



MINUTES OF THE 98TH VIRTUAL MANAGEMENT BOARD MEETING 8 AND 9 OCTOBER 2020 VIRTUAL (ZOOM) MEETING

Thursday 8 October 2020

1. WELCOME AND ADOPTION OF THE AGENDA

The Chairperson opened the meeting at 14.10 CET and welcomed the participants to the 98th meeting of the Cedefop Management Board.

The decision to hold a virtual meeting was taken in consultation with Cedefop's management in the light of the coronavirus outbreak and the related travel restrictions.

She reminded members that discussions were being recorded for the purpose of minutes. According to Cedefop's rules on public access to documents (adopted by the MB on 2.9.2019), the conclusions of EB meetings and MB minutes would be published.

She extended a special welcome to new MB Members appointed for the first time:

Mr Becker, independent expert appointed by the European Parliament;

Employees group: Ms Andric who replaced Ms Lovén Seldén (SE);

Governments group: Mr Skiadas who replaced Mr Kotsifakis, and alternate member Mr Zervas who replaced Mr Kapoutsis (GR); Mr Mourouzides who replaced Mr Panayides, and Mr Spyrou who became the new alternate (CY); Ms Weerden, alternate member who replaced Ms Ipenburg (NL);

Commission: Ms Riondino, who replaced Ms Bachmann in DG EMPL 3 and in Cedefop's Executive and Management Boards.

The Chairperson said that according to Article 11 of the Rules of procedure, the presence of the majority of members of the Management Board or their alternates constituted a quorum. This equalled 43 members (including alternates). The current meeting had more than 70 members present. She encouraged members to remain connected and ensure participation until the end of the MB meeting on 9 October. If online voting was required, detailed instructions would be provided. She invited the Executive Director to present Cedefop staff attending the meeting.

Mr Siebel presented the Deputy Director, Ms Brugia, the Head of resources, Ms Descy, the Head of DLE and ad interim Head of DSL, Mr Ranieri, the Head of DSI, Mr Zahilas and the Head of DCM, Mr Bausewein. The meeting was also attended by Mr Tanakidis, Chair of the Staff Committee, Ms Schmid, assistant to the Deputy Director, Mr Graziosi, senior assistant in the Director's office, Ms Koufa, rapporteur, as well as Ms Ballis and Ms Vlahiotis, assistants in the Director's office.

The Chairperson thanked the Executive Director and Cedefop's management and staff for steering the Agency effectively during the Covid pandemic. The Management Board, as well as the EU and Greek authorities, had been regularly updated on the measures taken by the Agency, which followed the EU, national and international guidelines. The Chairperson thanked Cedefop's management and staff for finalising the MB documents in time and to a high-quality standard. This was a lot of work, which should be acknowledged and praised.

Draft agenda

The Chairperson invited members to comment on the draft agenda.

Ms Roman said that the Employees' group regretted that interpretation in the MB meetings had been abolished. Despite the budget constraints a solution for the future should be found.

Mr van IJsselmuiden said that the language regime had also been raised in the discussion of the Governments' group.

The Chairperson said that interpretation only concerned the Management Board meetings. The working language in the EB meetings was English.

She informed members that, following the groups' meetings in the morning, she had discussed with the Deputy Chairpersons and coordinators of the three groups and the Commission and decided that item 7-Cedefop's Appeals Committee, would be the first item of the agenda on 9 October.

The Chair concluded that the agenda was adopted with the proposed change.

Note for the file: Item 9a (web services, conferences and publications) was presented on 8 October.

- 1 **Welcome and adoption of the agenda** (*decision*)
- 2 **Minutes of the Management Board meeting of 3 and 4 October 2019** (*already adopted by written procedure on 7 January 2020*)
- 3 **Implementation of the Work Programme 2020** (*information*)
- 4 **Revised draft Programming Document 2021-23 including Cedefop's strategy post 2020** / Opinion of the European Commission on the draft PD 2021-23 (*discussion*)
- 5 **Cedefop's performance measurement system** (*discussion/decision*)
- 6 **Restructuring of Cedefop's legal service** (*discussion*)
- 7 **Cedefop's Appeals Committee** (*information/discussion/decision*)
 - (a) Annual report of the Chair of Cedefop's Appeals Committee for the year 2019 (*information*)
 - (b) Appeals Committee review and scenarios (*discussion/decision*)
- 8 **Reporting from the Executive to the Management Board** (*information*)
- 9 **Administrative issues**
 - (a) Web services, conferences and publications (*information*)
 - (b) Audits, evaluations and other sources of assurance (*information*)
 - (c) HR developments (*information*)

- (d) Follow-up of the action plan of the 2019 staff engagement survey and impact of Covid-19 crisis to staff (*information*)
 - (e) General implementing provisions (*if any – decision*)
 - (f) Transfers of commitment and payment appropriations in 2020 (*information*)
- 10 **Elections of the Chairperson and Deputy Chairpersons of the MB and composition of the Executive Board/Extended Executive Board** (*decision*)
- 11 **Any other business**
- (a) Dates of Executive Board and Management Board meetings in 2021 (*decision*)

2. MINUTES OF THE 97TH MEETING OF THE MANAGEMENT BOARD ON 3 AND 4 OCTOBER 2019

The Chairperson said that the minutes of the Management Board meeting in 2019 had already been approved by written procedure on 7 January 2020. The minutes were available in English and had been posted in the eGB community and Cedefop's website.

Members took note of the information.

3. IMPLEMENTATION OF THE WORK PROGRAMME 2020 (INFORMATION)

The Chairperson said that in the Extended Executive Board meeting of 29 and 30 June 2020 members had unanimously agreed that the progress report presented to the MB would be replaced by cumulative tables providing an overview of all changes in the implementation of the work programme from January of any given year. The Agency's overall achievements in narrative form would continue to be presented in the annual report, which the Management Board would adopt by written procedure.

She invited the Executive Director to present the item and Ms Descy to present the amending budget 2020.

The Executive Director said that while Covid-19 had been a disruption, it allowed Cedefop to react and create activities that drew a lot of attention from its stakeholders. The numbers were quite impressive, doubling the Agency's effectiveness. Two main activities should be highlighted: (a) the high-level conference on European cooperation in VET, organised together with the ETF with more than 100 participants. This had been a great achievement, originally planned for 4 and 5 June but postponed due to Covid to 30 June and held virtually. The discussion paper that was produced was crucial, as it was published at the right moment on the roadmap to Osnabrück and in close proximity to the release of the New skills agenda; (b) the synthesis report and news item on how European countries managed apprenticeships to respond to the coronavirus crisis had been very well received. On the direct impact of Covid, the wellbeing of staff was a priority, always taking business continuity into account. The Executive Director was proud of all staff in Cedefop who had adapted quickly despite difficulties. Not only were the planned outputs produced but Cedefop also addressed new fields. Until early May Cedefop had operated fully off site. From 18 May, staff worked in shifts. The de-escalation plan from July to September was interrupted due to the second Covid wave. MB Members, the Greek authorities and EU institutions had been kept informed.

The Head of Resources said that Cedefop's budget was composed of commitment appropriations and payment appropriations. Commitment appropriations concerned legal obligations, such as contracts; the respective amount was blocked in Cedefop's budget. The budget execution referred to commitment appropriations. Concerning

commitments for Titles I (staff) and II (infrastructure), these were normally paid in the same year, except for some duly justified carry-overs. In Title III (core business), commitments were often made in a given year but paid in the following year(s), for example for multiannual studies. As a result, it was common to have a mismatch between commitment and payment appropriations in any given year. In the past two years Cedefop had been very successful, with an execution rate of 99.9% of commitments and payments at the end of each year. However, in 2020, mainly due to the Covid crisis and according to the current budget forecast, certain transfers would have to take place. Planned expenditures, such as missions and meetings but also staff expenditure due to delayed recruitment procedures, had to be reshuffled. These funds would be transferred to Cedefop's core business (Title III). Cedefop monitored its budget carefully throughout the year. In the current year due to the standard multiannual studies and the Covid crisis, there would be a potential of bigger amounts to be transferred between Titles. Cedefop would still be able to sign contracts with external contractors but it would be impossible to pay the contracts by the end of 2020. There would therefore be a bigger mismatch between the commitment and payment appropriations and Cedefop would be able to execute only 93% of its payment forecast. The target imposed on Cedefop by DG BUDG was 95%. If this target was not reached, then a penalty of 2% would be applied on Cedefop's budget for the next year. This had been the case with the payment appropriations of 2017. To avoid such a penalty again, Cedefop monitored the situation of the payment forecast closely. By the end of the year, when the picture was clearer, the unused funds would be returned to the Commission. To do this, an amendment of the budget would be necessary to reflect the lower level of payment appropriations. This amendment would require a MB decision. Ms Descy said that the written procedure for this decision would be launched in December when the picture on the budget would be clearer. In 2019 the MB had had to adopt a similar decision for a reverse situation, as studies from previous years had been concluded and more payment appropriations had been needed.

