management of the BEREC Office premises in line with the evolving needs of the Agency as a priority, 2) Purchase and maintenance of ergonomics office furniture and decoration; 3) Provision of logistic services for the need of the Agency, office supplies, drinkable water, tea, coffee.		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2021</b>	<b>Means and frequency of verification</b>
1. Occupancy rates of the offices according to EC building manual <sup>35</sup>	2019: 109.4%	N/A <sup>36</sup>	Interim report/CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. All necessary documents for an informed management decision on the way forward with the future premises; launch of procurement if the decision would be to rent of premises on the private market.</li> <li>2. Safe and secure working environment ensured via day-to-day facility management activities.</li> <li>3. Orders for services and supplies needed for the functioning of the Agency; Services and supplies are provided to the BEREC Office.</li> <li>4. Policy on standard work stations.</li> <li>5. Alignment of at least 50 % of the outdated work stations with the policy in point 4.</li> </ol>			

<sup>35</sup> The data refers to office spaces only, thus excluding meeting rooms, technical spaces, etc.

<sup>36</sup> In 2021 the BEREC Office will remain in its current premises, which has been designed for a significantly lower number of people and therefore it is unrealistic to set-up achievable targets for reduction of the occupancy rate. Reduction can be achieved only via applying teleworking arrangements, which is approved by the line managers and the introduction of shared desk policy – for the standard working places.

Annex I: Organisation chart for 2021<sup>37</sup>



<sup>37</sup> Staff allocation is under revision, in a 'bottom-up' assessment exercise. The organisation chart presented here addresses the immediate need to assign one of the vacant TA posts to a Local Security Officer to be hired in OS unit

## Annex II: Resource allocation per activity 2021

ACTIVITIES 2021	Direct costs	FTEs	HR related costs	Total costs kEUR
<b>Operational activities</b>				
1. Support to BEREC WGs including Phase 2 cases	59,126	18.18	1,436,719	1,495,845
2. High level meetings - Boards' secretariat	315,000	3.37	266,322	581,322
3. ICT support to BEREC	1,403,500	4.63	365,897	1,769,397
4. Information gathering and distributing	419,124	0.92	72,705	491,829
5. BEREC communication activities	334,000	3.15	248,936	582,936
<b>TOTAL operational expenditure</b>	<b>2,530,750</b>	<b>30.25</b>	<b>2,390,579</b>	<b>4,921,329</b>
<b>Horizontal activities</b>				
1. General coordination	349,340	3.37	262,758	612,098
2. Centralised finance and procurement	103,640	5.9	466,262	569,902
<b>TOTAL horizontal expenditure</b>	<b>452,980</b>	<b>9.27</b>	<b>729,020</b>	<b>1,182,000</b>
<b>Administrative support activities</b>				
1. HR management	0	3	237,083	237,083
2. ICT, security, logistics and document management	646,902	4.48	354,043	1,000,945
<b>TOTAL administrative expenditure</b>	<b>646,902</b>	<b>7.48</b>	<b>591,126</b>	<b>1,238,028</b>
<b>TOTAL</b>	<b>3,630,632</b>	<b>47</b>	<b>3,710,725</b>	<b>7,341,357</b>

**Annex III: Financial Resources 2021-2023**

**Table 1 – Expenditure**

Expenditure	2020 voted budget		Appropriations 2021	
	Commitment appropriations	Payment appropriations	Commitment appropriations	Payment appropriations
<b>Title 1</b>	3,357,220.87	3,357,220.87	3,710,725.00	3,710,725.00
<b>Title 2</b>	1,070,439.87	1,070,439.87	1,099,882.00	1,099,882.00
<b>Title 3</b>	2,805,992.00	2,805,992.00	2,530,750.00	2,530,750.00
<b>Total expenditure</b>	<b>7,233,652.74</b>	<b>7,233,652.74</b>	<b>7,341,357.00</b>	<b>7,341,357.00</b>



Titles Chapters Articles Items	Description	Outturn 2019	Appropriations			VAR 2021/2020	Envisaged 2022	Envisaged 2023
			2020	VAR 2020/2019	2021			
			<b>1</b>	<b>STAFF EXPENDITURE</b>				
<b>1 1</b>								
<b>110</b>								
1100	Temporary agents' salaries and allowances	1,297,854.56	1,386,604.01	107%	1,524,525.00	110%	1,555,015.50	1,586,115.81
	<b>Total Article 110:</b>	<b>1,297,854.56</b>	<b>1,386,604.01</b>	107%	<b>1,524,525.00</b>	110%	<b>1,555,015.50</b>	<b>1,586,115.81</b>
<b>111</b>	<b>Contract staff and other staff</b>							
1111	Contract staff and Seconded National Experts (SNEs)	668,885.24	1,015,784.66		1,387,400.00			
	<b>Total Article 111:</b>	<b>668,885.24</b>	<b>1,015,784.66</b>	152%	<b>1,387,400.00</b>	137%	<b>1,415,418.00</b>	<b>1,443,450.00</b>
	<b>TOTAL CHAPTER 11:</b>	<b>1,966,739.80</b>	<b>2,402,388.67</b>	122%	<b>2,911,925.00</b>	121%	<b>2,970,433.50</b>	<b>3,029,565.81</b>
<b>12</b>	<b>MISCELLANEOUS EXPENDITURE ON STAFF RECRUITMENT AND TRANSFER</b>							
<b>120</b>	<b>Recruitment expenses</b>							
1200	Recruitment expenses	18,172.59	23,557.13	130%	20,000.00	85%	20,400.00	21,000.00
	<b>Total CHAPTER 12:</b>	<b>18,172.59</b>	<b>23,557.13</b>	130%	<b>20,000.00</b>	85%	<b>20,400.00</b>	<b>21,000.00</b>
<b>13</b>	<b>MISSIONS AND DUTY TRAVEL</b>							
<b>130</b>	<b>Mission and duty travel</b>							

Titles Chapters Articles Items	Description	Outturn 2019	Appropriations			VAR 2021/2020	Envisaged 2022	Envisaged 2023						
			2020	VAR 2020/2019	2021									
			1300	Mission expenses, duty travel expenses and other ancillary expenditure	212,284.65				43,497.42	20%	60,000.00	138%	185,000.00	200,000.00
			<b>Total CHAPTER 13:</b>		<b>212,284.65</b>				<b>43,497.42</b>	<b>20%</b>	<b>60,000.00</b>	<b>138%</b>	<b>185,000.00</b>	<b>200,000.00</b>
<b>14</b>	<b>SOCIOMEDICAL SERVICES</b>													
<b>140</b>	<b>Medical service</b>													
1400	Medical service	9,000.00	7,734.00	86%	11,000.00	142%	11,220.00	12,000.00						
<b>TOTAL CHAPTER 14:</b>		<b>9,000.00</b>	<b>7,734.00</b>	<b>86%</b>	<b>11,000.00</b>	<b>142%</b>	<b>11,220.00</b>	<b>12,000.00</b>						
<b>15</b>	<b>TRAININGS</b>													
<b>150</b>	<b>Training</b>													
1500	Training	80,774.73	44,315.12	55%	83,000.00	187%	84,660.00	86,353.00						
<b>TOTAL CHAPTER 15:</b>		<b>80,774.73</b>	<b>44,315.12</b>	<b>55%</b>	<b>83,000.00</b>	<b>187%</b>	<b>84,660.00</b>	<b>86,353.00</b>						
<b>16</b>	<b>EXTERNAL SERVICES</b>													
<b>160</b>	<b>External services</b>													
1600	External services	609,605.47	872,501.04	143%	600,164.00	69%	608,532.00	610,000.00						
<b>TOTAL CHAPTER 16:</b>		<b>609,605.47</b>	<b>872,501.04</b>	<b>143%</b>	<b>600,164.00</b>	<b>69%</b>	<b>608,532.00</b>	<b>610,000.00</b>						
<b>17</b>	<b>REPRESENTATION AND MISCELLANEOUS STAFF COSTS</b>													
<b>170</b>	<b>Representation and miscellaneous staff costs</b>													

