



# REPLIES OF THE EUROPEAN COMMISSION

## TO THE EUROPEAN COURT OF AUDITORS' SPECIAL REPORT

### **EU Civil service**

A flexible employment framework, insufficiently  
used to improve workforce management

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This document presents the replies of the European Commission to observations of a Special Report of the European Court of Auditors, in line with Article 259 of the [Financial Regulation](#) and to be published together with the Special Report.

# I. GENERAL INTRODUCTION TO THE COMMISSION REPLIES

The Commission operates under growing challenges and values the positive approach of the audit report which acknowledges this. The Commission wants to underline that recruitment goals are being met under these conditions. The Commission concurs that the use of the flexibility provided by the Staff Regulations could be enhanced and considers that the suggestions of the European Court of Auditors could be beneficial to improve its existing capabilities. Therefore, the Commission agrees in full to all recommendations of the European Court of Auditors.

The Commission appreciates the timing of this special report, as its recommendations will help the Commission in developing and implementing actions under its HR strategy. The HR strategy also identified the need to reassess the level of temporary staff, and the relevant recommendation will be essential in the development of a new Decision on Temporary staff. The pragmatic recommendation on job attractiveness complements the related action in the HR strategy on attractiveness. Finally, the recommendation on career and performance management will help reinforce the HR strategy's actions on managing unsatisfactory performance, on the roles of assistant (AST) and secretarial/clerical assistant (AST/SC) function groups, on widening the access to internal competitions, and on talent management.

The Commission would like to add some additional context to some of the observations leading up to the two main conclusions of the European Court of Auditors.

Firstly, the Commission considers that the risk to business continuity and knowledge management raised by employing temporary staff may be managed through distribution of temporary staff throughout various services and organising work alongside officials. While there may be some risk with the rising use of short-term staff, existing strategies, such as handover processes, are additional means to help mitigate it. In this spirit, the Commission welcomes recommendation 1 to put in place a risk-based policy for the employment of temporary staff, which will enhance these mitigating actions.

Secondly, the Commission finds it important to add some elements on the procedures to address poor and high performance. In this regard, the probation, appraisal and promotion/reclassification exercises are essential processes, which concern all staff, regardless of their performance. The appraisal exercise, for instance, concerns annually over 26,000 staff, who receive a qualitative assessment of their performance. Despite the overall very low prevalence of underperformance, the Commission believes in the importance of addressing each individual case. For this reason, it has significantly stepped up its efforts in this area in recent years, notably through individual support to Commission managers by a dedicated "Performance management team" in DG Human Resources and Security, through the development of extensive guidance, and through newly designed trainings on probation, appraisal and performance management for managers introduced in 2023 and 2024. The Commission attaches great importance to addressing early signs of performance issues, before they reach the level of professional incompetence, and concurs with the Court of Auditors on the opportunity for further development of the current *Guide on How to maintain and improve staff performance*.

## II. COMMISSION REPLIES TO ECA RECOMMENDATIONS

### Recommendation 1 – Put in place a risk-based policy for the employment of temporary staff

*The European Parliament, the Council, and the Commission should decide – depending on the specificities of each department – on a sustainable level of temporary staff, taking into account the balance between the advantages (including flexibility, speed of recruitment) and the risks (loss of institutional knowledge, equal treatment between staff members), and take appropriate actions when that level is exceeded.*

**Target implementation date: June 2025**

The Commission **accepts** the recommendation.

### Recommendation 2 – Design targeted job attractiveness action plans

*The European Parliament, the Council, and the Commission should analyse:*

- (a) at the level of each institution, the reasons for rejecting job offers;*
- (b) through interinstitutional dialogue, the reasons behind the low application rate for competitions and selection procedures, for all nationalities and all job profiles;*

*and put in place appropriate and measurable actions to address these issues.*

**Target implementation date: December 2025**

The Commission **accepts** the recommendation, and wants to highlight that whereas it will consult with the other Institutions, it can only commit for the Commission, not for the other institutions.

### Recommendation 3 – Further develop career and performance frameworks

*The European Parliament, the Council, and the Commission should:*

- (a) improve the guidelines on dealing with poor performance for cases not covered by the procedure for dismissal on the grounds of incompetence;*
- (b) map the tasks and responsibilities associated with AST/SC and AST posts and if necessary, update the job descriptions;*
- (c) open internal competitions to eligible staff from other function groups;*
- (d) assess the feasibility of having further non-financial recognition for outstanding performance.*

**Target implementation date: December 2025**

The Commission **accepts** the recommendation.

With regard to *recommendation 3 a)* the Commission intends to implement the recommendation through an update and further development of the Guide on How to maintain and improve staff performance. The Commission also aims to make it more user-friendly for managers, by presenting the information, wherever feasible, under the form of short actionable checklists and factsheet with the main points of attention for managers and recommendations for addressing the most prevalent performance issues at an early stage.

Regarding *recommendation 3 c)*, the Commission intends to implement the recommendation to provide enhanced career opportunities to permanent and non-permanent staff, based on the interest of the service. As part of its assessment, the Commission will notably take into account the departments' needs, including for specific skills as the organisation is fast changing. It will also encompass an impact analysis in view of the framework provided by the Staff Regulations, the staffing structure and the establishment plan.