



# Le Renard Déchaîné

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Continuation of LE  
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## R&D and the CDR (continuation)

### Problems identified during the 2002 exercise (2d part)



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#### Problems identified during the 2002 exercise

- ▶ **The exercise was sometimes cruelly lacking in transparency.**
- ▶ The use, particularly in the context of the procedure in the event of an appeal, of documents and information that have not been brought to the attention of the official being assessed.
- ▶ **The CDR has been used to settle old scores.** There has been improper behaviour on the part of assessors, failures to comply with the procedure, and the systematic over-running of deadlines without the appropriate measures being taken.
- ▶ **The IT system (SYSPER II) just isn't up to it.** It doesn't meet our needs.

#### Proposal for the 2003 exercise

Any document relating to the REC, or placed in the file as part of an appeal, must be made known to both parties. The parties must have an opportunity to make comments before any decision is reached.

Any improper action carried out in the context of the CDR must be punished quickly and severely.

The CDR must not refer to 'gratuitous' comments, or unfounded evaluations that are qualitative or personal, and/or which are out of kilter with the objective of the CDR and the assessment.

An overall timetable for the whole exercise must be published at the beginning of the year, and include enough time to deal with appeals to Joint Evaluation and Promotion Committees. Measures planned to deal with the over-running of deadlines must be clearly

The SYSPER II system must be altered and tested (suggestions made by Joint Evaluation Committees at the end of the 2003 exercise need to be taken on board) before the next exercise is implemented.

The system needs to incorporate an automatic information up-dating feature. The procedure for notifying officials who have been assessed, and which was previously loaded in SYSPER, must be activated.

► ***The composition and functioning of Joint Evaluation Committees are unsatisfactory, and do not ensure that the Committees operate on a joint basis.***

► Internal rules that are sometimes different, and implemented at central level in a non-standard and uncoordinated way, have led to major differences in the way Joint Evaluation Committees work, and there-

► ***Joint Evaluation Committee Presidents are often completely 'squeezed' between the positions taken by the administration and those of the Director-General;*** this deprives the Committee of a genuine arbiter, and of any chance of achieving real mediation and of finding consensus with a view to avoiding disputes.

***Human resource managers: chefs too involved in preparing the meal to be panel members as well!***

► Human resource managers on Joint Evaluation Committees have often seemed to be opposed to individual cases in principle, and mainly so as not to call into question the functioning of the procedures in the Directorates-General for which they are responsible. This has often made it impossible for Committees to perform their role of checking, correcting and standardising procedures.

Joint Evaluation Committees must cover and, where appropriate, take, corrective measures to ensure:

1. that procedures are complied with;
2. that assessments are objective and equitable;
3. that merit points at Directorate-General level are distributed equitably.

**There must be a single corpus of rules covering Joint Evaluation Committees throughout the Commission.**

To ensure that the procedure is conducted consistently, there are good reasons for looking into the possibility of

The post of Joint Evaluation Committee President **must be given to someone employed outside the DG concerned.** The President must be independent and at a remove from the parties, and act as mediator.

In general terms, it is clear that only if the post of President is filled by someone who comes from outside the service being examined by the Committee can the postholder perform the role of genuine arbiter, and avoid the President, and therefore the Committee, being totally in thrall to the hierarchy of the service in question, thereby losing any ability to act as a counterweight to internal pressures.

It must not be forgotten that in this field, perception and credibility are just as important as reality. Taking our lead from the English saying '*Justice must not only be done; it must also be seen to be done*', anybody '*who one legitimately fears might lack impartiality*' must shoulder the responsibility – and irrespective of his or her personal conduct.

To ensure that evaluation committees are truly joint committees, it is essential that staff representatives are present when any decisions are being taken.

Joint Evaluation Committees must issue reports for all Promotion Committees, and draw attention to merit points disputes for which no solution has been found.

A new role for human resource managers.

