

DECISION 20/2012/GB

OF THE GOVERNING BOARD OF THE EUROPEAN POLICE COLLEGE

**ADOPTING THE GENERAL IMPLEMENTING PROVISIONS ON THE PROCEDURES
GOVERNING THE ENGAGEMENT AND THE USE OF TEMPORARY AGENTS AT
CEPOL**

Adopted by the Governing Board
by written procedure
on 21 August 2012

THE GOVERNING BOARD

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union (CEOS), laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68 and in particular to Articles 2 (a) and (b) and 12 (5) of the CEOS,

Having regard to the Council Decision (EC) 2005/681/JHA of 20 September 2005 establishing the European Police College (CEPOL) and repealing Decision 2000/820/JHA, and in particular Article 10(9)(f) thereof,

Having regard to Commission Decision C(2005)5304 of 16 December 2005 concerning the guidelines on staff policy in the European Regulatory Agencies,

After consultation of the Staff Committee and in agreement with the European Commission pursuant to Article 110 of the Staff Regulations,

Whereas:

- (1) Detailed rules on the employment of temporary agents are desirable. These rules should be based on the types and the duration of tasks to be filled with temporary staff.
- (2) Temporary agents should be selected through a transparent and objective procedure.
- (3) The grading of temporary staff should correspond to the functions to be exercised.
- (4) The agency may only recruit temporary staff under Article 2a of the CEOS.

Article 1 Scope

These rules shall apply to temporary staff referred to in Article 2a (hereafter temporary agents 2a) of the CEOS engaged in CEPOL, except

- the post corresponding to the function stated in Article 11 of Council Decision 2005/681/JHA: the Director of CEPOL,
- Heads of Unit/ Heads of Department whose conditions of engagement and employment shall be carried out in line with the specific decision concerning middle management.

Article 2 Type of posts and filling of posts

With reference to the Guidelines on Staff Policy in the European Regulatory Agencies¹ Temporary Agents 2a shall be engaged on temporary posts on short-term:

Temporary agents on short-term employment shall be engaged for tasks of a limited duration: staff employed on operational, administrative or technical tasks of a defined duration or staff to cover peaks in workload on a limited period.

¹ Commission Decision C(2005)5304 of 16 December 2005

Short-term employment posts shall only be filled through an external engagement procedure.

Article 3

Selection procedure for short-term employment

CEPOL may select Temporary Agents 2a for short-term employment using one of the following selection procedures:

1. Selection procedure by the European Personnel Selection Office (EPSO):

- (a) Where, pursuant to Article 12 (3) and (4) of the CEOS, EPSO organises on request of the agency a selection procedure, it shall follow the same standards as for general officials' competitions.¹

EPSO shall provide the Agency with a short list of successfully tested candidates.

In the case of general selection procedures performed for different institutions, EPSO shall, on request of the Agency, take account of the needs of the Agency by reserving a quota of successful candidates and indicating, where appropriate, which of them were successfully tested in the Agency's field.

- (b) The Agency shall set up a Selection Committee, which shall consist of at least three members.

Where the Selection Committee consists of three members, there should be one member from the administration of the agency, one member from the relevant unit/service and one person designated by the Staff Committee. The member of the administration or the member from the relevant service shall act as Chair.

In specific cases, in particular for selection procedures of experts, up to two additional members may be designated from another service of the agency, from outside the agency but within the Union institutions or the CEPOL Network.

The members of the selection committee who are officials or temporary agents shall be chosen from officials/temporary agents whose function group and grade is at least equal to that of the post to be filled.

- (c) The Selection Committee shall invite for interview the candidates from EPSO's shortlist who are considered to be the most suitable. Minutes of Committee meetings shall be drawn up setting out the reasons for any decision taken.
- (d) The Selection Committee shall propose a shortlist of successful candidates to the Contracting Authority, which may draw up a reserve list of successful candidates. This list will be valid up to 18 months from the date of its establishment and its validity may be extended by decision of the Contracting Authority. The Contracting Authority will make a choice from this short list.
- (e) Candidates shall be informed of the outcome of the interview and of whether they have been placed on the reserve list.

2. Selection procedure carried out by CEPOL:

- (a) CEPOL may organise a selection procedure, in which it must apply similar standards to those applied in competitions for officials.