Titles Chapters Articles Items	Description	Outturn 2019	Appropriations			VAR 2021/2020	Envisaged 2022	Envisaged 2023						
			2020	VAR 2020/2019	2021									
			1700	Representation, receptions and events, and miscellaneous staff expenses	15,835.25				4,680.39	30%	24,744.00	529%	29,000.00	29,580.00
			<b>TOTAL CHAPTER 17:</b>		<b>15,835.25</b>				<b>4,680.39</b>	<b>30%</b>	<b>24,744.00</b>	<b>529%</b>	<b>29,000.00</b>	<b>29,580.00</b>
<b>TOTAL TITLE 1:</b>		<b>2,912,412.49</b>	<b>3,398,673.77</b>	<b>117%</b>	<b>3,710,725.00</b>	<b>109%</b>	<b>3,909,245.50</b>	<b>3,988,498.81</b>						
<b>2</b>	<b>BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE</b>													
<b>20</b>	<b>RENTAL OF BUILDINGS AND ASSOCIATED COSTS</b>													
<b>200</b>	<b>Buildings and associated costs</b>													
2000	Rent of building and associated costs	175,370.39	206,478.49	118%	222,300.00	108%	540,499.50	700,000.00						
<b>TOTAL CHAPTER 20:</b>		<b>175,370.39</b>	<b>206,478.49</b>	<b>118%</b>	<b>222,300.00</b>	<b>108%</b>	<b>540,499.50</b>	<b>700,000.00</b>						
<b>21</b>	<b>DATA PROCESSING AND TELECOMMUNICATIONS</b>													
<b>210</b>	<b>Data processing and telecommunications</b>													
2100	Data processing and telecommunications	390,789.73	484,800.69	124%	434,972.00	90%	445,000.00	510,000.00						
<b>TOTAL CHAPTER 21:</b>		<b>390,789.73</b>	<b>484,800.69</b>	<b>124%</b>	<b>434,972.00</b>	<b>90%</b>	<b>445,000.00</b>	<b>510,000.00</b>						
<b>22</b>	<b>MOVABLE PROPERTY AND ASSOCIATED COSTS</b>													
<b>220</b>	<b>Movable property and associated costs</b>													

Titles Chapters Articles Items	Description	Outturn 2019	Appropriations			VAR 2021/2020	Envisaged 2022	Envisaged 2023						
			2020	VAR 2020/2019	2021									
			2200	Movable property and associated expenditure	56,065.78				22,439.27	40%	47,500.00	212%	157,500.00	220,000.00
			<b>Total CHAPTER 22:</b>		<b>56,065.78</b>				<b>22,439.27</b>	<b>40%</b>	<b>47,500.00</b>	<b>212%</b>	<b>157,500.00</b>	<b>220,000.00</b>
<b>23</b>	<b>CURRENT ADMINISTRATIVE EXPENDITURE</b>													
<b>233</b>	<b>Current administrative expenditure</b>													
2330	Legal and other operating services	192,742.71	449,406.87	233%	221,110.00	49%	257,000.00	260,000.00						
<b>TOTAL CHAPTER 23:</b>		<b>192,742.71</b>	<b>449,406.87</b>	<b>233%</b>	<b>221,110.00</b>	<b>49%</b>	<b>257,000.00</b>	<b>260,000.00</b>						
<b>24</b>	<b>NON-OPERATIONAL MEDIA AND PUBLIC RELATIONS</b>													
<b>240</b>	<b>Non-operational media and public relations</b>													
2400	Non-operational media and public relations	0*	18,438.40	N/A	171,000.00	927%	35,000.00	45,000.00						
<b>TOTAL CHAPTER 24:</b>		<b>0*</b>	<b>18,438.40</b>	<b>N/A</b>	<b>171,000.00</b>	<b>927%</b>	<b>35,000.00</b>	<b>45,000.00</b>						
<b>25</b>	<b>NON-OPERATIONAL MEETINGS</b>													
<b>250</b>	<b>Non-operational meetings</b>													
2500	Non-operational meetings	13,561.25	5,740.10	42%	3,000.00	52%	3,000.00	3,000.00						
<b>TOTAL CHAPTER 25:</b>		<b>13,561.25</b>	<b>5,740.10</b>	<b>42%</b>	<b>3,000.00</b>	<b>52%</b>	<b>3,000.00</b>	<b>3,000.00</b>						
<b>TOTAL TITLE 2:</b>		<b>828,529.86</b>	<b>1,187,303.82</b>	<b>143%</b>	<b>1,099,882.00</b>	<b>93%</b>	<b>1,437,999.5</b>	<b>1,738,000.0</b>						

Titles Chapters Articles Items	Description	Outturn 2019	Appropriations			VAR 2021/2020	Envisaged 2022	Envisaged 2023						
			2020	VAR 2020/2019	2021									
			<b>3 OPERATIONAL EXPENDITURE</b>											
			<b>30</b>	<b>BEREC PROGRAMME MANAGMENT SUPPORT</b>										
<b>300</b>	<b>BEREC programme management support</b>													
3001	BEREC Programme Management Support	491,843.45	518,180.00	105%	483,250.00	93%	493,000.00	502,773.00						
	<b>TOTAL CHAPTER 30:</b>	<b>491,843.45</b>	<b>518,180.00</b>	<b>105%</b>	<b>483,250.00</b>	<b>93%</b>	<b>493,000.00</b>	<b>502,773.00</b>						
<b>31</b>	<b>OPERATION AND STRATEGIC SUPPORT TO BEREK</b>													
<b>310</b>	<b>Operation and strategic support to BEREK</b>													
3101	Operation and strategic support to BEREK	1,464,156.02	2,129,495.15	145%	2,047,500.00	96%	2,000,000.00	2,110,000.00						
	<b>TOTAL CHAPTER 31:</b>	<b>1,464,156.02</b>	<b>2,129,495.15</b>	<b>145%</b>	<b>2,047,500.00</b>	<b>96%</b>	<b>2,000,000.00</b>	<b>2,110,000.00</b>						
	<b>TOTAL TITLE 3:</b>	<b>1,955,999.47</b>	<b>2,647,675.15</b>	<b>135%</b>	<b>2,530,750.00</b>	<b>96%</b>	<b>2,493,000.00</b>	<b>2,612,773.00</b>						
	<b>TOTAL:</b>	<b>5,696,941.82</b>	<b>7,233,652.74</b>	<b>127%</b>	<b>7,341,357.00</b>	<b>101%</b>	<b>7,840,245.00</b>	<b>8,339,271.81</b>						

Table 2 – Revenue

Revenues	2020	2021
	Revenues estimated by the agency	Budget Forecast
EU contribution	7,140,402	7,282,800
Other revenue	93,251	62,121
Total revenues	7,233,653	7,344,291

**Table 3 – Budget outturn and cancellation of appropriations****1. Calculation of the budget outturn:**

Budget outturn	2017	2018	2019
Revenue actually received (+)	4,246,000	4,331,000.00	5,701,000.20
Payments made (-)	-3,690,674	-3,580,804.46	-4,674,263.82
Carry-over of appropriations (-)	-552,791	-743,954.24	-1,022,676.07
Cancellation of appropriations carried over (+)	20,412	17,115.65	28,405.57
Adjustment for carry over of assigned revenue appropriations from previous year (+)	0.00	0.00	0.00
Exchange rate differences (+/-)	389	44.69	-46.75
Adjustment for negative balance from previous year (-)	0	0	0
<b>Total</b>	<b>23,336</b>	<b>23,402</b>	<b>32,419.13</b>

**2. Descriptive information and justification on budget outturn:**

The estimate of the 2019 surplus that should be reimbursed to the EU budget is of EUR 32,419.13

Carry-over of appropriations (EUR 1,022,676.07) relates to:

**Title 1: Staff related costs, such as:**

- missions of staff for support provided to BEREC and WGs that took place in Q4 2019 and are to be invoiced for in 2020;
- trainings to be delivered in 2020 under contracts signed in 2019;
- liabilities under contracts for provision of interim staff concluded in 2019, for which services will continue in 2020;
- other services for staff, which were delivered in 2019, for which invoices and/or final services are to be received in 2020 (Interagency network fee, production of EC staff badges, electronic brochures for staff, legal advice).