Given their involvement in implementing procedures, **human resource managers in a given DG cannot be members of that DG's Joint Evaluation Committee.** Instead, they should make themselves available to the Committee to provide any information it might like to have.

- ▶ ***The processing by Joint Evaluation Committees of proposed attributions of priority points has not guaranteed that the exercise has been consistent overall;*** this has resulted in quite different procedures being used in the various services, and prompted serious instances of discrimination among staff.
 

To ensure that the exercise is consistent in terms of the level of the grades and the level of the Institution, Joint Evaluation Committees must no longer be asked to comment on proposals for distributing priority points that will be processed by the Promotion Committees.
  
- ▶ ***The distribution of priority points is neither standardised, nor clear nor transparent, and as far as the staff are concerned, it is not even comprehensible.***

The distribution of priority points must be based on clear, uniform rules. These rules must take more account of **merit over the whole period of service**, and must be notified to staff before each exercise.

To ensure that the exercise is consistent overall, the application of these rules must be submitted to **Promotion Committees**, which will in turn take corrective measures with regard to the proposals from DGs and to the priority points of the DGs concerned. The ‘carrots’ must be submitted to the Promotion Committee before they are ‘cooked’.
  
- ▶ ***Too often, when confronted with decisions on priority points that are plainly unacceptable, Promotion Committees have been unable to correct them because the attribution of priority points has been halted at the level of the Joint Evaluation Committee, and could not be queried at their level.***

Promotion Committees should be able to rectify the attribution of priority points proposed by DGs where the rules have been breached, and no longer just award victims of discrimination additional points.

Except in duly justified circumstances, all priority points awarded to a DG must be awarded.

A reasoned reply must be sent to all who appeal to the Promotion Committee against the attribution of priority points.
  
- ▶ ***Random and debatable attribution of special priority points for work carried out in the interests of the Institution (PPII)***

DG ADMIN must annually produce a list of officials who could earn special points, and of the type of activities deemed supplementary and carried out in the interests of the Commission.

The number of points by activity will be fixed by the Promotion Committee.

Compulsory mobility must be compensated for by the attribution of PPII points.
  
- ▶ ***‘Cabinet’ promotions for staff on Grade A in particular have been characterised by a completely abnormal distribution of merit and priority points.***

***As far as this issue is concerned, the credibility of the entire procedure is at stake..***

The rules currently in force that apply to all staff must not be altered for the benefit of a few, with a view to getting round *a posteriori* a voluntarily unbalanced and improper application of merit and priority points – as we observed at the last exercise for cabinets.

***Human Resource Directors and Directors-General who are actually up to the job!***

**R&D** wishes to congratulate those Human Resource Directors and Directors-General who reacted resolutely to the simply scandalous proposals to take cabinet members into the supervisory Directorate-General.

► Differences in the way that officials are treated, depending on the various budgets, have been observed.

Officials must be treated equally, irrespective of the budget they come under (e.g. OLAF or Research).

► The transitional measures put in place in 2003 to take account of service in the grade and merit over the period of the whole career, and to avoid prejudices linked to a change in the procedure, have not always had the desired results.

To take merit over the whole period of employment into account, it will be necessary to confirm transitional points for the next exercise.

► Cumbersome administrative procedures linked to a proliferation of intermediary/simplified reports.

A principle needs to be established (one official – one report a year), and a new consultative procedure needs to be introduced with a view to simplifying and alleviating the administrative overload weighing down both on the official being assessed and on the assessor.

Guarantees in particular situations (e.g. mobility, new postings and restructuring exercises) need to be strengthened.

### *Instructions for use*

*Whatever the outcome of the negotiations on CDR reform, your 2004 promotions, which will be decided for the last time on the legal basis of the current Staff Regulations, will depend very largely on your next CDR.*

*Keep your wits about you as soon as the assessment exercise gets under way!*

*Prepare a good self-assessment based on the objectives fixed at the beginning of 2003.*

***R&D** will always be there to give you the necessary assistance at any stage of the procedure. Don't hesitate to call us.*