Mr Riemer said that there was increasing pressure on the budget of EU institutions and agencies. It was important to have an overview of the budget situation. He asked how much the budget was in previous years. A graph with the development would be useful.

Ms Descy said that the PD 2021-23 (item 4 of the agenda, p.71) included Cedefop's budget for each year starting from 2020. The slight increase was due to the inflation rate. Cedefop had received a penalty in 2019 for high cancellation of payment appropriations in 2017. Unfortunately, the penalty had been perpetuated. The budget authority considered it difficult to go back to what Cedefop should have received in the MFF, as this might have looked like a big increase of the budget.

Mr Patuzzi said that a penalty of EUR 300.000 had been applied in 2019 as the budget execution of payments in 2017 had not worked out as planned. He thanked Ms Descy for the clear explanation and for alerting the members about the 2020 budget execution. An effective monitoring system was necessary. Politically, it was important for Cedefop to make full use of the yearly budget – this seemed to be the case for 2020.

The Chairperson invited members to comment on the implementation of the Work Programme 2020.

Comments from the Governments

Mr van IJsselmuiden said that the Governments' group had no comments.

Comments from the Employees

Ms Roman said that the penalty should be avoided. All institutions had similar problems due to the Covid crisis and flexibility from the Commission was needed. Concerning the implementation of the work programme, she thanked the Executive

Director for organising webinars and online events. This helped engage more MB members and experts and should continue in the future. She requested information on staff wellbeing and the way they were coping with the crisis.

The Chairperson invited the Chair of the Staff Committee to respond.

Mr Tanakidis said that Cedefop's response to the Covid crisis had been impressive. The shift to teleworking had been smooth, as Cedefop was prepared in terms of equipment (i.e. laptops) and had a good business continuity plan. However, the shift to online work required a lot of planning and hard work from management and staff. Organising virtual meetings was challenging. Staff had been stressed but the Covid crisis affected everyone. Overall Cedefop's work had continued without distractions.

Comments from the Commission

Ms Riondino thanked the Executive Director and the Head of resources for their clear presentations. The Commission congratulated Cedefop staff and management on its business continuity actions and on keeping the work programme on track under these challenging circumstances. She hoped that the crisis would end soon, and all would be able to return to business as usual. However, some 'forced' practices appeared to have improved productivity and may be worth continuing with a view to producing long-term efficiency gains (i.e. digitalisation of procedures). The Commission expressed its support to Cedefop's efforts towards this direction and congratulated management on adapting the research and analysis to stakeholders' needs. She also thanked Cedefop for its support in the preparation of the Skills agenda, the draft VET recommendation and the launch of the new Europass, adopted on 1 July.

Mr van IJsselmuiden said that in-person meetings were indeed regrettably not possible. If meetings continued online, it might be difficult, especially for new members, to attach to Cedefop.

The Executive Director invited all members and particularly Mr Becker, the independent expert from the European Parliament, to assist Cedefop in every possible way to avoid further budget penalties. Cedefop had paid its dues and should be allowed to return to the path of budget development. The budget development could be presented in an annotated table in the future.

Ms Lindén congratulated Cedefop on the work done under these difficult circumstances. She appreciated in particular the web developments and the use of social media. The information on studies had increased the Agency's visibility. She suggested initiating more targeted research on the impact of Covid on VET with other organisations.

Mr Becker thanked Cedefop for the preparation of the meeting and the work over the past months. The EMPL Committee of the EU Parliament expressed its respect for the hard work done over a very difficult year. The Parliament was aware of the increasing number of tasks that had to be tackled with less staff and resources. It was necessary to consider this when evaluating Cedefop's position. He assured the Executive Director that reference would be made to the need for increasing the Agency's budget.

The Chairperson concluded that the positive feedback and recognition from all sides confirmed the good work and flexibility that Cedefop had shown in adapting its work during the Covid crisis. She congratulated Cedefop's management and staff on accomplishing deliverables but also introducing new approaches and products. Monitoring of the budget was a very good initiative and the MB could proceed with the expected amendment of the budget when it was available.

4. REVISED DRAFT PROGRAMMING DOCUMENT 2021-23 INCLUDING CEDEFOP'S STRATEGY POST 2020 / OPINION OF THE EUROPEAN COMMISSION ON THE DRAFT PD 2021-23 (DISCUSSION)

The Chairperson said that the revised draft PD 2021-23, including Cedefop's strategy post 2020 and the Commission's Opinion was the most interesting and political item. She reminded members that the draft PD 2021-2023 had already been endorsed by the MB by written procedure, which had been finalised on 28 January 2020 and sent to the European Commission, the Parliament and the Council on 31 January 2020. The Commission's Opinion had been received on 8 September 2020 and sent to members together with the revised PD on 23 September. As agreed in the EEB meeting in June, a workshop on Cedefop's strategy post 2020 had been organised on 10 September with the participation of EB members, Cedefop's management and the reflection group appointed by the MB. The outcomes of this workshop were integrated in the PD 2021-23. She thanked Cedefop management and all staff for having worked intensively to finalise the document. For ease of reference and transparency, members had also received a version with tracked changes, showing the changes between this final draft PD 2021-23 and the version endorsed by the MB in January 2020.

She invited the Executive Director to present Cedefop's revised draft PD 2021-23, focusing on the changes compared to the January version.

The Executive Director said that Cedefop's strategy post 2020 had been developed through a multi-staged, collaborative process involving the reflection group appointed by the MB, MB members, management and staff. This process had started a year before with a workshop in the previous MB meeting. Feedback from members had been provided in the EB in March and (E)EB in June 2020. In the meantime, meetings of the MB reflection group, an in-house working group and discussions with the departments had contributed to shaping the final draft. Mr Siebel highlighted the workshop that had taken place on 10 September, which summed up all the feedback and provided input on the strategy included in the PD 2021-23. The version with tracked changes showed how well this collaborative process had worked out. Mr Siebel thanked all members, the reflection group as well as the Commission for their contributions. The Commission's Opinion, received in September indicated Cedefop's responsiveness to the Covid crisis but also its alignment with the EU policy package and the documents still in the making, such as the Osnabrück declaration. One of the key elements for Cedefop's strategy was the pyramid that went from top to bottom: vision, mission, multiannual objectives, strategic areas of operation and the new element of the portfolio strategy. The functional strategies (i.e. HR, IT) would be dealt with internally. Cedefop's values were named in a way that could be easily memorised. The four cornerstones of Cedefop's multiannual objectives had a duality: on the one hand, Cedefop should be innovative and at the forefront of developments; on the other hand, the Agency's knowledge from the past should be valued. Cedefop tried to reach out to the stakeholders who would make use of the data and research. As a cross-cutting element, communication would provide information on Cedefop's good work. The naming of the strategic areas of operations remained the same but the subtext of each provided a more focused description: in shaping VET: the relevance and quality (excellence) of Cedefop's work would be considered; in valuing VET: the CVET agenda was highlighted; in informing VET: skills intelligence was explicitly mentioned as one of Cedefop's main deliverables. The portfolio review was a new element which sorted Cedefop's deliverables into different buckets: where the Agency's strengths lay, where Cedefop needed to catch up and how attractive its deliverables were to users. By mapping these Cedefop could identify where resources

should be invested and where to expand, which areas could maintain their level of development (harvest), where to focus and enhance attractiveness and where to reinforce the already good position. Given the flat budgetary projections and the diminishing headcount (decrease of 10% over the past years), Cedefop might have to prioritise portfolio elements and 'products'. Flat budget and less headcount could not be entirely compensated by technology.

The Chairperson invited the Commission to present its Opinion.