**Title 2: Building, equipment and miscellaneous operating expenditure:**

- invoices for services and supplies delivered in 2019 (mainly in December) for premises' utilities, security services, consumables, postal and telecommunications services, that will

be received in 2020;

- IT purchases and related services, for which contracts have been signed in 2019 and/or services rendered and invoices will be received in 2020;
- the cost for the use of the EC's document management system ARES and the services for the AccO (debit notes to be received in 2019).

**Title 3: Operational activities such as:**

- expenses for organisation of BEREC WG meetings and reimbursement of travel expenses of experts participating in these meetings held in Q4 2019 and January 2020; final invoice for services is to be received and paid at the beginning of 2020;
- expenses for organisation and WG reimbursements for participation in BEREC meetings (incl. WG meetings) beginning of 2020 (January and February), for which invitation to working groups were sent out in 2019;
- expenses for PMO fees for calculation of reimbursements that is expected in Q1 2020;
- liabilities under contracts for provision of ICT Support to BEREC concluded in 2019, for which monthly services will continue in 2020;
- other year-specific services contracted in 2019 for which the delivery of the service will continue in 2020: Back-up and disaster recovery, BERECnet migration, update and optimisation, UCAAS in Brussels and EUIPO Website assessment.

**3. Cancellation of payment appropriations carried over to 2019 (C8/2019):**

	Payment appropriations	Payments made	Cancellation Payment appropriations (EUR)	Cancellation %
	1	2	3	5=3/1
<b>Title 1 C8</b>	90726.98	86132.81	4594.17	5.06%
<b>Title 2 C8</b>	80481.66	74541.27	5940.39	7.38%
<b>Title 3 C8</b>	572745.6	554874.59	17871.01	3.12%
<b>Total</b>	<b>743,955.24</b>	<b>715,548.67</b>	<b>28405.57</b>	<b>3.82%</b>

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

**Title 1: Staff:**

Cost for the staff training expenses provided by the EC in 2018 were lower than estimated and EUR 1048 had to be cancelled

- Expenses for staff missions which took place in the last quarter of 2018 were lower than initially estimated at the end of the year and EUR 935 had to be cancelled.
- Carry-forwards for interim staff contracts were based on the contracts' amount. The actual



consumption was lower by EUR 161 and unused appropriation had to be cancelled;

- Expenditure for invoices received for the inter agencies network contribution and medical services was less than expected and 364 EUR had to be cancelled.

- Cost for the staff training expenses provided by the EC in 2018 were lower than estimated and EUR 1048 had to be cancelled

- Expenses for staff missions which took place in the last quarter of 2018 were lower than initially estimated at the end of the year and EUR 935 had to be cancelled.

- Carry-forwards for interim staff contracts were based on the contracts' amount. The actual consumption was lower by EUR 161 and unused appropriation had to be cancelled;

- Expenditure for invoices received for the inter agencies network contribution and medical services was less than expected and 364 EUR had to be cancelled.

- Final invoice for production of EC entrance badges was lower than estimated and 408 EUR had to be cancelled

- Invoice for final expenses for BEREC Office events was lower than estimated in the order form, therefore 854 EUR had to be cancelled

**Title 2: Building, equipment and miscellaneous operating expenditure:**

- Small amount of 42 EUR and 24 EUR were cancelled due to slight overestimation of telecom expenses and stationery order.

- 5875 EUR were cancelled, since the EC service changed the approach to BEREC Office account validation which resulted in unexpected reduction in total price with no prior notice.

**Title 3: Operational activities:**

- 7140 EUR were cancelled from the NN measurement tool project, since the contractor could not deliver all the deliverable as envisaged in the contract

- 234 EUR were cancelled from the commitment for organisation of P4 2018, since the final invoice was below the total maximum amount envisaged in the contract.

- 178 EUR were cancelled by the ICT services for BEREC contract due to travelling expenses not incurred as per the conditions of the said contract.

- 4246 EUR were cancelled from the commitment for organisation of CN4 2018, since the final invoice was below the total maximum amount envisaged in the contract.

- 1931 EUR were since the final expenses for the organisation of the NRA training session 4 were lower than estimated

- Small amount of 77 EUR were cancelled from the commitment for Chairs and Vice-Chairs travel

- 961 EUR were cancelled since the fees from the PMO for expert reimbursement calculation in 2018 were lower than estimated

Reimbursement of participants/experts to WGs travel were based on the number of people invited and eligible to receive reimbursements and average costs per expert; however, the final costs depend on the actual participation and the number of applications received and

actual costs incurred due to the use of audio-visual conference facilities available for the WG meetings. These costs were lower than estimated by EUR 12,101.90 and were cancelled.

**Annex IV: Human Resources 2021-2023 - quantitative**

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

Staff population		Actually filled as of 31.12.2018	Authorised <sup>38</sup> under EU Budget 2019	Actually filled as of 31.12.2019	Authorised <sup>39</sup> / estimated <sup>40</sup> under EU budget for year 2020	Authorised <sup>41</sup> / estimated <sup>42</sup> under draft EU budget for year 2021	Envisaged in 2022	Envisaged in 2023
Officials	AD							
	AST							
	AST/SC							
TAs	AD	11	13	11	13	13	13	13
	AST	3	3	3	3	3	3	3
	AST/SC							
Total <sup>43</sup>		14 <sup>44</sup>	16	14	16	16	16	16
CA GF IV		8 <sup>45</sup>	10	10 <sup>46</sup>	12	12	12	12
CA GF III		1 <sup>47</sup>	4	1	6	6	6	6
CA GF II		1	4	2	4	4	4	4

<sup>38</sup> As authorised for officials and TAs and as estimated for CAs and SNEs.

<sup>39</sup> For officials and TAs

<sup>40</sup> For all other categories of staff

<sup>41</sup> For officials and TAs

<sup>42</sup> For all other categories of staff

<sup>43</sup> Headcounts.

<sup>44</sup> The total headcount of 14 includes the decrease by 1 post brought about by the Inter-institutional Agreement of 2 December 2013 between the EP, the Council and the EC on budgetary discipline, on cooperation in budgetary matters and on sound financial management, which stipulates a 5% reduction in the number of posts in the establishment plans of all institutions, bodies and agencies over a 5 year period, and the decrease by 1 post for the redeployment pool. The first cut (Administrative Assistant (AST1) from the Programme Management Unit) actually constituted 6.25 % of the total number of establishment plan posts and, therefore, the BEREC Office completed the objective for progressively render 5 % of its staff as agreed. The objective to decrease 1 post for the redeployment pool was achieved in September 2016, when the post of the Budget Assistant (AST 4) became vacant and has not filled in with a view to a further cut in the establishment plan as of January 2017. Also in this case, the decrease by 1 post represented more than 5 % of BEREC Office Staff.

<sup>45</sup> Including one accepted offer letter for CA FGIV from 01.03.2019

<sup>46</sup> Including one accepted offer letter for CA FGIV from 01.02.2020

<sup>47</sup> One FG III has been temporarily hired for 6 months to replace a member of the temporary staff (AST 3) on long term leave

Staff population	Actually filled as of 31.12.2018	Authorised <sup>38</sup> under EU Budget 2019	Actually filled as of 31.12.2019	Authorised <sup>39</sup> / estimated <sup>40</sup> under EU budget for year 2020	Authorised <sup>41</sup> / estimated <sup>42</sup> under draft EU budget for year 2021	Envisaged in 2022	Envisaged in 2023
CA GFI							
<b>Total CAs<sup>48</sup></b>	<b>10</b>	<b>18</b>	<b>13</b>	<b>22</b>	<b>22</b>	<b>22</b>	<b>22</b>
SNEs <sup>49</sup>	4	6	7 <sup>50</sup>	9	9	9	9
Structural service providers <sup>51</sup>	5	7 <sup>52</sup>	7	4 <sup>53</sup>	3	3	3
TOTAL <sup>54</sup>	33	47	41	51	50	50	50
External staff for occasional replacement <sup>55</sup>	1	1	1	1	1	1	1

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<sup>48</sup> Headcounts

<sup>49</sup> FTE.