¹ The involvement of EPSO in the selection procedures shall be defined in a Service Level Agreement between EPSO and the CEPOL

- (b) CEPOL shall launch the recruitment procedure by advertising vacancy notices specifying the criteria concerning general and specific competencies and key qualifications required and the possible duration of employment, the function group and grade, and the main steps of the selection procedure.

The vacancy notice shall be published at least in English on the CEPOL website, EPSO website and if necessary in the international and local and specialist press. The channels of Permanent Representations of the Member States to the European Union and representatives of Member States who sit on the Governing Board may also be used.

- (c) A Selection Committee as referred to in Article 3 (1) (b) shall evaluate applications and select those candidates meeting the eligibility criteria and matching best the selection criteria required as per vacancy notice.
- (d) The Selection Committee shall invite the selected applicants to written tests whose content shall be defined in accordance with the level and profile of the position advertised.

The written tests shall consist of the following components:

- General aptitude and language abilities to the extent necessary for the performance of their duties,
- Specific competencies with reference to their profiles, assessing the quality of writing style and presentation

The above-mentioned components of these tests can be combined and tailored according to the profile of the post.

Derogation from the requirement for written tests can be granted for a selection procedure by decision of the Director in exceptional circumstances which need to be duly justified and documented.

In accordance with Article 12 (3) and (4) of the CEOS, EPSO shall, at the request of the CEPOL, provide assistance to the CEPOL's selection procedure, in particular by providing the written tests and/or defining the content of these tests.

- (e) The Selection Committee shall invite selected candidates for interview and written tests. The interview may be organised for the same day as the written tests.
- (f) Minutes of Committee meetings shall be drawn up setting out the reasons for any decision taken.
- (g) The Selection Committee shall propose a shortlist of successful candidates to the Contracting Authority, which may draw up a reserve list of successful candidates. This list will be valid up to 18 months from the date of its establishment and its validity may be extended by decision of the Contracting Authority. The Contracting Authority shall make a choice from this short list.
- (h) Candidates shall be informed of the outcome of the written test and the interview and of whether they have been placed on the reserve list.

Article 4 *Grading*

1. Subject to paragraph 2, depending on the function and the level of tasks and within the limits authorised by the establishment plan of the Agency, Temporary Agents shall be engaged in principle at the following entry grades:

- AST 1 to AST 4 for the function group AST,
- AD 5 to AD 8 for the function group AD.

2. By way of derogation from paragraph (1):

In order to ensure high-quality recruitment, if justified by an analysis of the labour market conditions in its sector of work and if the post cannot be filled at a lower grade, CEPOL may engage Temporary Agents at grades AD 9, AD 10, AD 11 or, on an exceptional basis, at grade AD 12. Such recruitments shall remain annually within the limits of 20% of AD recruited per year within the Agency for short-term employment, as defined in the current Staff Policy Plan approved by the Governing Board. This percentage may vary within the limit of an annual average of 20% calculated over a five-year rolling period.

3. The minimum number of years of professional experience required after the award of the qualification certifying the completion of the level of studies required as a condition of eligibility for any selection procedure is as follows:

Grade of engagement	Number of years of professional experience
AD 5	0 years
AD 6	3 years
AD 7	6 years
AD 8	9 years
AD 9/10	12 years
AD 11/12	15 years

AST 1	0 years
AST 2	1 years
AST 3	3 years
AST 4	6 years

*Article 5
Duration of contracts*

Temporary Agents 2a may be engaged under their first contract for a fixed period of not more than five years. The contract may be renewed not more than once for a fixed period of not more than five years. Any further renewal shall be for an indefinite¹ period.

¹ Termination of employment, subject to a period of notice, is governed by Article 47 of CEOS.

*Article 6
Probationary Period*

A member of temporary staff on short-term employment shall serve a probationary period pursuant to Article 14 (1) of the CEOS, which is in proportion to the duration of his/her contract. If the duration of the contract exceeds twelve months, the probationary period shall last for the maximum of 6 months. If the duration of contract is between 6 and 12 months, the probationary period shall cover half of the duration of the contract. If the duration of contract is less than 6 months, the temporary agents may be exempted from the requirement to serve a probationary period.

*Article 7
Taking of effect*

This Decision shall take effect on the day following that of its adoption.

Done in Nicosia, 21 August 2012

For the Governing Board

*Zacharias Chrysostomou
Chair of the Governing Board*