Ms Riondino said that the comments in the Commission's Opinion were based on the version of the draft PD 2021-23 endorsed by the MB in January. The quality of the text was acknowledged but, at the time, the VET recommendation and the Skills agenda were not yet ready. The debate on the MFF was still ongoing. The Commission had pointed out that the draft should be revised in order to reflect the new EU policy package. An in-depth debate on Cedefop's core tasks and priority activities was necessary as bold decisions would have to be made, given the continued pressure on the Agency's resources. The portfolio review was going in the right direction. The Commission also recommended close monitoring of the budget and welcomed the reviewing and streamlining of internal procedures to achieve efficiency gains. Ms Riondino thanked Cedefop for the references to the European Semester and for strengthening the links to EU policy. The VET recommendation set out the EU vision for VET. Once adopted this should be the source to use regarding Cedefop's vision. The broader domain for skills and qualifications should also be evident in the vision. The values should refer to practitioners such as VET providers. The search for synergies with other players should be highlighted and perhaps included as a separate value. Certain elements of the new Skills agenda, such as the Centres of Vocational Excellence, the Pact for Skills, core profiles and individual learning accounts had not been (sufficiently) captured. Ms Riondino said that concrete suggestions would follow in writing.

Ms Crabb said that the Commission looked forward to the cooperation with Cedefop, particularly on: (a) micro-credentials. Cedefop's long-standing expertise on qualifications and the new study, which was in the pipeline, would contribute to the proposal of the Commission for a Council recommendation; (b) validation. An update of the EU guidelines would be particularly important in the context of the individual learning accounts; (c) Skills intelligence in the labour market. Ms Crabb looked forward to working with Cedefop to build on the results of Cedefop's OVATE.

Comments from the Employees

Ms Michel said that 'proactive' and 'responsive' did not correspond to values as such. She proposed to replace them with 'efficiency' and 'adaptability'. On the same paragraph, it should be specified what 'higher standards' meant (i.e. honesty, absence of conflict of interest). This would help understand if values had been met. 'Well-run' and 'ambitious' were also not values as such. Ms Michel proposed to replace them by 'integrity' and 'transparency'. These were not a question of ambition but should be met as a basis.

Ms Roman said that there was great improvement in the document. It was regretful that due to Brexit UK members were not present in the meeting. She asked how Cedefop could involve UK experts in its work. The portfolio overview was very useful but could also include how the groups of the MB could contribute to Cedefop's activities, i.e. surveys should be more frequent to understand developments on upskilling and reskilling especially given the Covid impact on the labour market and workers. Ms Roman said that while she understood that the Commission's policy

should be reflected in the document, social partners were not involved in the negotiations. It was therefore important that Cedefop's Programming Document include the policy priorities of all groups. Micro-credentials were a delicate issue for the Employees. Their position paper had been sent to the Commission and Cedefop. The Employees suggested that Cedefop's forthcoming study on the subject should include a tripartite advisory group. The issue related to collective agreements, and input from the Employees should be provided on how micro-credentials could work in different countries. A similar tripartite advisory group should support Cedefop's work on individual learning accounts. Cedefop's work on the apprenticeships forum was very welcome (para. 141) but the three groups did not have an equal representation. To improve the network, Ms Roman proposed to ensure that Cedefop's research be reviewed by all MB groups. The Covid crisis had had a huge impact on apprenticeships.

Comments from the Employers

Mr Riemer thanked Cedefop's management and staff for their excellent work. The process followed had been very successful. The document included a good combination of vision, mission, values and actions. The Commission's Opinion had concrete suggestions, which could be taken on board by Cedefop. Point 11 of this Opinion drew attention to the budgetary pressure, Cedefop's value added and the ongoing discussions on the MFF. All groups and the Commission had specific demands from Cedefop. Mr Riemer congratulated Cedefop on the innovative portfolio overview (p.36) which was a new way of expressing a SWOT analysis. It was a very good basis for working successfully with Cedefop.

Mr Plummer said that the group appreciated the work done and the evolution of the paper through the work of the reflection group. The result had a strong link to the priorities of the Employers' group considering the labour market's needs in relation to the upskilling and reskilling agenda. The learner-centred approach was very welcome. The labour market intelligence and the real-time data analysis were key points in the Skills agenda. Related to this, the asylum and migration package published by the Commission explored the idea of an EU talent pool approach for better matching skilled third country nationals with EU vacancies. The focus on the Skills agenda, and by extension Cedefop's work programme, was very welcome. On page 11 (para. 16), there was a reference to the social partners' framework agreement on digitalisation. Mr Plummer suggested to add a reference to the social partners' framework agreement on active ageing as well.

Ms Saidi said it would be interesting for members to know the amounts spent on the different projects under Title III, as it would help understand the difference between internal and external experts. She suggested including the amounts used for call for tenders on research in the map of expenditure (p.76).

Comments from the Governments

Mr van IJsselmuiden said that the document was very well prepared. However, policy developments at EU level had a high pace. The Osnabrück declaration was work in progress and the digital EU action plan had just come out. It was therefore not possible for Cedefop to follow them in the document, in terms of concrete actions or plans, as EU policies were still under development. Moreover, Cedefop's PD was not a policy document. On p.47, one of the main outputs was the workshop on the future of VET. The OECD was doing a study with the same title. It would be good if Cedefop cooperated with the OECD on this study. The Governments' group would like to have clarifications on Cedefop's work on micro-credentials. More attention should be given

to green skills and mobility. Cedefop's contribution to Europass was limited but MB members would like to have more information on the extent of Cedefop's involvement.

Mr Staudecker requested that members be given an opportunity to provide feedback in writing. The process was very good, and the tracked changes provided more consistency to the document. However, three main topics appeared to be missing: green skills, digitalisation and the Commission's excellence initiative. The Governments' group required clarifications on the work of the Agency on micro-credentials.

Ms Lindén thanked all colleagues involved in the process for their balanced and good analysis. The document showed increased attention to upskilling and reskilling, which were key priorities even before the Covid crisis. The PD sometimes referred to CVET as 'a system' and sometimes as 'systems'. She proposed to concentrate on CVET systems in cooperation with different actors. Upskilling opportunities were offered by various stakeholders, public and private. Focus should be on the offering possibilities and inclusiveness of CVET. An important aspect was that different providers had different objectives and pedagogies. The VET recommendation would be adopted on 30 November. Cedefop's work on micro-credentials and core profiles should be in coherence with the ambitions in the recommendation. Ms Lindén fully supported the negative priorities identified and welcomed the important web portal developments, which raised Cedefop's visibility. The collaboration with other agencies and the shared services were also welcome. A joint analysis on the effects of the Covid pandemic would be interesting.

Mr Thiele said that the PD was a very good paper with a good description of the titles of activities. However, there were links missing between the Agency's activities and the actual developments: the digital action plan, the VET recommendation, the Skills agenda, the Osnabrück declaration and the latest paper on the European area of education. Cedefop was no longer playing a big role in Europass but digitalisation was a much bigger issue all over Europe with the development of national platforms, digital tools also in VET, digital storage, digital qualifications, etc. However, the only reference in the document was to skills intelligence. Page 47 could include more input on Cedefop's contribution to digitalisation. This was a decisive moment in VET policy for the next five years but Cedefop's future role was unclear. The description of the operations included a lot of webinars, workshops, applications and online seminars but the political impulse function that Cedefop had on VET excellence centres, development of higher VET, qualification levels, etc. was not visible. The shift to CVET and lifelong learning was welcome but the link between studies and EU policy developments was missing. To boost participation in CVET, new tools were needed to attract audiences. On the individual learning accounts there were lots of ideas that had not yet been addressed. Cedefop could play a conceptual role in this field. Despite budget restrictions, Cedefop should have a more prominent role. In the past, Cedefop was a political player in Brussels and this philosophy was missing from the document.

Comments from the independent expert appointed by the Parliament

Mr Becker said that the Parliament's Employment Committee welcomed the PD. It had a holistic approach on a quite demanding level. Cedefop's wording was self-confident and this was necessary to master the challenges yet to come. He congratulated Cedefop's team on their work. All actions needed were described and nothing appeared to be missing. The revised draft strongly highlighted the need for CVET and hopefully this would be taken on board by some Member States. The

EMPL Committee would take Cedefop's word seriously, this was a high-level promise and the Committee would monitor the future fulfilment of the programme.