<sup>50</sup> Including one SNE starting on 01.02.2020

<sup>51</sup> Service providers are contracted by a private company and carry out specialised outsourced tasks of horizontal/support nature, for instance in the area of information technology. At the Commission the following general criteria should be fulfilled: 1) no individual contract with the Commission; 2) on the Commission premises, usually with a PC and desk; 3) administratively followed by the Commission (badge, etc.) and 4) contributing to the value added of the Commission. FTE.

<sup>52</sup> Originally envisaged.

<sup>53</sup> Envisaged.

<sup>54</sup> Excluding external service providers.

<sup>55</sup> For instance replacement due to maternity leave, long sick leave or unexpected turnover, and workload peaks. FTEs.

Table 2 baseline – Multi-annual staff policy plan year 2021-2023=

Category and grade	Establishment plan in EU Budget 2019		Filled as of 31/12/2019	Modifications in year 2019 in application of flexibility rule <sup>56</sup>		Establishment plan in voted EU Budget 2020 <sup>57</sup>		Modifications in year 2020 in application of flexibility rule	Establishment plan in draft EU Budget 2021		Establishment plan 2022		Establishment plan 2023	
	Officials	TA		Officials	TA	Officials	TA		Officials	TA	officials	TA	officials	TA
AD 16														
AD 15														
AD 14		1	1				1			1		1		1
AD 13														
AD 12												1		1
AD 11		1					1			1		1		2
AD 10		1	1				2			2		2		2
AD 9		2	1				2			2		3		2
AD 8		1	3				2			2		2		2
AD 7		4					2			2		1		2
AD 6		2	5				2			2		2		1
AD 5		1					1			1				
<b>Total AD</b>		<b>13</b>	<b>11</b>				<b>13</b>			<b>13</b>		<b>13</b>		<b>13</b>
AST 11														
AST 10														
AST 9														
AST 8														
AST 7												1		1
AST 6		1					1			2		1		1
AST 5		1	1				1			1		1		1
AST 4		1	1				1							
AST 3			1											
AST 2														

<sup>56</sup> In line with Article 32 (1) of the framework Financial Regulation, the management board may modify, under certain conditions, the establishment plan by in principle up to 10% of posts authorised, unless the financial rules of the body concerned allows for a different % rate.

<sup>57</sup> The Establishment Plan includes the revision of the grades of posts in order to ensure equal opportunities for the staff's career progression. This is without prejudice to the outcome of the annual reclassification exercise, which is based on merit **and bound by the promotion rates of Annex I.B of the Staff Regulations** over years.

Category and grade	Establishment plan in EU Budget 2019		Filled as of 31/12/2019	Modifications in year 2019 in application of flexibility rule <sup>56</sup>		Establishment plan in voted EU Budget 2020 <sup>57</sup>		Modifications in year 2020 in application of flexibility rule	Establishment plan in draft EU Budget 2021		Establishment plan 2022		Establishment plan 2023	
	Officials	TA		Officials	TA	Officials	TA		Officials	TA	officials	TA	officials	TA
AST 1														
<b>Total AST</b>		<b>3</b>	<b>3</b>				<b>3</b>			<b>3</b>		<b>3</b>		<b>3</b>
AST/SC6														
AST/SC5														
AST/SC4														
AST/SC3														
AST/SC2														
AST/SC1														
<b>Total AST/SC</b>														
<b>TOTAL</b>		<b>16</b>	<b>14</b>				<b>16</b>			<b>16</b>		<b>16</b>		<b>16</b>

## Annex V: Human Resources 2021-2023 - qualitative

### A. Recruitment policy

The recruitment and selection policies are defined in the relevant implementing rules of the EU Staff Regulations.

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

The Agency's recruitment and selection procedures are designed to employ personnel of the highest standards of ability from the broadest possible geographical basis. Staff is selected without prejudice as to race, political, philosophical or religious beliefs, gender or sexual orientation and without reference to their marital status or family situation.

Transparency and equal treatment of the candidates are applied. The selection and recruitment procedures' consistency are ensured by the agency entity in charge of HR through policies and guidelines.

### B. Appraisal of performance and reclassification/promotions

Table 1 – Reclassification of temporary staff/promotion of officials

Category and grade	Staff in activity at 1.01.2018		How many staff members were promoted / reclassified in 2019		Average number of years in grade of reclassified/ promoted staff members
	Officials	TA	officials	TA	
AD 16					
AD 15					
AD 14		1			
AD 13					
AD 12					
AD 11					
AD 10		1			
AD 9		1			
AD 8		3			
AD 7					
AD 6		3			
AD 5		2			
<b>Total AD</b>		11		0	

Category and grade	Staff in activity at 1.01.2018		How many staff members were promoted / reclassified in 2019		Average number of years in grade of reclassified/ promoted staff members
	Officials	TA	officials	TA	
AST 11					
AST 10					
AST 9					
AST 8					
AST 7					
AST 6					
AST 5		1			
AST 4					
AST 3		2		1	3.6 years
AST 2					
AST 1					
<b>Total AST</b>		3		1	
<b>Total</b>		14 <sup>58</sup>		1	

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

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

Since 2015, four TAs have been reclassified in 2015, three TAs have been reclassified in 2016 and two TAs have been reclassified in 2017. In 2018, 4 TAs and in 2019, 1 TA has been reclassified.

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

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<sup>58</sup> Including 2018 reclassifications that took effect from 01.01.2018.





Table 2 – Reclassification of contract staff

Function Group	Grade	Staff in activity at 1.01.2018	How many staff members were reclassified in 2019	Average number of years in grade of reclassified staff members
<b>CA IV</b>	18			
	17			
	16	1		
	15			
	14	2		
	13	5	1	3 years
<b>CA III</b>	12			
	11			
	10			
	9			
	8			
<b>CA II</b>	7			
	6			
	5			
	4	1		
<b>CA I</b>	3			
	2			
	1			
<b>Total</b>		<b>9</b>	<b>1</b>	

The general principles which guide the appraisal and reclassification exercise for temporary staff also apply to the appraisal of contract staff employed under Article 3a of the CEOS. In the reclassification exercise of 2016, one contract agent has been reclassified. While in 2017 no contract agents were reclassified, 1 Contract Agent in Function Group IV has been reclassified in 2018 and 1 in 2019.

### C. Mobility policy

#### a) Mobility within the agency

Horizontal mobility within the BEREC Office is quite limited due to specialisation for different positions. The implementing rules for temporary agents at the BEREC Office foresee the possibility of internal publication of vacant posts. In accordance with the implementing rules on engagement and use of temporary staff, the BEREC Office adopted in 2018 a Policy for internal mobility of temporary staff under Article 2(f).

#### b) Mobility among agencies (Inter-agency Job Market)

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

#### c) Mobility between the agencies and the institutions

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

### D. Gender and geographical balance

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

In order to have a better gender balance within the BEREC Office, the units are reminded to pay closer attention to the gender balance. In addition, the Agency will continue to ensure gender balance in selection committees for selection of staff and will start including the gender balance notion into its vacancy notices. Concerning the managerial positions (middle management), there are 33% female and 67% male managers in BEREC Office. BEREC Office, as much as possible, will work towards the same goal of the Commission to reach 50% balance between men and women in management positions.

Detailed gender distribution of BEREC Office staff can be seen in table 1 below.

