

**INTERNAL RULES ON CONFIRMING THE APPOINTMENTS
OF HEADS OF UNIT, DIRECTORS AND DIRECTORS-GENERAL**

THE SECRETARY-GENERAL OF THE EUROPEAN PARLIAMENT,

Having regard to the Staff Regulations of Officials of the European Union (hereinafter referred to as ‘the Staff Regulations’), and in particular Articles 7(1), 44, second subparagraph, and 46 thereof and Article 7(4) of Annex XIII thereto, and the Conditions of Employment of Other Servants of the European Union (hereinafter referred to as ‘the CEOS’), and in particular Article 20(4) thereof,

Having regard to the Bureau Decision of 9 December 2013 delegating to the Secretary-General the powers necessary for the adoption of internal rules, rules of application and implementing measures necessitated by the revision of the Staff Regulations and the CEOS,

Having consulted the Legal Service, the Data Protection Officer, the Staff Committee and the Committee on Equality of Opportunity between Men and Women and Diversity,

Whereas:

The Bureau Decision of 7 July 2008 on the internal rules confirming the appointments of heads of unit, directors and directors-general need to be amended to take account in particular of the changes made to the Staff Regulations and the CEOS,

HAS ADOPTED THE FOLLOWING INTERNAL RULES:

Article 1
Scope

1. These rules shall apply to an established official or temporary staff member newly appointed to a post as head of unit, director or director-general unless he or she has been confirmed in one of these posts in an institution within the meaning of Article 1a of the Staff Regulations.
2. These rules shall not apply to probationary officials or temporary staff members newly recruited to carry out the duties of head of unit, director or director-general on whom the probationary period report provided for in Article 34 and Article 14 of the Staff Regulations and CEOS respectively includes an assessment of their ability to carry out management duties.

Article 2
Length of the confirmation period

The confirmation period shall be nine months. If, however, during the confirmation period the official or temporary staff member concerned is prevented by sickness, accident, parental or family leave, military service, maternity leave or unpaid leave from performing his or her duties for a continuous period of at least a month, the Appointing Authority may extend or suspend the confirmation period by a corresponding length of time, though the total duration of the confirmation period shall not exceed 15 months.

Article 3
The assessors

The officials and temporary staff members concerned shall be assessed during their confirmation period by their immediate superiors one and two hierarchical levels higher than theirs. For directors-general, the sole assessor shall be the Secretary-General¹.

Article 4
Scope of the assessment

On the basis of the vacancy notice and job description, the assessment shall relate to the leadership, management and communication skills and sense of initiative of the individuals concerned, and in particular abilities as regards:

- demonstrating an appropriate level of authority;
- setting objectives, planning work and leading the way ahead in accordance with the objectives of the relevant directorate and/or directorate-general and of Parliament;
- allocating work, delegating and supervising;
- managing people, motivating them and marshalling their skills;
- communicating, conveying information, and expressing themselves correctly and clearly both orally and in writing;
- establishing a good working atmosphere and good relations within and/or outside Parliament;
- taking decisions, assuming responsibilities and making proposals to improve the efficiency of their unit or directorate or directorate-general.

Effectiveness in administrative and/or financial matters in general and in the specific fields of their functional entity shall also be assessed.

¹ Assessors shall be determined:

in the case of heads of unit in accordance with the general implementing provisions applicable to Article 43 of the Staff Regulations of Officials and Articles 15(2) and 87(1) of the CEOS (staff reports);

in the case of directors and directors-general in accordance with the general implementing provisions governing the staff reports procedure applicable to senior management pursuant to Article 43 of the Staff Regulations and Article 15(2) of the CEOS.

Article 5
Assessment procedure

1. The first assessor shall carry out a continuous assessment throughout the confirmation period and record information and appraisals in an assessment report the model for which is annexed.
2. The President may instruct Parliament's Secretary-General to draw up the draft reports on the staff in his cabinet. Similarly, a chair of a political group who is an assessor may instruct the group's secretary-general to draw up the draft reports concerned.
3. Where the first assessor takes the view that an official or temporary staff member is experiencing major difficulties in the performance of the duties concerned during the confirmation period, he or she shall communicate that position to the assessee as soon as possible, and at all events at least four months before the end of the confirmation period, and shall inform the second assessor accordingly. The latter shall ask the assessee in writing to attend an interview, specifying the purpose thereof, at which the first assessor will be present. A statement of the interview's conclusions, together with any recommendations, shall be drawn up by the assessors and forwarded electronically to the individual concerned or given to him or her against acknowledgement of receipt.
4. The assessee may be accompanied at the interview, if he or she so wishes, by a Parliament official or temporary staff member of his or her choosing. The role of the accompanying person shall be to assist the assessee, by acting as a witness, and to advise him or her during the interview. That person may speak, but not on behalf of the assessee.
5. The assessment report shall be given to the assessee no later than one month before the end of the confirmation period. The report, setting out the first assessor's opinion of the assessee's performance during the confirmation period, shall be countersigned by the second assessor, who shall add his or her proposal to the Appointing Authority (or the Authority Empowered to Conclude Contracts of Employment) as to whether the appointment should be confirmed.
6. The assessee shall have eight working days in which to return the report to the final assessor, signed, together with any observations. Even if he or she does not do so, the procedure shall continue upon expiry of that period. The final assessor shall forward the report to the relevant department in the directorate-general with responsibility for personnel, which shall make the necessary arrangements with the Appointing Authority (or the Authority Empowered to Conclude Contracts of Employment).

Article 6
Final decision on confirmation or non-confirmation in post

1. The Appointing Authority (or the Authority Empowered to Conclude Contracts of Employment) shall take the final decision, which, in the case of non-confirmation, shall be duly substantiated, taking account of any observations which the assessee has made.
2. As a result of a decision to confirm an individual in post, his or her basic salary shall be increased by an amount corresponding to the percentage difference between the first and

second step in his or her grade, backdated to the date of appointment as head of unit, director or director-general, in accordance with Conclusion 240/05 adopted by the Heads of Administration on 16 June 2005².

3. As a result of a decision not to confirm an individual in post, he or she shall be reassigned, in accordance with Article 7(1) of the Staff Regulations, to a non-middle-management / non-senior-management post corresponding to his or her grade.

Article 7 **Confirmation report form**

The Secretary-General may modify the confirmation report form in line with technical requirements.

Article 8 Entry into force

1. This decision shall enter into force on the date on which it is signed.
2. It shall apply immediately, including to confirmation procedures in progress on the date on which it enters into force.

Done at Luxembourg on 18 July 2014

Klaus WELLE

Annex: Confirmation report form for heads of unit, directors and directors-general

² Applicable to Parliament by virtue of the Internal Guidelines concerning the provision for advancement to a higher step for heads of unit, directors and directors-general which entered into force on 1 May 2004, adopted by the Secretary-General on 10 August 2005.