The Chairperson invited Cedefop and the Commission to react after a short break.

Break from 17.00 to 17.15 CET.

The Chairperson said that written comments would be possible. She invited the Executive Director to comment.

The Executive Director said that concerning VET providers and synergies, Cedefop distinguished between what it would do and how it would do it (values). The value of open-mindedness captured this. Values should be something easy to memorise; therefore, only three should remain. 'Proactive' was not a value as such but it was deliberately chosen. Values should be easily understandable to those who apply them. Cedefop would like to stick to this logic. Cedefop's vision should also include the priorities of all groups. A concrete proposal would be welcome. Concerning the apprenticeship network and making the social partners' role more visible, maybe not all projects should be scrutinised by a tripartite advisory group. The pressure to outsource would increase due to the budget restrictions. Digitalisation had many dimensions and Cedefop would try to make it more prominent. On the contribution to the political debate, Cedefop considered generating evidence on which policymakers can act, its strength. Mr Siebel referred to the discussion paper with the ETF.

The Deputy Director said that according to the instructions from the Commission in relation to Brexit, UK representatives could no longer attend MB meetings. They could, however, participate as individual experts in other meetings, provided they did not attend as representatives of their country.

Concerning UK data for comparative research, Cedefop would continue to publish data and analysis based on research conducted before Brexit. However, any data related to UK would gradually phase out from Cedefop's website and publications. As for new research, the Financial Regulation provided for the conclusion of contracts with third countries. Cedefop was therefore allowed to conclude contracts with the UK but the EU averages calculated in comparative research would no longer include the UK.

The Executive Director said that UK practices and data would be treated the same as for other third countries, i.e. Canada. However, involvement in ReferNet and other networks would not be possible.

The Deputy Director said that the reference to the planned study on micro-credentials (para. 131) was meant to be general. The rationale of the study would be to provide a better understanding of the role of micro-credentials in supporting labour-market-related and employment-relevant education and training and a better understanding of their characteristics and added value for individuals, as well as their impact on existing qualifications and recognition systems. The study would focus on three main questions: (a) how widespread they were and what their characteristics and functions were; (b) how they differed from existing labour-market-related certificates and qualifications; (c) whether they could be sufficiently trusted to become building blocks ('currencies') for lifelong and life-wide learning. The set-up of tripartite advisory groups to support Cedefop's studies was a very good idea and had been a successful practice in the past. The proposal would be discussed internally, and members would be informed. A pilot could be used for the study on micro-credentials and later for the one on individual learning accounts. Concerning the amounts allocated to calls for tenders on studies, these would be included in Annex 11 (procurement plan) of the

final draft PD 2021-23 to be discussed in the EB of 1 December. The amounts were currently not available, as the respective budget was not yet known. Concerning the standards mentioned in the values, these related to the highest standards of ethics and integrity to be observed by staff during the execution of their professional duties. Cedefop worked on the basis of a comprehensive framework which included: the code of good administrative behaviour and code of good conduct; anti-fraud strategy; data protection policy; the management of conflicts of interest, etc. Adherence to these was monitored under the internal control framework, which was assessed once a year and the results included in the Consolidated Annual Activity Report (CAAR). Potential deficiencies were reported to the MB. The final draft version of the PD would be discussed in the EB meeting of 1 December. Written comments by members should be provided by the end of October. The written procedure would be launched a few days after the EB meeting and should be finalised before the Christmas break.

Mr Ranieri said that Cedefop would closely cooperate with the Commission on the key points proposed by Ms Crabb. Cedefop had a solid cooperation on guidance and on skills intelligence and validation in relation to Europass. The link to the individual learning accounts was of particular interest to Cedefop, as it was an important point, raised also by the Governments in relation to financial incentives. It had also been raised in Cedefop's reflection paper published in July. A targeted and policy-oriented study would be initiated in 2021. However, support of participation in lifelong learning did not only provide training but also helped individuals be aware of their needs and be informed of training opportunities. A Cedefop study on incentives for VET, financial and non-financial, was currently in progress. As for the involvement of social partners raised by the Employees, the policy learning forum (PLF) on apprenticeships had a tripartite approach, although it involved so far only countries that had engaged in the national thematic country review (TCR) exercise. A possible development would be to engage all countries via a tripartite approach. The green economy, and especially digitalisation, were transversal issues addressed within several projects and thus not always apparent in the document. However, digitalisation was indeed a very important issue especially under the circumstances and could be better highlighted in the document. As for the point on mobility raised by the Governments, a study on long-term mobility on apprenticeships was almost ready to be published.

Mr Zahilas said that it was important to mention that the study on micro-credentials was closely linked to Cedefop's work on learning outcomes, qualifications, qualifications frameworks developments and validation. The study would start early January and an advisory group of MB members would be welcome. According to the technical specifications, an interim and a final workshop were foreseen for each work assignment. The project duration would be 30 months and following the successful model of Cedefop's work on the changing role of VET, granular products would be released. Regarding Cedefop's work on the future of VET, not only the OECD's work but also that of other international bodies had been taken into account, exploiting Cedefop's participation in the Technical Vocation Education and Training Interagency Group (TVET-IAG), the interinstitutional working group that covered ongoing VET developments. Cedefop had volunteered to be in the steering wheel for the new working group to be established in the TVET-IAG. Excellence as such was not specifically mentioned but was actually covered under Cedefop's work on 'quality'. Both excellence and the core profiles would also be addressed under the different work assignments of the 'future of VET' project.

Ms Riondino recalled that the VET recommendation, once adopted, would be an EU policy, not a Commission policy. This policy was based on Article 166 of the Treaty,

and supporting the promotion, development and implementation of such policies is the essence of Cedefop's mission, as laid down in its Founding Regulation. The Commission made the proposal for a Council recommendation with Cedefop's valuable support. The Advisory Committee on Vocational Training in which social partners were fully represented, was also closely involved. The proposal was currently discussed by the Council and should be adopted as a Union policy on 30 November. She proposed that members would provide written comments by the end of October.

The Deputy Director said that for Cedefop, the earlier the better. The reflection group could meet in the first half of November.

The Chair proposed setting the deadline for written comments on 30 October. The discussion had been broad and helpful. The Employees' request to have tripartite advisory groups for the micro-credentials and individual learning accounts studies could be organised via video conference. The Osnabrück declaration had already been discussed and Cedefop's contribution mentioned by the German Minister for Education. There were strong statements concerning negative priorities (para. 100-101) and prioritisation was necessary.

The Deputy Director asked the coordinators to collect their group's comments and send Cedefop one draft.

The Employers and the Employees agreed. Ms Roman requested the Word version of the document.

Mr Staudecker asked members of the Governments' group to send comments directly to Cedefop.

The Chairperson concluded that Cedefop would reflect in the final draft PD 2021-23 the outcomes of the discussion and the written comments that members would provide by 30 October. The final draft PD would be sent to the EB for a final discussion at its virtual meeting of 1 December. At that time, the final budget 2021 would most likely be known and the negotiations on the MFF 2021-27 might also be concluded. Soon after the EB, the final text would be sent to the MB for adoption by written procedure by 10 December. She reminded members that the PD 2021-23 (and the budget 2021) would only become final after the adoption of the EU general budget for the year 2021 (expected in November).

5. CEDEFOP'S PERFORMANCE MEASUREMENT SYSTEM (DISCUSSION/DECISION)

The Chairperson said that Cedefop's performance measurement system (PMS) had been discussed in the Extended Executive Board meeting of 29 and 30 June 2020. It was concluded that members would provide further feedback in writing and an updated version of the PMS would be discussed and finalised in the MB meeting in October. No written feedback had been received by members, but the revised PMS included comments made by EEB members at the June meeting.

The Chairperson invited the Deputy Director to present the item.