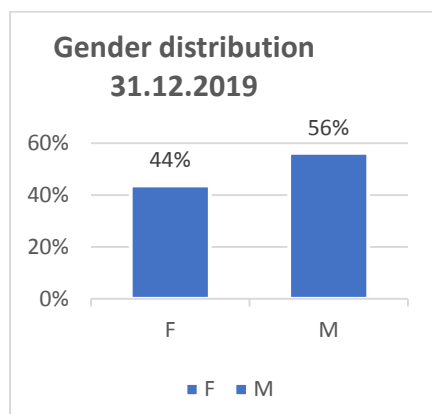


Table 1

Geographical balance has been achieved in accordance to articles 12.1 and 82.1 of CEOS, bearing in mind the small size of the BEREC Office. As of 31.12.2019 the BEREC Office has representatives from 13 different MSs (15 MSs taking into account also trainees) and will

keep monitoring this balance for planned recruitments in next years. Detailed geographical distribution can be seen in table 2 below.

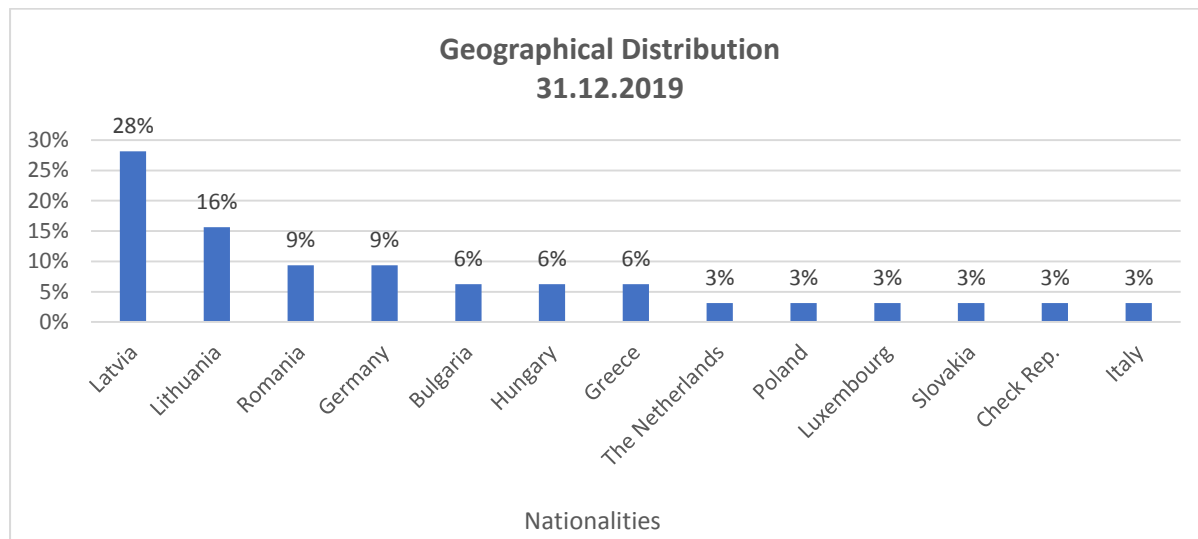


Table 1

However, while the BEREC Office manages to keep a good balance in the reserve lists recently established, it has been proven challenging to fill in posts with candidates of EU nationalities other than Latvians. The number of refusals of job offers from candidates who are not Latvian citizens is high. In parallel, the number of Latvian nationals working at the BEREC Office has a tendency to increase. The BEREC Office will continue to monitor this tendency and, at the same time, an extra effort has been put in place in order to promote the BEREC Office in the job market.

The general living conditions in Latvia, together with the low correction coefficient, are the main cause of this trend. The BEREC Office has no influence on the establishment of the correction coefficient. On the other hand, it has brought the issue of the difficult living conditions, especially for expats, to the Latvian Authorities. Only with concrete measures offered by the host member state it will be possible to keep the geographical balance under control. At the same time, in the last years the BEREC Office successfully start to revamp its reputation as top EU employer.

## **E. Schooling**

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

Currently, the host Member State Latvia does not have an accredited European School in Riga and children of the staff members attend English, French or Latvian speaking schools. Since the possibility of providing accredited European schooling for the pupils of BEREC Office staff does not currently exist, the Latvian Government should establish such an accredited curriculum. The BEREC Office can only insist in its support of this plan and contribute to its progress. On more than one occasion, the BEREC Office offered its support to the local authorities and to the representatives of the schools with an international dimension in Latvia. Relations have been established with the management of the schools

and the premises of such schools have been visited by representatives of the Administration and Finance Unit.

The Ministry of Education and Science has been exploring possibilities of establishing an accredited European School within the public school network in Latvia or within the private school network, in accordance with the Convention defining the Statute of the European Schools and with the programmes of European schools. Negotiations are ongoing since November 2010.

The establishment of a new accredited European School is a long process, and in the meantime the BERIC Office is adopting all the necessary measures to ensure the proper schooling of staff pupils. The BERIC Office has already in place 3 agreements with Latvian schools with an international dimension, in order to ensure the multi-lingual schooling for the children of staff. The basis for such measures is the financial autonomy of the BERIC Office, which allowed the BERIC Office to take measures within the framework of the Financial Regulation in order to support staff and cover most part of the costs of multilingual tuition provided by the international schools available in Latvia.

## **Annex VI: Environment management**

Already in its strategy (2018-202059) BEREC has given particular attention to the optimisation of its output and operational efficiency as a significant contributor towards its strategic vision and priorities. The BEREC Office can contribute significantly to this goal by safeguarding the application of BEREC rules and working procedures at all stages of BEREC working activities.

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

Over the last number of years BEREC has encompassed more and more the use of software and hardware tools as enablers both for its working activities as well as for its relationship with the stakeholders and the citizens/consumers. The BEREC Strategy 2018-2020 and WP 2018 focuses even more in the use of such tools for accomplishing BEREC strategic goals and priorities. These tools introduce a new interaction with the BEREC stakeholders and introduce a new type of service on behalf of BEREC requiring constant (24/7) operation and maintenance. BEREC relies on the BEREC Office for procuring, financing, managing the operation and maintaining these tools. Therefore, the BEREC Office must develop the capacity and the expertise to provide reliable and constant support on this new field of services. In addition, these new tools will generate valuable data that are essential to many activities both internal to BEREC and its members (i.e. NRAs) as well as externally to a number of stakeholders. New areas of expertise might be required by the BEREC Office for managing, processing, using and opening these data to the public. The BEREC Office will need to meet the challenge and develop expertise and capacity for supporting BEREC in this new area of operation.

Aiming towards the provision of the best support to BEREC, BEREC Office is requested to invest in new tools and services that will ease the BEREC workload and improve its outcomes. Planning the years ahead, it is essential to consider the effective and efficient operation of BEREC without forgetting the effect of its activities on the environment. Therefore, the strategic objectives should also consider the environmental footprint of BEREC and BEREC Office.

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<sup>59</sup> BoR (17) 173, BEREC Strategy 2018-2020, 05.10.2017, [http://berec.europa.eu/eng/document\\_register/subject\\_matter/berec/annual\\_work\\_programmes/7304-2017-berec-work-programme-status-update](http://berec.europa.eu/eng/document_register/subject_matter/berec/annual_work_programmes/7304-2017-berec-work-programme-status-update)

## Annex VII: Buildings

### A. Current building:

The BEREC Office premises are located at 14 Zigfrida Annas Meierovica boulevard, Riga, Latvia, on part of 1st, 2nd and 3.5 floor. The building used by the Agency is shared with several other tenants. The BEREC Office rents its premises in accordance with the Memorandum of Understanding with the Government of the Republic of Latvia, signed on 30 September 2011<sup>60</sup>, which was further detailed in a lease agreement.

	Main Information	Other Comments
Name, location and type of building	14 Zigfrida Annas Meierovica boulevard, Riga, Latvia	
Surface area (in square meters)	1,195.80 m <sup>2</sup>	According to the MoU with the Latvian Government the BEREC Office can use in addition to the main surface area 2 covered and 5 open parking spaces in the inner yard of the building free of charge and 2 open air parking spaces in front of the main entrance of the premises free of charge.
- of which office space	1,142 m <sup>2</sup>	
- of which non-office space	53.80 m <sup>2</sup>	Garage for 2 vehicles.
Annual rent (in EUR)	2021: EUR 98,527.92	The rental price is based on a Regulation of the Cabinet of Ministers of the Republic of Latvia No 515 "Procedure for Lease of State and Local Government Owned Property, Methodology for Determination of Rent Charges and Standard Terms of Lease Agreements" of 08.06.2010 determining the state and local government property leasing arrangements, which will cover the lessor's expenditure for the leased object without any profit.

