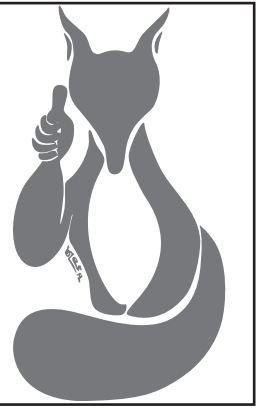




Renouveau & Démocratie

Syndicat des Institutions européennes

# Le Renard Déchaîné



Brussels, the  
8 February 2006

## CDR 2006 SURVIVAL KIT

The CDR has just been launched. This staff evaluation system shapes **your career advancement but also your day-to-day professional life**. Beside the evaluation, the CDR also aims to define your **objectives** and your **formation** card for this year. For some the CDR is also the first step in the certification and attestation procedures, for others a succession of bad CDR can trigger the **professional underperformance** procedure and dismissal.

The Tribunal of First Instance gave a series of cases which have a fundamental impact on the way of approaching the exercise. These cases have been taken into consideration in the elaboration of this document. The judicial basis of the exercise remains the article 43 of the statute and the general dispositions of execution. With an average target set at 14.25 in 2004 and 2005, the actual averages have noticeably increased during the last exercises to settle at 14.99 for the A\*, 14.88 for the B\*, 14.83 for the C\* and 14.53 for the D\*. 55% of the staff is situated between 14.5 and 16.

Despite the general annoyance, this exercise has to be taken seriously. To help you, **R&D** has revised the series of "Renard Déchaîné" on the CDR and the Promotion. They will all be available on our internet site. **R&D** also reinforced its **help desk** in order to assist you at every step of the procedure and this until the end of the promotion procedure (mail: **REP PERS OSP R&D REC-CDR**). The **R&D** team is also at your disposal to help you during interviews, don't neglect this possibility it is often very useful. **R&D** will ensure, as in the past, an every day permanence to help colleagues with the elaboration of an appeal if necessary.

Finally, **R&D** is working and will offer another faster, less conflicting and more user-friendly system. Your ideas and suggestions are welcome.

### I - MY SELF-ASSESSMENT

**D 0** The reporting officer invites you to draw up your self-assessment.

You have **eight working days** in which to submit and sign your self-assessment. Your reporting officer can not ask you a draft.

**Jurisprudence:** The Bauwens case - T154/04 confirms that the dead-lines foreseen in the procedure are compulsory dead-lines which must be suspended in case of regular absences (sickness, holidays, etc.)

**Self-assessment is the cornerstone of the CDR procedure.** It enables you to comment on your performances, your skills and your conduct in the service. The self-assessment will then be discussed in the course of the formal dialogue with the reporting officer, and will provide the basis for discussion and action with a view to defining such matters as forthcoming objectives, the training map, the list of necessary skills and conditions of employment. Lastly, it will serve as the basis, if appropriate, for an appeal.

Le Renard  
Déchaîné

### **Fox Advice:** **How to write my self-assessment**



Be positive, structured, honest, substantive, accurate and factual. Don't under-assess yourself and don't over-assess yourself either!

Be brief and concise. **No more than two pages of A4.**

Use your DG's assessment standards.

Structure your self-assessment by following the list of objectives set at the beginning of the year.

Write simply, clearly and logically.

Give explanations, not excuses.

Set out your work for the whole year.

Refer to any useful and relevant issues.

Prepare your self-assessment before you are asked for it.

**Any doubts? R&D is at your disposal!**

**Jurisprudence:** In the Leite Mateus case

- T51/04, the Tribunal reminded that:
  - The reporting officer has a large power of appreciation but that this must be used in the strict respect of the guarantees given by the EEC judicial order;
  - The self-assessment aims solely to prepare the dialogue between the job-holder and the reporting officer and does not constitute the standard on the basis of which the evaluation must be conducted.