The Deputy Director said that Cedefop was one of the first EU agencies to set up a comprehensive system to measure its performance and to promote a culture of continuous improvement. Cedefop's PMS had been praised as exemplary twice by the EP in the discharge reports for 2017 (adopted in 2019) and 2018 (adopted in 2020). The PMS focused on three types of results: (a) Cedefop's impact on developing EU policies on VET, skills and qualifications. This was measured in the framework of the external evaluation carried out by the Commission every five years;

(b) outcomes of Cedefop's activities, i.e. to which extent Cedefop's results were used by its stakeholders; (c) outputs of Cedefop's work, i.e. how deliverables were provided within the timeframe and the budget planned in the work programme. The PMS included quantitative and qualitative indicators. In the past years special focus was given to reinforcing the qualitative dimension of the indicators. In this context, a user satisfaction survey had been carried out the previous year to get an indication about the relevance and quality of Cedefop's work. Qualitative analysis was an integral part of the approach towards making the results more meaningful. The revision of the PMS was necessary to address the comments of the EEB members in June as well as the recommendation from the Commission in the external evaluation. The latter referred to the alignment of Cedefop's PMS with Eurofound, EU-OSHA and the ETF. In addition, it was necessary to assess the impact of the latest trends and developments (i.e. Covid crisis, new technologies) on the Agency's work and to align with its proposed post-2020 strategy. The PMS would be streamlined and simplified to be better understandable to end-users. The number of indicators should be reduced and be less resource-intensive, e.g. by using IT and AI-based solutions. Some examples of the key changes proposed were: PMS indicators should demonstrate more explicitly the alignment of Cedefop's work with the EU policy framework; the term 'stakeholders' was clarified ('key stakeholders' referred to the three MB groups and the Commission); indicators on web traffic and (social) media should be reviewed to capture better the digital footprint of Cedefop's work and its use by online users; indicators on Europass and the Skills agenda should be removed; close cooperation and alignment with other agencies was necessary. In this context, Cedefop was a member of the task force created for the alignment of indicators with EU-OSHA, the ETF and Eurofound. The next steps would be to collect feedback from the MB members and include it in the final version of the indicators, which would be an integral part of the PD 2021-23 to be adopted by the MB in December. The PMS indicators would also be used to assess and measure Cedefop's performance in the Annual Report 2021.

Comments from the Employers

Mr Riemer said that he agreed with the proposals and that implementation was the key word.

Mr Plummer had no comments.

Comments from the Governments

Mr van IJsselmuiden said that it was important to ensure concise and targeted staff involvement in the assessment of Cedefop's performance.

Mr Staudecker said that the indicators that were skipped should be used internally. Staff training was more important than ever.

Comments from the Employees

Ms Roman said that the shift from quantitative to qualitative indicators was welcome. Concerning indicator 9 (Mobilisation of Cedefop's stakeholders to act as information multipliers) it was important to include how Cedefop worked with Management Board members and involved them in its activities. She proposed to change the wording to: *Demonstrates activities of and with the Management Board members*. The clarification of the term 'stakeholders' (indicator 17) was a long-standing request of the Employees and highly welcome. However, the explicit reference to 'key'

stakeholders (Management Board members) in comparison with other stakeholders should be stated in a footnote. This would be more comprehensible for external users.

Ms Babrauskiene said that indeed the 'key stakeholders' would be confusing to readers.

Comments from the Commission

Ms Riondino thanked Ms Brugia for the presentation and expressed the Commission's support for the proposed revision of the PMS.

The Deputy Director said that the metrics would be used only for internal purposes, i.e. to monitor whether procedures or processes leading to Cedefop's deliverables were timely and allowed for the deliverables to be achieved as planned in the work programme. Concerning the involvement of staff in the assessment of Cedefop's performance, regular meetings on performance reviewing were held with the participation of the Staff Committee. Indicator number 9 measured the activities of the MB to promote the results of Cedefop's work. This was what the vast majority of MB members were already doing. Moreover, the outcomes of the external evaluation of the Commission referred to a need for MB members to have a more proactive role in the dissemination of Cedefop's work. In general, for several of the indicators Cedefop collected disaggregated data, which allowed the monitoring of cooperation with specific typologies of stakeholders (e.g. social partners, governments, Commission). A footnote would be added for indicator number 17 to clarify the term 'key stakeholders'.

Mr Becker said that focus should be put on training the trainers.

The Deputy Director reassured members that internal indicators would be closely monitored but would not be reported externally unless MB members wished Cedefop to do so.

The Chairperson asked if there was consensus on the text proposed by the Deputy Director.

All members confirmed.

The Chairperson concluded that the revision of the PMS was adopted. It would be included in the final version of the PD 2021-23.

9. ADMINISTRATIVE ISSUES

(a) Web services, conferences and publications (*information*)

Mr Bausewein said that this item presented an overview of publications, conferences and events. Members were encouraged to register on Cedefop's website to receive alerts. During the Covid crisis the dissemination of hard-copy publications had been stopped. Printing might still be valued in the future; however, more focused dissemination would be necessary as specific target groups had specific needs. Cedefop was currently working on updating its web portal, which would be launched in the first half of 2021. An integrated approach had been followed in terms of tools and content to provide the most useful and user-friendly tools to end-users. At the same time, updates of the existing tools were also provided. Several Cedefop events supporting the European Vocational Skills Week were highlighted when presenting past and future conferences and events. This year's #CedefopPhotoAward would also be an integrated part of the VET Excellence Awards Celebration and closing ceremony of the VET week. As a good example of cooperation with other agencies, Mr Bausewein highlighted the online launch event for the release of the European company survey results on 13 October, which was jointly organised with Eurofound, followed by two 'Ask the expert' webinars on 20 and 29 October. Members had been

invited to register for the launch event and webinars on Cedefop's website. Due to the Covid pandemic, all events would be held virtually.

Ms Roman asked for information on the rationale of the translation of publications to only some EU languages.

Mr Bausewein said that according to the new Founding Regulation, Cedefop must exclusively use the Translation Centre. This doubled the translation cost for publications, and in general, publications were published only in English for budgetary reasons. However, Cedefop briefing notes were multilingual products and were translated into eight languages including English, French, German, Greek, Italian, Spanish, Portuguese and Polish, plus the language of the Presidency. Cedefop was exploring ways to cooperate with Member States, e.g. with ReferNet national representations, to translate more publications and increase its outreach.

The Chairperson urged members to use the documents provided in item 9a to disseminate information on Cedefop activities.

Ms Roman said that translation of publications would raise Cedefop's visibility. The translation of micro-credentials to French had proved a challenge. Moreover, she asked that the issue of translations should be discussed further in the next EB.

Mr Staudecker said that the issue of translations had also been discussed in the Governments' group meeting. He congratulated Cedefop on organising the joint event with the ETF. However, the participation rate was rather low especially concerning MB members.

Mr Bausewein said that the conference had been very successful. The online event took place over two days and the participation rate changed during the course of the day, when participants left or reconnected. It was the first virtual event of such high level and confirmed that the web portal services, and the provision of online conferences were indeed strategic areas for investment in the future. It might be hard to justify the organisation of in-person conferences after the pandemic. Hybrid and fully virtual conferences might become the new norm.

The Chairperson said that there was a structural issue with the conference as the much-awaited presentation of the EU policy package by the Commission took place only at the end of the second day.

Mr Riemer said that hybrid conferences would indeed be the best solution for the future.

The Chairperson concluded that members took note of the information.

The Chairperson thanked members and closed meeting at 17.40 CET.

Friday 9 October 2020

The Chairperson opened the meeting at 9.30 CET and welcomed the participants. She presented the first item on the agenda for 9 October.

7. CEDEFOP'S APPEALS COMMITTEE (INFORMATION/DISCUSSION/DECISION)

(a) ANNUAL REPORT OF THE CHAIR OF CEDEFOP'S APPEALS COMMITTEE FOR THE YEAR 2019 (INFORMATION)

Members took note of the information.

(b) APPEALS COMMITTEE REVIEW AND SCENARIOS (DISCUSSION/DECISION)

The Chairperson reminded members that as a follow-up to the Executive Board's request in March 2019, Cedefop's management had been assessing the Appeals Committee and reporting its findings to the Executive Board since June 2019. In the Extended Executive Board meeting in June 2020 - based on a complementary assessment Cedefop carried out involving all stakeholders, the Chairperson had concluded that Cedefop should provide the MB with a short note containing two options outlining the main advantages and disadvantages of both: the status quo (option 1) and the alternative scenario proposed by the Employees' group (option 2). The note including the two options had been sent to EB members on 15 September for prior consultation. Comments received had been considered in the version sent to the MB on 23 September. The Governments' and the Employers' groups as well as the Commission were in favour of option 1. They considered that the current set-up was satisfactory, as it ensured complaints were handled in an objective and legally sound way. It also appeared to be trusted by staff based on the information provided by the Staff Committee. She invited the Employees' group to explain the rationale for option 2.