<sup>60</sup>[https://bereg.europa.eu/eng/document\\_register/subject\\_matter/bereg\\_office/others/5607-memorandum-of-understanding-between-the-bereg-office-and-the-government-of-the-republic-of-latvia-on-the-establishment-of-the-headquarters-of-this-european-entity-in-riga](https://bereg.europa.eu/eng/document_register/subject_matter/bereg_office/others/5607-memorandum-of-understanding-between-the-bereg-office-and-the-government-of-the-republic-of-latvia-on-the-establishment-of-the-headquarters-of-this-european-entity-in-riga), 30 September 2011, published in Latvian at: <https://www.vestnesis.lv/index.php?menu=doc&id=246139>

	<b>Main Information</b>	<b>Other Comments</b>
Type and duration of rental contract	Lease agreement with State owned joint-stock company Valsts nekustamie īpašumi - VNI, signed on 01/08/2011, effective until 31/07/2028 (with a possibility of renewal).	The new lease agreement amendment was signed on 01/06/2020 for additional premises on the 3.5 floor with total space 79.80 m <sup>2</sup> providing additional 3 office rooms, which can accommodate up to 7 persons.
Host country grant or support	Not applicable for the programming period	
Present value of the building (if the agency owns the building)	Not applicable	The BEREC Office does not own the building.

#### **B. Building projects in planning phase:**

For the programming period the BEREC Office has not planned any building projects.



## **Annex VIII: Privileges and immunities**

According to the provision of Article 34 of the BEREC Regulation the Protocol on the privileges and immunities of the EU are applicable also to the BEREC Office and its staff.

To further detail the practicalities of the implementation of the aforementioned Protocol, on 24 February 2011 the BEREC Office and the Government of the Republic of Latvia signed a Seat Agreement<sup>61</sup>, which further details the right and obligation of the BEREC Office staff and host MS. However, some areas of improvement have been identified.

Article 47 of the BEREC Regulation states that the 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 shall be laid down in a Headquarters Agreement between the BEREC Office and the host MS, to be concluded after obtaining the approval of the MB and no later than 21 December 2020.

Therefore, the MB by its Decision No MB/2019/06 adopted on 28/03/2019, has authorized the Director of the BEREC Office to engage in a joint project with the Government of the MS with the view to conclude a Headquarters Agreement in compliance with the Mandate annexed to the Decision.

The objective of the joint project would be to implement the relevant provisions of Protocol No 7 on the Privileges and Immunities of the European Union attached to the TFEU and to agree on the necessary arrangements to ensure the smooth and efficient functioning of the BEREC Office in the interest of the EU and in compliance with the rules applicable to the Agency.

The joint project on the new Headquarters Agreement should build on experiences gained while applying the Seat Agreement of 2011 and should reduce the administrative burden from its implementation for both the Agency and the authorities of host MS.

The new Headquarters Agreement should contribute to increasing the attractiveness of the Agency in order to develop and retain its staff as far as possible and to ensure the selection of staff at an adequate level of expertise and seniority.

Currently according to the Seat Agreement, the Agency and the staff has privileges and immunities listed in the table below, however considering the Mandate and the provisions of the Consolidated Protocol 7 annexed to TFEU and adopted by EC at later stage than current Seat Agreement came into force, the situation is expected to become different already starting from 2021.

According to the current Seat Agreement the Agency and the staff has the following privileges:

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<sup>61</sup> [https://berec.europa.eu/eng/document\\_register/subject\\_matter/berec\\_office/others/1032-seat-agreement-between-the-berec-office-and-the-government-of-the-republic-of-latvia](https://berec.europa.eu/eng/document_register/subject_matter/berec_office/others/1032-seat-agreement-between-the-berec-office-and-the-government-of-the-republic-of-latvia)

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities / diplomatic status	Education / day care
<b>Inviolability and Immunity</b>		
The seat of the BEREC Office, irrespective of ownership, is inviolable	The BEREC Office staff shall enjoy privileges and immunities based on the Protocol on the Privileges and Immunities of the EU and enjoy immunity from legal proceedings in respect of acts performed by them in their official capacity.	According to the Seat Agreement the Latvian Government has undertaken the responsibility jointly with the BEREC Office to find the best solution possible for schooling for the children of the BEREC Office staff.  The Latvian Government shall facilitate offering European schooling to children of the BEREC Office staff in English, French and German by the existing private and public international schools in Riga and will ensure that the children of the BEREC Office staff get priority access to them.
The seat of the BEREC Office is exempt from search, requisition, confiscation or expropriation.	Together with their spouses and dependent members of their families, not be subject to immigration restrictions or to formalities for the registration of aliens.  The host member State informally suggests the staff to register with the local authorities, as this is the only way to receive a personal code and have access to some basic services in the country.	In practice this provision has not been applied. The Latvian Ministry of Education, which is the focal point for issues related to schooling has informed the BEREC Office that due to case law no priority access to BEREC Office staff children can be ensured.
The property and assets of the BEREC Office cannot be subject to any administrative or legal measure of constraint, whether by executive, administrative, judicial or legislative action, without the authorisation of the Court of Justice of the EU.	The Administrative Manager <sup>62</sup> and the members of his/her family, who have not been nationals or permanent residents of Latvia before being employed by the BEREC Office, are accorded with the privileges and immunities, exemptions and facilities accorded to the heads of diplomatic missions and the members of their family in accordance with the Vienna Convention on Diplomatic Relations of 18 April 1961.	Additionally, the BEREC Office has been informed that the Latvian Government cannot influence the fees of the private establishments.
Communications and the transmission of all BEREC Office documents are treated in the same way as documents and communications of diplomatic missions.		

<sup>62</sup> All references to term 'Administrative Manager' shall be understood as reference to the term 'Director' according to the BEREC Regulation (EU) 2018/1971

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities / diplomatic status	Education / day care
<b>Exemption from taxes, duties, national, regional and municipal charges</b>		
The Agency is exempt from:	BEREC Office staff are exempt from	
- all direct taxes on its assets, revenues and other property	Salaries, wages, emoluments, SNEs' allowances, retirement, invalidity and survivor's pensions paid by the BEREC Office or by the EU are exempted from national taxes.	
- all national, regional and municipal excise duties, sales charges and other taxes for substantial purchases for official use (e.g. for any amount above 125 LVL <sup>63</sup> = EUR 177.86 ); exemption from VAT, excise duty and other indirect taxes is provided by means of a tax refund.	The VAT included in the price of articles listed in an annex to the Seat Agreement, including 1 vehicle for personal use, acquired by the BEREC Office staff in the Latvia within 1 year from taking up their post in Latvia is reimbursed to the staff and SNEs provided that the single article price is not less than 35 LVL. This rule is not applicable for nationals or permanent residents of Latvia.  The application of this provision shows a lack of flexibility by the Latvian side.	
- imports and exports customs duties, taxes, prohibitions or restrictions on goods for official use, including vehicle and spare parts	BEREC Office staff has the right to import free of duty and without prohibitions or restrictions, in respect of initial establishment, within 2 years of taking up their appointments within the BEREC Office and in maximum 2 shipments, furniture and personal effects, including vehicles purchased under market conditions.  BEREC Office staff is entitled to export, after the date of cessation of functions at the BEREC Office, without	

<sup>63</sup> Official exchange rate 1LVL = EUR 0,702804

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities / diplomatic status	Education / day care
	<p>prohibitions or restrictions, personal and household effects, including vehicles they use and which are in their possession.</p> <p>However, the excessive administrative burden on the staff of the BEREK Office on the registration of the vehicles, pose a problem to the proper application of this provision.</p>	
<ul style="list-style-type: none"> <li>- vehicle exploitation tax for BEREK Office official vehicles registered under a special series</li> </ul>	<p>The BEREK Office AM is exempt from vehicle exploitation tax.</p>	

## Annex IX: Evaluations

In September 2016 the EC published an evaluation of the regulatory framework for electronic communications<sup>64</sup>, which among others also contains a Screening of the BEREC Regulation (see Annex VI). The screening has been carried out based on the following evaluation criteria, namely: relevance, effectiveness, efficiency, coherence. It has been based on a study prepared by an external consultant (PricewaterhouseCoopers Luxembourg, PwC) and published by the EC in 2013, together with a Commission Staff Working Document<sup>65</sup> and the outcome of the public consultation organised by the EC on the review of the EU regulatory framework for electronic communications.