### ✓ POINTS OF REFERENCE FOR THE SELF-ASSESSMENT

Self-assessment must at least rely on the following matters:

- **your objectives and associated evaluation criterias** and the skills linked to the post (your job description as set out in SYSPER);
- the **standards for assessing performance** set at the beginning of the year by your DG (on the basis of standards published by DG ADMIN);
- the **joint standards for assessing skills and conduct** in the service defined by DG ADMIN. Their use is henceforth obligatory. *These standards may be complemented by the DG. The DG must then specify at the beginning of the exercise which are its own standards when it complements the joint standards.*

These standards are usually available on your DG's staff website.

**Jurisprudence:** In the Leite Mateus case

- T51/04, the Tribunal reminded that:
  - The reporting officer can evaluate the exercise of a general order competence (framing tasks, animation tasks etc.) even if this isn't part of a function precisely defined.
  - A certain incoherence between comments and numbered marks

seems to be tolerated though in the Sundhom case – T86/04, the Tribunal specifies that the “notation must be considered as a numbered transcription of the comments” (shady principle in the Leite Mateus case).

### ✓ WHAT SHOULD I WRITE?

The self-assessment must reflect the work you have carried out, and the way you have, or have not, met the objectives set at the beginning of the year. **For each objective**, you must therefore set out your **achievements**, and show how these achievements meet the assessment criteria adopted at the beginning of the assessment period. Base your self-assessment on concrete and factual matters (back these up with documentation) in order to show that objectives have been achieved, and even exceeded. Indicate how far you have progressed during the year.

Mention the **skills** that you have shown and/or acquired (e.g. from training, other courses or experience), your **conduct** in the service, and your personal development (in relation to work).

Also mention when you have participated to joint committees, competitions or **activities carried out in the interest of the Institution**. The list of the activities concerned is defined by the GIRs article 43. All you have to do is write it at the end of your self-assessment. If you wish for the *ad hoc* committee be consulted, also mention it.

**Be careful!** Your self-assessment must also mention your wish to invoke the **attestation** and **certification** procedures. **DON'T FORGET TO TICK THE BOX!**



**D 8** Insert your self-assessment in SYSPER II and sign it.

**Be careful!** Even if you refuse to finalise your self-assessment before the deadline, the reporting officer will still call you in for a dialogue. **Failure to do a self-assessment, or a slapdash assessment, will count against you!**

## II – THE DIALOGUE

**D 18** The reporting officer then has ten working days in which to invite you to a formal dialogue.

The dialogue is the other key stage of the CDR procedure. It is in three parts: 1. **assessing** performance; 2. **setting** objectives for the following year; 3. **defining** training needs (the training map). Your reporting officer **must** take your self-assessment into account when holding this dialogue.

### ✓ ANALYSIS OF THE PREVIOUS PERIOD

The reporting officer discusses with the post-holder his/her **performance** (= has s/he achieved his/her objectives or not and how?), the **skills** that s/he has demonstrated, and his/her **conduct** in the service during the reference period. The reporting officer must, for the interview, base himself on your self-assessment. The job-holder must make sure to highlight his/her achievements during the assessment period, and draw attention to any issues such as difficulties overcome, additional tasks carried out, and expected or unexpected outcomes. Once again, be honest, clear, concise and factual. Meanwhile, the reporting officer will have to base his/her criticism on facts.

At the end of the dialogue, the reporting officer is obliged to give you **an indication of the merit mark** that s/he thinks matches the assessment of your performance during the period in question. This indication takes the form of a mark to the nearest point, and of two marks separated by a maximum of one point (e.g. between 12 and 13, or between 13 and 14). Your reporting officer can not give this information before the self-assessment and the formal dialogue.

**This indication of the merit mark can neither be imposed by the reporting officer nor by his hierarchy.**

**Be careful!** The assessment of your performance must be carried out in accordance with the standards defined at the beginning of the exercise.

**Be careful!** If you have the same grade as your reporting officer, or a higher grade, ask for a “trilogue” with the reporting officer and the countersigning officer.

**Jurisprudence:** The De Bry case – T157/04 specifies that, under pain of violation of the right of defence, any factual element such as lack of punctuality which may lead to unfavourable judgements must at least be brought beforehand to the attention of the job-holder in order for these to be opposable to him. The notation must be based on pieces communicated in convenient time so that the job-holder may turn his observations to account.