Mr Patuzzi said that following the adoption of the new Founding Regulation, the AIPN powers of Cedefop's Executive Director had been entrusted to the MB. The Employees' group believed that the Appeals Committee set-up should be reviewed to determine whether the decision taken 20 years before by the MB still applied. It was therefore important to discuss the need for a new decision with all MB members. The Employees' group strongly supported option 2, as they considered it better aligned with the new Founding Regulation that had entrusted the MB with the AIPN powers in Cedefop. The follow-up of the Appeals Committee's decisions would be more binding than with the current setting, given that the Management Board is Cedefop's supervisory body and the authority to which the Executive Director is accountable. This had also been addressed by the Chair of the current AC in his report for 2019. The Employees took note of the position of the Staff Committee, expressed in the note that members had received on 8 October. However, they considered that the spirit of the Founding Regulation was better reflected in option 2. After the groups' meetings on 8 October, the Governments' and Employers' groups as well as the Commission had stated that they preferred option 1 (status quo). The Employees would accept this. However, they strongly recommended that the EB monitor the Appeals Committee's decisions in the future to avoid potential court cases. Concerning the Chair of the Appeals Committee, the group strongly recommended that in the future, the Chair should not have any professional links with any interest groups or the Commission. The professional independence of the Chair, who could only serve the Appeals Committee, should be discussed at an appropriate time.

Mr Riemer said that this item and the next (item 6-restructure of Cedefop's legal function) were closely linked to Cedefop's history. Discussions should focus more on content and less on administrative issues.

Mr Plummer said that the discussion on the AC had lasted for more than a year. The Employers' group had a clear and consistent position in favour of option 1 (status quo), which they considered very much in line with the new Founding Regulation. The group took note of the Staff Committee's position. Concerning the issue raised by the Employees on the Chair of the Appeals Committee, a decision could not be taken at that time.

Mr van IJsselmuiden said that the Governments' group was in favour of option 1.

Mr Staudecker said that the Governments' group unanimously agreed to maintaining the status quo. Cedefop had a long-standing Appeals Committee, which worked well while the set-up in Eurofound and EU-OSHA was new and could not be compared. The group believed that there was no evidence to justify the need for a change of the current setting or the AC Chair.

Ms Riondino confirmed that the Commission supported the status quo.

Mr Ceuppens said that the Commission believed that the current set-up worked well, offering a trustworthy mechanism to handle staff complaints in an objective and legally sound manner, and had the support of Cedefop's Staff Committee. The Commission's legal service had confirmed the legality of Cedefop's AC under the new Founding Regulation. He questioned the usefulness of the concept of 'independence' for the choice of Chair, considering that the absence of (perceived) conflict of interest is a more relevant and usable criterion. This could be discussed further in the EB.

Mr Patuzzi said that the group did not question Mr Moricca's professional competence. He reminded members that the Employees' group had made a suggestion for the future. In the current Appeals Committee set-up, there were two groups: one representing the Director and one representing the Staff Committee. An independent Chair who would not be directly or indirectly involved in Cedefop's affairs would only assist the decision-making. Mr Patuzzi looked forward to further discussions as groups should always come together and find solutions for a way forward. There could be different interpretations of the written text of the Founding Regulation, however, ultimately the written text prevailed.

The Chairperson said that the AC mandate was coming to an end on 15 October. Given the time pressure and the fact that the concerns raised by the Employees' group referred to the future, she proposed to re-appoint Mr Moricca, whose competences and experience were well-acknowledged from all groups as the Chair of the Appeals Committee. She invited the Executive Director and the groups to support her proposal.

The Executive Director said that he welcomed the monitoring process by the EB. Concerning the appointment of the AC Chair, this was entirely up to the Chairperson of the MB and fully under her remit. His main concern was to bring the number of appeals down rather than discuss how these were handled. Every employee had the right to launch an appeal but by the time that happened, something had already gone wrong. Misunderstandings should be settled through discussion. The Executive Director would accept any arrangement the MB as AIPN considered suitable for handling appeals.

All groups and the Commission confirmed.

The Chairperson concluded that the status quo of the Appeals Committee would remain (option 1). The Executive Board would monitor AC decisions for complaints upheld. Ex post information on such cases would be provided to the EB to ensure transparency. This would by no means affect the AIPN powers of the Executive Director as delegated to him by the MB. Based on the consensus achieved, the Chairperson would proceed with the appointment of Mr Moricca as Chair of the Appeals Committee for the next three years.

6. RESTRUCTURING OF CEDEFOP'S LEGAL SERVICE (*DISCUSSION*)

The Chairperson reminded members that following the dismantling of the in-house legal service by the previous Director in November 2017, Cedefop no longer employed an internal legal advisor. Since then, all legal needs had been covered by several external legal providers, service level agreements or contracts with external law firms. The legal function arrangements and the increasing costs since 2017 had been reported and discussed in all meetings of the Executive Board. Since July 2018, Cedefop management alerted the EB at all meetings of the high cost and risks that the full externalisation of the legal service entailed. These risks were confirmed by the European Court of Auditors (ECA) in their annual report on EU agencies for the financial year 2018. In addition, the Discharge Authority expressed concerns for a full outsourcing model that created a risk to the consistent treatment of cases and the principle of sound financial management, namely the principle of efficiency. In the Extended Executive Board of 29 and 30 June 2020 it was concluded that members basically supported the way forward proposed by the Executive Director.

The Executive Director said that following the departure of the Head of HR, Cedefop would try to hire a candidate with a legal background through a non-CAST selection procedure. However, if by the end of 2020 the total direct and indirect costs for the legal service exceeded EUR 300 000 (if a contract agent with a legal background was hired) or EUR 250 000 (if a contract agent with a legal background was not on the payroll) and if the number of cases did not decrease, then Cedefop would consider re-establishing an internal legal advisor post. A final decision would be taken based on the review of 2020 data and after a final discussion in the EB in March.

Mr van IJsselmuiden said that the careful approach taken by the Executive Director was very good. The Governments would have no objection to re-establishing an internal legal advisor post in Cedefop if this was considered necessary.

Mr Ceuppens said that the Commission supported the way forward. He refrained from commenting in detail on the background note but did point out that DG HR would not necessarily agree with some of the critical remarks made about its services. The past years had been quite exceptional in terms of legal issues, e.g. the non-renewal of the contracts of the former legal advisor and the former Director and the closure of the follow-up to the OLAF investigation in the Greek Criminal Tribunal. It would be good to take some more time before making a final decision.

Mr Riemer said that the Employers fully supported the proposal of the Executive Director. However, EUR 50 000 was not a big difference. He would like to know the breakdown of the amount of EUR 250 000, i.e. how much would correspond to the salary of an internal legal advisor and how much to the cost of additional external legal advice. In the past, despite the existence of an internal legal advisor, external legal advice was also required. The Commission (in its opinion on the draft PD 2021-23) urged Cedefop to focus resources towards those activities that were considered strategic and offered the highest value added and to continue improving the balance between administrative and operational staff.

Mr Patuzzi thanked the management for the comprehensive analysis, which confirmed that the current arrangements of the legal function were extremely costly and ineffective. The Employees highly appreciated the honest and open approach and supported the way forward. It was clear that dismantling the legal service in November 2017 was a mistake. Cedefop needed stable, cost-effective arrangements that would guarantee legal certainty and functionality. The problem of having a fully externalised legal service was highlighted in the Discharge and ECA reports. It was

not acceptable for senior managers to spend valuable time on legal issues due to the absence of a legal advisor. On the timeline, the group would like a final decision earlier, but this was up to the Executive Director.

The Chair of the Staff Committee said that he had not seen the document. It was a long-standing issue, which had been extensively discussed in EB and MB meetings and also included some unfortunate events, such as the non-renewal of a staff member's contract. Article 11(4) of the new Founding Regulation stipulated that 'the Executive Director shall be the legal representative of Cedefop'; this ultimately meant that one person, the Executive Director, was held responsible, so he should decide on the best solution. He should weigh, in consultation with the Bureau, the arguments in favour of and against the alternatives. Although it had not received the actual proposal, the SC noted that the discussion focused mainly on budget issues while there were no comments on legal certainty: was there legal uncertainty with the current set-up? More factors to consider were the shrinking operational budget which effectively meant that Cedefop should externalise less, and the possibility to hire staff with a legal background, such as the new Head of HR.