The evaluation has concluded that the work carried out by BEREC and supported by the BEREC Office is relevant and has an impact on stakeholders. The BEREC Office provides administrative support to BEREC and its budget is also used to finance BEREC activities, therefore its activities continue to be relevant for BEREC.

However, the evaluation questions the adequacy of the current governance structure. In particular, it is emphasised that the organisational structure of the BEREC Office is not in line with the Common Approach (CA) agreed between the EP, the Council and the EC. Article 10(3) of the BEREC Regulation provides that the power of the appointing authority should be exercised by the Vice-Chair of the MC and only a limited list of tasks is delegated to the Administrative Manager, thus unnecessary administrative burden is created. Therefore, this aspect of the day-to-day operation of the Agency has been identified as an area for improvement both in the EC legislative proposal and by BEREC in its opinion on the telecom review<sup>66</sup>.

Furthermore, it is emphasised that, in order to allow the MC to focus on the core business, the powers of the Appointing Authority for all the staff should be delegated to the Administrative Manager (who must also be authorised to sub-delegate those powers).

The role of the BEREC Office, which is limited to administrative and professional support, and its size (only 27 FTE posts), creates some inefficiency. The Office has to comply with the same resource-intensive procedures as much bigger Agencies and the professional support it provides to BEREC is still rather limited, as identified through experience and pointed out in the Evaluation Study. This has created difficulties in order to recruit and retain qualified staff as well as challenges in ensuring such basic requirements as the segregation

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<sup>64</sup> SWD(2016) 313 final; <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=SWD:2016:0313:FIN>

<sup>65</sup> SWD(2013) 152 final; BEREC provided its own input to the evaluation process; see BoR (12) 118 BEREC input to the European Commission on the BEREC and BEREC Office Evaluation Exercise, 13.11.2012, [http://berec.europa.eu/eng/document\\_register/subject\\_matter/berec/others/1073-berec-input-to-the-european-commission-on-the-berec-and-berec-office-evaluation-exercise](http://berec.europa.eu/eng/document_register/subject_matter/berec/others/1073-berec-input-to-the-european-commission-on-the-berec-and-berec-office-evaluation-exercise)

<sup>66</sup> BoR (17) 94, BEREC views on the draft report elaborated by ITRE Rapporteur Evžen Tošenovský on the proposal for a Regulation of the European Parliament and of the Council establishing the Body of European Regulators for Electronic Communications, 28.03.2017, [http://berec.europa.eu/eng/document\\_register/subject\\_matter/berec/opinions/7040-berec-views-on-the-draft-report-elaborated-by-itre-rapporteur-ev382en-to353enovsk253-on-the-proposal-for-a-regulation-of-the-european-parliament-and-of-the-council-establishing-the-body-of-european-regulators-for-electronic-communications](http://berec.europa.eu/eng/document_register/subject_matter/berec/opinions/7040-berec-views-on-the-draft-report-elaborated-by-itre-rapporteur-ev382en-to353enovsk253-on-the-proposal-for-a-regulation-of-the-european-parliament-and-of-the-council-establishing-the-body-of-european-regulators-for-electronic-communications)

of duties in financial circuits or ensuring that certain functions could be performed in an independent way (this is one of the reasons why the accounting officer function has been delegated to the Commission).

As pointed out in the Evaluation Study, it is also suggested that the BEREC Office could be better used, especially when supporting EWGs in their everyday work (see also comments under "effectiveness" and "coherence" of the EC SWD).

Finally, no performance indicators were included in the Working Programmes to allow for effective assessment of the results achieved in terms of objectives, as pointed out in the Evaluation Study, in the EP's opinion on the Evaluation Report and by respondents to the Public Consultation, which has been rectified in the Annual and Multiannual Programming Document for 2017-2019.

## **Annex X: Risks for 2021**

In compliance with its internal control framework<sup>67</sup> the BEREC Office has established a risk management process. To ensure practical implementation of this requirement in 2019 the BEREC Office undertook a full risk assessment/analysis of all BEREC Office activities.

In order to facilitate risk assessment exercise employees were introduced to risk management basic principles and afterwards a special task force was created consisting of Interim Finance and Internal Control Officer, representatives from each BEREC Office's unit and representative of the Director of the BEREC Office. The purpose of creating Special task force was so that each unit could contribute to this exercise and the exercise itself was carried out as efficiently and precisely as possible.

During the risk assessment exercise no critical risks have been identified. The most significant risks identified were recorded in a risk register. The BEREC Office has developed action plans for addressing these risks, whose execution is regularly monitored by the management.

It should be noted that the heists risk is associated with lack of key profiles, which may lead to non-compliance, in particular for positions to be fill in by establishment plans posts. The Agency has also experienced difficulty to attract and retain staff at key functions, which has been commented by the European Court of Auditors and the Discharge Authority. As main reasons for this have been identified the low corrections for Latvia and the fact that positions are established at low grades and for categories of staff not recommended by the EC in its policies. Therefore the staff frequently decides to accept similar job offers in other Agencies and bodies of the EU with are established at higher grade or for more attractive category of staff (e.g. temporary agents) or are located in countries with higher correction coefficient.

The high percentage of seconded national experts also exposes the Agency at risk, as the filling in of those post is dependent on the will of the NRAs to second staff. Another disadvantage of the SNEs is the fact that based on the provisions of the Financial Regulation they cannot assume responsibilities under the financial rules.

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<sup>67</sup> MC (18) 69, Internal Control Framework of the Office of the Body of European Regulators for Electronic Communications (the BEREC Office) – Revision 2018 of the Internal Control System, 4 October 2018.

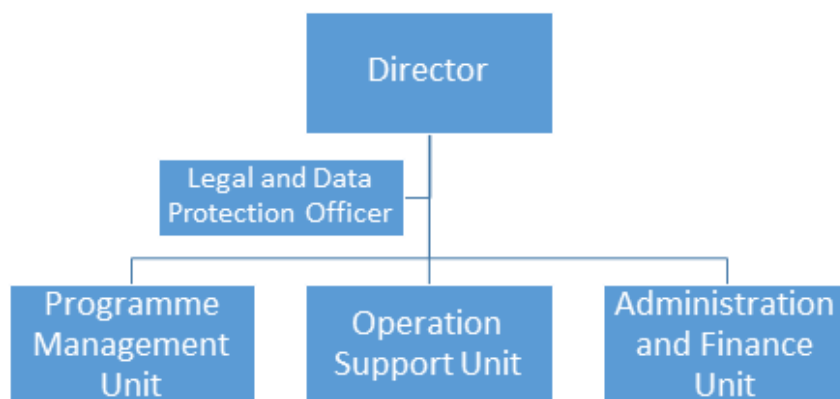
## Annex XI: BEREC Office strategy for organisational management and internal control systems

### 1. Strategy for organisational management

The BEREC Office internal organisational structure shall contain:

- 1 senior management level (1 Director);
- 1 middle management level (3 Heads of Unit);
- Staff (organised in teams)

The current internal structure of the Agency is based on three Units – Programme Management, Operation Support and Administration and Finance, as follows:



The Director, who is the BEREC Office authorising officer shall put in place the organisational structure and the internal control systems suited to the performance of the duties of authorising officer, in accordance with the minimum standards or principles adopted by the Management Board on the basis of the Internal Control Framework laid down by the Commission for its own departments and having due regard to the risks associated with the management environment and the nature of the actions financed.