**Be careful!** If you have been away from work during the reference period, remember that the new GIRs in Article 43 clearly state that your reporting officer **CAN NOT penalise you** on the basis of eventual absences when these absences were **justified**. This principle is reminded in the Sundholm case – T 86/04.

### Fox advice

Take note of statistics regarding merit points in your grade in your DG. They will give you a better understanding of the real value of the mark they want to give you.

Prepare well for your dialogue: think about possible objectives, training needs, and re-read your self-assessment. Stay calm, courteous but determined...

**Any doubts? R&D is at your disposal!**



**Fox advice**

Reject vague, disproportionate, unrealistic objectives.

Objectives **must be in keeping with your conditions of employment** (e.g. part-time and secondment) and **consistent with the objectives of the Unit's, Directorate's and Directorate-General's work programme**. The idea is to enable people to give of their best, through a shared effort focusing on improving the organisation's performance. However, it is also to make members of the hierarchy to shoulder responsibilities themselves: **your failures are also theirs, and they must be equally responsible**.

Any doubts? **R&D is at your disposal!**



## ✓ SETTING FUTURE OBJECTIVES AND ASSESSMENT CRITERIA

*Jurisprudence: In the Sunholm case – T86/04, the Tribunal specified that the CDR has for objective to allow the job-holder particularly during the dialogue to **understand** what hierarchy expects from him/her and which are the actions to be undertaken in order to achieve the set objectives.*

**During the dialogue**, the reporting officer will tell you:

- **the objectives** to be achieved in the forthcoming year;
- **the conditions under which you will be expected to achieve your results;**
- **the list of skills** necessary to achieve these objectives;
- the assessment criteria specifying the way that the results will be assessed.

**One objective** is the outcome you undertake to achieve in a given field. It is linked to your **individual** achievement. It must draw a distinction between objectives of two kinds: the first are linked to **tasks** to be carried out; the second are linked to **personal development**, that is to say the development of skills and competences, or of a field of competences.

**A "tasks" objective** relates to what you have to achieve in terms of your **job description**. It therefore largely derives from the description of the post, and of the objectives of the Unit or Team. These objectives have to be **SMART**: **S**pecific, **M**easurable, **A**ppropriate, **R**ealistic and **T**ime specific, that is to say with specific deadlines for the achievement of expected outcomes. In the event of a disagreement with your reporting officer on the content or the number of objectives, the countersigning officer will make the final decision after hearing what you have to say.

Every year, the reporting officer has to establish between 3 and 5 objectives (at least one of which will be linked to personal development) and assessment criteria. An objective has little value

if one has not had any means of determining whether or not it has been achieved and how. For each objective, the reporting officer and the post-holder must therefore agree on one or more assessment criteria. An assessment criterion is a vital measurement/checking tool for describing the result. A criterion may be based on quality, quantity, deadlines or even financial threshold, and it is often expressed in terms of results. It is important that you agree on these objectives, otherwise you can contest them and **obtain your agreement**.

**Be careful!** Objectives set during your dialogue will constitute the **reference basis** for assessment of your performance in 2006. They are extremely important. Before you acknowledge any agreement, make sure that **the objectives AND the assessment criteria** are consistent and suit you. Also check that completion of objectives does not require **skills** that are inconsistent with your job description, or are unreasonable. If you set your objectives for 2006 in a reasoned and reasonable way, you will save yourself some unpleasant surprises at the next CDR!



## ✓ TRAINING NEEDS AND THE TRAINING MAP

**The training map** is a career development tool. It aims to identify and agree training **needs** and **solutions** offered by training to enable you to carry out your duties as well as you can, **and** to develop you personally in your professional life.

### THE STAGES:

1. Identify factors such as your **needs**, your **aspirations** for promotion or medium-term mobility, and the skills you need to improve/acquire, etc.

2. Talk about them with your hierarchical superior and/or your COFO: who can help and guide you.
3. **Choose** from the training programmes offered to you by ADMIN or your DG, or even from outside.
4. Encode your **training map**
5. Have your training map **signed** by your hierarchical superior.