The Executive Director thanked members for supporting the decision logic of this proposal. The breakdown of costs and the increase over the years were available on pages 4-5. The management considered that the numbers EUR 250 000 or EUR 300 000 should be the thresholds based on comparison with previous years. The key factor for the final decision would be the number of cases in the future. The Executive Director was indeed the legal representative of the Agency and would take full responsibility for the final decision.

The Chairperson concluded that the MB supported the criteria described and the Executive Director's proposal for the restructuring of the legal function in Cedefop. Members appreciated the transparent approach. This item would be up for discussion in the agenda of the EB in March 2021. The final decision would be taken by the Executive Director.

Break from 10.40 to 10.50 CET.

8. REPORTING FROM THE EXECUTIVE TO THE MANAGEMENT BOARD (INFORMATION)

Members took note of the information.

9. ADMINISTRATIVE ISSUES

(a) Audits, evaluations and other sources of assurance (*information*)

The Deputy Director said that this item was divided in two parts. The first was an update on audits (European Court of Auditors and IAS reports), and the second concerned the follow-up of the action plan following Cedefop's external evaluation by the Commission. In May, Cedefop had received the preliminary observations of the European Court of Auditors (ECA). They stated that the transactions underlining the Agency' accounts in 2019 were regular and legal in all material aspects. The final report was expected by early November and would be published on the ECA website. The ECA would conduct its audit on the 2020 accounts remotely in the week of 12 to 16 October 2020. In 2018, the Internal Audit Service of the Commission (IAS) had conducted an audit on HR management and ethics and issued six recommendations. Cedefop implemented all recommendations of the audit and five were formally closed by the IAS. One was currently under review by the IAS. One of the recommendations that were formally closed concerned recruitment procedures and had been marked

as critical due to several shortcomings identified in Cedefop's processes. The management was particularly proud of the result, which involved a considerable amount of work since the second half of 2018. On 21 September 2020, members received the amended version of the original 2018 IAS report. The amendment concerned the redrafting of two paragraphs to remove references to personal data at the request of a staff member. In the amended report the IAS pointed out that the initial findings, recommendations and agreed action plan remained unchanged. In June, the IAS carried out a full risk assessment of all processes and activities in Cedefop and identified two topics for the audit plan concerning the years 2021 to 2023: ReferNet and Cedefop's surveys (the opinion survey, the skills and jobs survey and the company survey carried out jointly with Eurofound). As a reserve topic the IAS identified the ICT strategy which was currently in the making. The final audit plan would be shared with members. The second part of this item related to Annex XVI of the PD 2021-23. In April 2019, the Commission published the staff working document (SWD) on the results of the external evaluation of the four (at the time) agencies falling under the remit of DG EMPL: Cedefop, ETF, Eurofound and EU-OSHA. The external evaluation for Cedefop was positive and contained two Cedefop-specific recommendations and one recommendation advising all four agencies to align their performance measurement systems (PMS) further (item 6 of the MB agenda). In the MB meeting of 2019, members discussed Cedefop's action plan, which was then sent for approval to DG EMPL. The progress of this action plan was presented to the EEB in June 2020. Further progress until mid-September was available in Annex XVI of the PD 2021-23. One of the recommendations in the SWD had been implemented and was closed by DG EMPL in August. This recommendation concerned the presentation of disaggregated data for Cedefop's PMS indicators. All other recommendations were progressing according to plan apart from the deployment of more staff to the operational areas. The deadline for this action was 30 September but the unexpected departure of the Head of HR had caused a delay. However, good progress had been made, as Cedefop's HR strategy had been finalised. Moreover, the job screening, which Cedefop conducted every year, showed an increase in staff allocated to the operational areas. It should also be noted that due to the Covid pandemic, Cedefop had to invest in administrative tasks, i.e. health and safety, digitalisation of procedures, etc. Deployment of more staff to core business would continue the next year.

The Chair of the Staff Committee said that the amendment of the IAS report was a great issue for staff as it concerned a fundamental democratic right. Audit reports, although containing mere findings, not proofs or accusations, could be prejudicial against staff involved. Individuals should be informed when they were implicitly or explicitly mentioned in such reports and given the opportunity to comment. Normally this was the case for all audits: the affected units and teams received the reports for comments. However, concerning recruitments, there was a structural problem, as the selection panel members were not members of HR, not in the chain of command, and therefore did not receive or had a chance to reply to auditors' comments. This was an issue of transparency and the Staff Committee highlighted it to the Director of the IAS during his visit in Cedefop.

Ms Rioldino congratulated Cedefop on the positive ECA report. The Commission was very pleased with the closure of the IAS recommendations and with the progress of the action plan following the external evaluation.

Mr Patuzzi said that this item was very important, as it provided information on risks related to Cedefop's internal processes. It was very good to see that reports were

more positive than in the past. The group was satisfied with the progress of the action plan following the external evaluation.

The Governments' group had no comments.

The Executive Director said that audit findings pointed to institutional shortcomings and scarcely ever to individuals. He had also clarified this to all staff.

The Deputy Director thanked members for the positive comments. Cedefop was diligently following up and implementing recommendations. Indeed, IAS audits focused on processes and procedures and not on individuals. This would be the task of investigations carried out for example by OLAF. This was the reason why the IAS rightly took out the reference to personal data but at the same time underlined that the audit findings remained unchanged.

The Chairperson concluded that the item on audits and evaluations was an important tool for reassurance of the MB. It was good to see the positive results of the audits, which confirmed the correct structure of processes in Cedefop.

(b) HR developments (*information*)

Ms Descy said that the note presented the summary of the main HR developments and gave an overview of selection procedures in 2020. The Covid pandemic had had an impact on staff and HR processes. The approach followed by management had tried to mitigate the negative impact of the crisis on staff, focusing on its wellbeing while taking into consideration individual needs. Cedefop had resumed work on the premises using shifts but staff had been given the opportunity to decide if they wished to work from home, depending on their personal situation. Work processes had been organised in a way that staff could work seamlessly either remotely or in the office. HR had deployed a health and wellbeing plan with measures that tried to address the psychological aspects of a prolonged crisis. At the same time HR had caught up with the backlog of selection procedures which were stalled due to the drawbacks identified in the IAS report of 2018. Cedefop developed for the first time an HR strategy to be implemented in the years 2021-23. This strategy was organised in three building blocks. The first was the talent acquisition and matching; the second was talent management, which would also offer career development opportunities within the organisation; the third concerned wellbeing, a highlight in 2020 due to the pandemic, which would also remain a focus for the years to come.

The Chairperson asked for information on the percentage of staff working from home. Looking at the charts referring to age, it appeared that Cedefop had less than 5% of staff under 40 and more than 50% older than 50. She asked if Cedefop had a strategy to improve the situation.

Mr Riemer asked for information on the percentage of staff that had been recruited compared to the applications received. The charts showed that 43% of staff were Greek. He would like to know if this related to lack of interest from other Member States.

Ms Descy said that the weekly attendance of staff on the premises was approximately 30%. This varied every week depending on the updates on the Covid situation in Greece and on whether social distancing could be ensured (i.e. single occupancy of the offices). The maximum allowed would be 50%. The productivity of the staff had remained unchanged, most likely due to the flexibility in the working conditions, which motivated them. Indeed, Cedefop had an ageing population, mainly because it was the oldest agency. Several retirements were expected in the following years and this might be an opportunity to change the demography. Consideration was given to

geographical balance, but the majority of applicants were from Greece and neighbouring countries. It was difficult to attract candidates from northern Europe. The average number of applicants for an expert post was around 100 to 150, of which only one or maximum two would be recruited.

The Chair of the Staff Committee said that some reasons for Cedefop's ageing population were the low turn-over compared to the private sector and Cedefop high recruitment demands. For example, if a post required work experience of 7 to 10 years or a PhD, then the applicants would definitely be over 30 years old. Concerning the high percentage of Greek staff, this was similar to the situation in other agencies, such as the ETF with the nationals of the host country. Further, Greeks applied more for Cedefop jobs and were more likely to stay. Several Greek staff members were local agents made contract agents. Staff was grateful for the measures taken regarding teleworking, which ultimately did not make a difference in terms of business continuity.