The establishment of such structure and systems shall be supported by a comprehensive risk analysis, which takes into account their cost-effectiveness and performance considerations.

The authorising officer may establish within his or her departments an expertise and advice function to help him or her control the risks involved in his or her activities.

Currently the BEREC Office has no such internal posts and therefore will search for opportunities for the externalisation of this function to the EC services or another body of the EU. As a temporary measure, before the conclusion of such agreements, the function will be performed by an interim worker or another appropriate arrangement available on the market.



## 2. Internal control strategy

Following the new Internal Control Framework of the BEREC Office and requirement in the BEREC Offices Financial regulation<sup>68</sup> Article 32 subparagraph 1 there is an obligation for BEREC Office to have an Internal Control Strategy. This Strategy should ensure proper implementation and functioning of Internal Control Framework of the BEREC Office.

The Internal Control System of the BEREC Office is based on five internal control components:

- the control environment,
- risk assessment,
- control activities,
- information and communication and
- monitoring activities.

They are the building blocks that underpin the framework's structure and support the Agency in its efforts to achieve its objectives. The five components are interrelated and must be present and effective at all levels of the organisation for internal control over operations to be considered effective.

Each component consists of several principles. Working with these principles helps to provide reasonable assurance that the BEREC Office's objectives have been met. The principles specify the actions required for internal control to be effective. The following principles shall be applied by the management in the Internal Control programme:

**Principle 1** – The BEREC Office demonstrates a commitment to integrity and ethical values.

**Principle 2** – The Management exercises oversight of the development and performance of internal control.

**Principle 3** – The Management establishes structures, reporting lines, and appropriate authorities and responsibilities in the pursuit of objectives.

**Principle 4** – The BEREC Office demonstrates a commitment to attract, develop and retain competent individuals in alignment with objectives.

**Principle 5** – The BEREC Office holds individuals accountable for their internal control responsibilities in the pursuit of objectives.

**Principle 6** – The BEREC Office specifies objectives with sufficient clarity to enable the identification and assessment of risks relating to objectives.

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<sup>68</sup> Decision No MB/2019/13 of the Management Board of the BEREC Office on the financial regulation applicable to the BEREC Office,

[https://bereg.europa.eu/eng/document\\_register/subject\\_matter/bereg\\_office/decisions\\_of\\_the\\_management\\_board/8699-decision-no-mb201913-of-the-management-board-of-the-bereg-office-on-the-financial-regulation-applicable-to-the-bereg-office](https://bereg.europa.eu/eng/document_register/subject_matter/bereg_office/decisions_of_the_management_board/8699-decision-no-mb201913-of-the-management-board-of-the-bereg-office-on-the-financial-regulation-applicable-to-the-bereg-office)

**Principle 7** – The BEREC Office identifies risks to the achievement of its objectives across the organisation and analyses risks as a basis for determining how the risks should be managed.

**Principle 8** – The BEREC Office considers the potential for fraud in assessing risks to the achievement of objectives.

**Principle 9** – The BEREC Office identifies and assesses changes that could significantly impact the internal control system.

**Principle 10** – The BEREC Office selects and develops control activities that contribute to the mitigation of risks to the achievement of objectives to acceptable levels.

**Principle 11** – The BEREC Office selects and develops general control activities over technology to support the achievement of objectives.

**Principle 12** – The BEREC Office deploys control activities through corporate policies that establish what is expected and in procedures that put the policies into action.

**Principle 13** – The BEREC Office obtains or generates and uses relevant quality information to support the functioning of internal control.

**Principle 14** – The BEREC Office internally communicates information, including objectives and responsibilities for internal control, necessary to support the functioning of internal control.

**Principle 15** – The BEREC Office communicates with external parties about matters affecting the functioning of internal control.

**Principle 16** – The BEREC Office selects, develops, and performs ongoing and/or separate assessments to ascertain whether the components of internal control are present and functioning.

**Principle 17** – The BEREC Office assesses and communicates internal control deficiencies in a timely manner to those parties responsible for taking corrective action, including the senior management, as appropriate.

The characteristics of each principle shall be based on already existing characteristics set out in Internal Control Framework and on those of the Commission, but shall be defined in such a way as to take into account the specific governance arrangements and the specific situation of the BEREC Office.

There is no requirement for the BEREC Office to assess whether each individual characteristic is in place. The characteristics shall be defined to assist management in implementing internal control procedures and in assessing whether the principles are present and functioning.

For the purposes of the implementation of the budget, internal control shall be applied at all levels of management and shall be designed to provide reasonable assurance of achieving effectiveness, efficiency and economy of operations, reliability of reporting, safeguarding of assets and information, prevention, detection, correction and follow-up of fraud and irregularities and adequate management of the risks relating to the legality and regularity of the underlying transactions, taking into account the character of programmes and the nature of the payments concerned.

The effectiveness of functioning of the internal control system will be evaluated each year.

**Annex XII: Procurement plan for 2021**

No	Ref. to 2021 Work Programme	Budget line	Subject /Scope	Type of procedure	Type of contract	Budget estimated for whole contract duration (EUR)	Budget 2021 (EUR)	Contract duration (years)	Estimated launch date	Estimated contract signature date
1.	III.2.11	2000	Consultancy and technical advice in relation to the rent of offices in Riga for the BEREC Office	NP1	FWC	15 000	15 000	2	Q1 2021	Q2 2021
2.	III.2.4.2	3001	BEREC Work Programme study - Post COVID measures to close the digital divide	OT	SC	140 000	140 000	1	Q1 2021	Q2 2021
3.	III.2.4.1	3001	Acquisition of datasets for the calculation of certain parameters underlying the Weighted Average Cost of Capital (WACC)	NP3	FWC	30 000	30 000	4	Q1 2021	Q2 2021
4.	III.2.4.2	3001	Tool for planning & monitoring of BEREC deliverables	NP5	SC	140 000	-	4	Q2 2021	Q3 2021
5.	III.2.4.2	3001	On line public consultation platform	NP3	FWC	60 000	-	4	Q3 2021	Q4 2021
6.	III.2.9.2	1600	Wellbeing and integration	OT	FWC	150 000	-	4	Q3 2021	Q2 2022
7.	III.2.9.2	1600	Interim services	OT	FWC	1 900 000	-	4	Q3 2021	Q1 2022
8.	III.2.11.2	2000	Insurance for BEREC Office movable property	NP1	FWC	10 000	5 000	2	Q3 2021	Q4 2021

No	Ref. to 2021 Work Programme	Budget line	Subject /Scope	Type of procedure	Type of contract	Budget estimated for whole contract duration (EUR)	Budget 2021 (EUR)	Contract duration (years)	Estimated launch date	Estimated contract signature date
9.	III.2.11	2000	Rent of offices in Riga for the BEREC Office	NP	Building contract	3 750 000 <sup>69</sup>	-	5	Q3 2021	Q4 2021
10.	III.2.11.2	2200	Supply of water, tea and coffee for the BEREC Office	NP5	FWC	80 000	10 000	4	Q4 2021	Q4 2021
11.	III.2.11.2	2300	Clerical and logistics support services	OT	FWC	550 000	-	4	Q4 2021	Q1 2022
12.	III.2.9.2	1500	Language training	OT	FWC	200 000	-	4	Q4 2021	Q3 2022

<sup>69</sup> TBC after the assessment of the outcome of the market research.

**Annex XIII: BEREC Office strategy for cooperation with third countries and international organisations**

In light of market and technological developments, which often entail an increased cross-border dimension, as well as increasing convergence between the sectors providing electronic communications services, and the horizontal dimension of regulatory issues related to their development BEREC and the BEREC Office may cooperate with competent Union bodies, offices, agencies and advisory groups, with competent authorities of third countries and with international organisations in order to achieve the objectives set out in this Regulation and carry out its tasks.

BEREC Office will provide necessary resources and assistance to BEREC in establishment and implementation of working arrangements with regulatory authorities of third countries, regional regulatory networks, international organisations, institutional groups, and other stakeholders.