#### **Fox Advice:**

Do not be afraid to point out that the Commission's objective in respect of training days per member of staff for 2004 is **7 days** on average. **Do not forget that training will also help you in your personal development!**

**Any doubts? R&D is at your disposal!**



### III – FINALISING AND ACCEPTING THE CDR

Immediately after the dialogue, the reporting officer will draw up a draft career development report – CDR. This draft will include, in particular, both judgements relating to performance, skills, and conduct in the service, and a **proposed merit mark** that is **consistent** with indications given at the end of the formal dialogue.

**Be careful!** It follows that **any harmonisation, mark** by Directors and the Director-General that takes place before the dialogues **is therefore illegal.**

**Jurisprudence:** In the Leite Mateus case –T51/04, the Tribunal reminded that the reporting officer has a large appreciation power but this must be practised in the strict respect of the guarantees given by the EEC judicial order.

**Be careful!** The average target in 2006 is still set at **14.25** but be aware that the actual average in your grade is closer to 15.25 than of 14.25.

**Jurisprudence:** In the Fardoom arrest –T43/04, the Tribunal specifies that the system of the average target as put in place in the GIRs tends to favour the freedom of the annotators in the evaluation of the civil servants and to promote the expression of a representative mark of the merit of the civil servants. If the marked civil servant does activities in the framework of the representation of the staff, the *ad hoc* group must be consulted.

#### ✓ THE FINAL MARK

As soon as 2/3 of a countersigning officer's **CDRs** relating to skills have been drawn up, the countersigning officer will, together with the reporting officers, and on the basis of the indicative marks given by reporting officers during formal dialogues, check that assessment norms have been applied consistently. S/he will then **compare** merits and **harmonise** proposed merit marks. As soon as the countersigning officers' harmonisation exercise has been completed, and before the reports are finalised, the Director-General will consult with the countersigning officers. The sole aim of this consultation is to check that the merits of post-holders have been assessed consistently at Directorate-General level, and grade by grade.

After the Director-General has consulted with all the countersigning officers, your reporting officer and countersigning officer will **finalise your CDR, and will communicate it to you.**

**CDR 0** Your reporting officer will send you the draft CDR.

**Fox Advice:**

The reasons you give for rejecting your CDR must be clear and concise, they must be based on matters that are **factual** and **verifiable** both by you and your reporting officer, and they must refer to your self-assessment. Otherwise, it will not be possible to help you.

**Any doubts? R&D is at your disposal!**

**Fox Advice**

**Print off hard copies** of your CDR at each stage, and make a clear note of the date of any action. It will be possible to make a comparison with this paper copy if SYSPER was attacked by a virus or unexpectedly crashed.

**Any doubts? R&D is at your disposal!**



✓ **I ACCEPT/I DO NOT ACCEPT MY CDR**

**CDR + 5** Within 5 working days following the receipt of your CDR, there are two options opened to you:

1. you can **accept** the CDR, and add any comments in the section reserved for that purpose (**Be careful! These comments don't equal an appeal**);
2. you can **reject** the CDR giving reasons for your request in the section reserved for that purpose, and ask for **an interview with the countersigning officer**.

**CDR + 15** When a CDR is rejected, the countersigning officer (usually your Director) must organise a dialogue with you within **ten working days**. If you so wish or if your reporting officer or your countersigning officer requests it, your reporting officer will also take part in the dialogue. At the dialogue/trilogue, you may also be assisted by another official, and specifically by a staff representative. **An R&D representative is ready to assist you.**

**CDR + 20** As soon as the dialogue/trilogue has taken place, the countersigning officer must confirm or amend the report within 5 working days.

**CDR + 30** Within 10 working days after the countersigning officer's decision has been notified to you, there are two options opened to you:

1. you can accept the CDR, and add any comments in the section reserved for that purpose. **The procedure is then closed, and your CDR is finalised;**

2. you can reject the CDR and **give reasons for a request** for a review in the section reserved for that purpose, and ask for the matter to be heard by the JEC (Joint Evaluation Committee).

**Jurisprudence:** In the Merladete case – T198/04, the Tribunal confirmed that the intermediate evaluation – and not a simple consultation of a previous hierarchical superior – should be done in case of assignment change and that these evaluations should intervene at the pro rata fixation of the mark.



The seizure of the JEC will be detail in a following Renard Déchaîné.

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