Ms Riondino congratulated Cedefop on a much-needed first-ever HR strategy. She asked if it could be sent to the MB. The Commission noted with concern that there was again a vacancy for the Head of HR. Geographical balance was indeed an issue and did not seem to improve. As also stated in the Commission's Opinion on the PD 2021-23, Cedefop had been invited to follow more closely the career progression rates of staff. The average seniority in grade AD 11 was 13.8 years. Promotion was one of the issues that triggered complaints if not managed properly.

The Executive Director said that, coming from a private organisation, the diversity of staff seemed enormous. The large percentage of Greeks was due to the fact that Cedefop was located in Greece but also that Greece was not at the centre of Europe. This had been addressed in Cedefop's HR strategy. He would like to reach out to the other EU institutions but although the Staff Regulations were the same for all officials in the EU and eliminated issues like incompatible social security, double taxation, work permits, etc., they raise enormous barriers to mobility. Concerning career averages and promotions, the Executive Director noted the Commission's concern, but promotions should be based on merit and a management decision. Cedefop had a fair approach regarding promotions.

The Chairperson concluded that members took note of the information.

- (c) Follow-up on the action plan of the 2019 staff engagement survey and impact of Covid-19 crisis to staff (*information*)

The Executive Director said that the staff engagement survey, which had been conducted towards the end of 2019, had had a good response rate of 79%. The results of the staff survey were overall positive (60%), especially compared to other agencies. However, this percentage was much lower than the staff survey in 2017. In February 2020, management conducted a workshop with all staff, in which four main areas for improvement were identified: (a) boosting organisational culture based on trust; (b) investment in people; (c) vision clarification, and (d) workload. Staff members had been divided into four breakout working groups. The Executive Director had held bi-weekly meetings with the rapporteurs of each group and updates had been provided in the staff assemblies. As a result, concrete examples for tackling workload, investment in people and boosting organisational culture had been identified. Management took these results seriously and regularly discussed progress. In addition, there was a backlog of ideas from the February workshop, which had not been considered a priority at that stage. However, during the Covid pandemic Cedefop had engaged with more agile methodologies (i.e. Kanban method) in order

to produce immediate research results on the impact of the Covid crisis and encourage corporate social responsibility (CSR) initiatives. The same logic was being currently applied on non-Covid-related topics. The Executive Director strongly believed that this approach would contribute to better results in the next staff engagement survey, which was planned for 2021.

The Chair of the Staff Committee said that Cedefop could not make donations from the institutional budget. Under CSR initiatives, staff contributed from their own salaries and collected a substantial amount of money (EUR 10 000). The money was donated to AHEPA University Hospital of Thessaloniki, which was the city's reference point for Covid patients. This amount had been invested in equipment, beds and a trolley.

Mr van IJsselmuiden said that the climate in the Agency had improved tremendously compared to two to three years before. He congratulated the Executive Director and management on their good work.

The Chairperson concluded that members took note of the information and highly appreciated this initiative.

(d) General implementing provisions (*if any – decision*)

Members took note of the information.

(e) Transfers of commitment and payment appropriations in 2019 (*information*)

Ms Descy said that the note on the transfers did not reflect the planned transfers to core business of savings made due to Covid-19. These would be reported to members at a later stage, towards the end of 2020.

The Chairperson concluded that members took note of the information.

10. ELECTIONS OF THE CHAIRPERSON AND DEPUTY CHAIRPERSONS OF THE MB AND COMPOSITION OF THE EXECUTIVE BOARD/ENLARGED EXECUTIVE BOARD (DECISION)

The Chairperson said that Article 7 of Regulation (EU) 2019/128 of the European Parliament and of the Council of 16 January 2019 provided that:

1. The Management Board shall elect a Chairperson and three Deputy Chairpersons as follows:

- (a) one from among the members representing the governments of the Member States;
- (b) one from among the members representing the employers' organisations;
- (c) one from among the members representing the employees' organisations; and
- (d) one from among the members representing the Commission.

The Chairperson and the Deputy Chairpersons shall be elected by a majority of two thirds of members of the Management Board with the right to vote.

2. The term of office of the Chairperson and the Deputy Chairpersons shall be one year. Their term of office shall be renewable.

The Chairperson said that usually the Commission did not take a turn holding the Chairpersonship.

Ms Riondino confirmed.

At its meeting of 2 October 2019, the Executive Board had reached a consensus that the terms of office of the Chairperson of the Management Board and the Deputy

Chairpersons should be renewed for a second year for reasons of business continuity. The chairpersonship should continue rotating among the groups in the order applied until now (i.e. next chairpersonships as of 2021: Governments, Employees).

The Chairperson invited the coordinators to express the views of their groups and elect/confirm the Chairperson and Deputy Chairpersons as well as nominate the members that would participate in the (Extended) Executive Board meetings.

Ms Roman said that she would be the coordinator and Mr Patuzzi would remain Deputy Chairperson. The Employees' group would provide the names of the members who would participate in the Extended Executive Board meeting by email at a later stage.

Mr van IJsselmuiden said that in view of his retirement in April, he would remain in the MB until then. The new Deputy Chairperson would be announced by the coordinator of the Governments' group.

The Chairperson and all members (many via the chat) thanked Mr van IJsselmuiden for his service and support to the Agency over the long years of his mandate and wished him all the best on his retirement.

Mr Staudecker said that the new Deputy Chairperson for the group as of this meeting, would be Ms Carina Lindén. The members of the Extended Executive Board would be Mr Schuster, Ms Nerguisian and Ms Todorova. He would remain coordinator.

The Commission confirmed its current members, with Ms Geleng as Deputy Chairperson, and Mr Korte and Ms Riondino as members.

Mr Plummer confirmed that Ms Dorn would remain Chairperson for the next year and Mr Riemer spokesperson for the group. Ms Saidi and Mr Lundström would participate in the Extended Executive Board. Mr Plummer would remain coordinator.

The Chairperson asked if all members agreed to the nominations and the re-election of the Chairperson.

No objection was received.

The Chairperson concluded that there was consensus for all nominations. She congratulated the Deputy Chairpersons and members of the (E)EB.

11. ANY OTHER BUSINESS

- **Dates of Executive Board meetings and Management Board meeting in 2021 (decision)**

The Chairperson said that the following dates had been proposed by the Executive Board meeting the previous day.

She invited MB members to confirm their availability on these dates and to coordinate with their alternates to ensure the two-thirds majority required for strategic decisions such as the Programming Document.

| Dates | Meeting location |
|--|---|
| <p>Executive Board meetings in 2021</p> <p>Week of 2 to 5 March 2021</p> <p>24 and 25 June or 1 and 2 July 2021</p> <p>1 to 3 December 2021</p> | <p>To be confirmed if meetings will be virtual, hybrid or in person</p> |

| | |
|--|---|
| <p>Management Board meeting 2021</p> <p>Thursday and Friday 7 and 8 October with an Executive Board meeting on the eve, Wednesday 6 October</p> | <p>To be confirmed if meetings will be virtual, hybrid or in person</p> |
|--|---|

The Chairperson concluded that the next MB meeting would take place on 7 and 8 October 2021.

- **Declarations of interest** (*information*)

The Chairperson pointed out the importance of the declaration of interest and listed the number of declarations still missing. According to Article 4(4) of Regulation (EU) 2019/128, Cedefop must publish the declarations of all Management Board members on its website.

The Chairperson asked every member who had not yet done so to fill in and sign the declaration sent by Cedefop together with the latest reminder on 21 September, as a matter of urgency.

The Chairperson said that this had been a very constructive and successful meeting, which focused more on strategic discussions and less on administrative ones compared to other years. She thanked the Executive Director and Deputy Director of Cedefop, who formed an excellent team. She also thanked all Cedefop management and staff and all MB members.

Mr Becker thanked Cedefop and the MB for their constructive and transparent way of working. He would send an email on the Cedefop-related topics to be discussed in the Parliament's Employment Committee.

The Executive Director thanked Ms Dorn for her excellent chairing of the MB and all Deputy Chairpersons and members for their support and trust in Cedefop. He also thanked the Deputy Director and the whole management and promised to convey the message to all staff in the next staff assembly.

The Chairperson closed the meeting at 13.30.

Signed on 9 December 2020

Barbara Dorn
Chairperson of the Management Board

Jürgen Siebel
Executive Director