

**Single Programming Document  
of the Activities of  
the Agency for Support for BEREC  
(‘BEREC Office’)  
for the period 2020-2022**

17 December 2019

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## Foreword

The entry into force of the new agency's founding regulation of 11 December 2018 already brought and will further bring changes and challenges to the agency during the programming period.

The Body of European Regulators for Electronic Communications (BEREC) and the Office (an EU agency) were established in 2009. BEREC acts as a forum for cooperation among the National Regulatory Authorities (NRAs) and between NRAs and the Commission in the exercise of the full range of their responsibilities under the Union regulatory framework. BEREC was established to provide expertise and to act independently and transparently. BEREC also serves as a body for reflection, debate and advice for the European Parliament, the Council and the Commission in the field of electronic communications.

The Office was established to provide professional and administrative support to BEREC. Initially it was expected to operate as a Brussels based support office but soon it was moved to Riga, Latvia, as an ordinary decentralised EU agency.

The new regulation of 2018 acknowledges that BEREC and the Office have made a positive contribution towards the consistent implementation of the regulatory framework for electronic communications. In order to further contribute to the development of the internal market for electronic communications throughout the Union as well as to the promotion of access to, and take-up of, very high capacity networks, competition in the provision of electronic communications networks, services and associated facilities and the interests of the citizens of the Union, the revised BEREC Regulation aims to strengthen the role of BEREC. Such a strengthened role would complement the enhanced role played by BEREC following adoption of multiple legislative acts in the past years, for example on mobile roaming.

The Office is confirmed in the new regulation as a decentralised EU agency. It is not just that the agency has now a proper name (Agency for Support for BEREC) and a formal short name (BEREC Office). It is also about the strengthened mandate that the BEREC Office should provide all necessary professional and administrative support for the work of BEREC, including financial, organisational and logistical support, and should contribute to BEREC's regulatory work. Moreover, the rules on the governance and operation of the BEREC Office should be aligned with the principles of the Joint Statement of the European Parliament, the Council and the European Commission of 19 July 2012 on decentralised agencies.

We are proud of the achievements reached in past years even with extremely limited resources. Aligning our operation with the principles of the referred Joint Statement and of the Inter-institutional Agreement on budgetary discipline, on cooperation in budgetary matters and on sound financial management, in accordance with the will of the co-legislators, will allow our Agency to reach the minimum critical size during the programming period and to acquire the critical mass of staff and competences. I believe that our contribution to the completion of the digital single market will be even more visible and obvious within the revised regulatory framework.

**Laszlo IGNÉCZI**

Director

## List of Acronyms

Acronym	Meaning
ABAC	Accrual Based Accounting
ABB	Activity based budgeting
ABC	Activity based costing
AD	Administrator
AST	Assistant
AST/SC	Secretaries and clerks
BaaS	Backup as a service
BEREC	Body of European Regulators for Electronic Communications
BEREC Office	Agency for Support for BEREC
BEREC Regulation	Regulation (EU) 2018/1971 of the European Parliament (EP) and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009 <sup>1</sup>
BoR	BEREC Board of Regulators
CA	Contract Agent
CAAR	Consolidated annual activity report
CAR	Consolidated activity report
CEOS	Conditions of Employment of Other Servants
CERT	Computer emergency response team
CN	Contact Network
DRaaS	Disaster recovery as a service
DPO	Data Protection Officer
EC	European Commission
EECC	European Electronic Communications Code (Directive (EU) 2018/1972 of the EP and of the Council of 11 December 2018 establishing the European Electronic Communications Code <sup>2</sup> )

<sup>1</sup> OJ L 321, 17.12.2018, p. 1–35 (BG, ES, CS, DA, DE, ET, EL, EN, FR, GA, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV); <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1546511040230&uri=CELEX:32018R1971>

<sup>2</sup> OJ L 321, 17.12.2018, p. 36–214 (BG, ES, CS, DA, DE, ET, EL, EN, FR, GA, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV); <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1546582829499&uri=CELEX:32018L1972>

Acronym	Meaning
EDPS	European Data Protection Supervisor
EEA	European Economic Area
EFTA	European Free Trade Association
ENISA	European Network and Information Security Agency
EP	European Parliament
EU	European Union
FG	Functional group
Framework Financial Regulation	Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council <sup>3</sup>
FTE	Full-time equivalent post
FWC	Framework contract
HAN	HERMES <sup>4</sup> -ARES <sup>5</sup> -NomCom <sup>6</sup>
HR	Human resources
ICT	Information and communication technologies
IT	Information technologies
KPI	Key performance indicator
MB	BEREC Office Management Board
MS	Member State
NP1	very low value negotiated procedure with at least 1 candidate for award of contracts of a value not exceeding EUR 15 000
NP3	low value negotiated procedure with at least 3 candidates used for the award of contracts of a value exceeding EUR 15 000 and below 60 000
NP5	Middle value negotiated procedure with at least 5 candidates used for the award of contracts of a value exceeding EUR 60 000 and below the thresholds referred to in Article 175(1) of the Financial Regulation
NRA	National Regulatory Authority

<sup>3</sup> C/2018/8599, OJ L 122, 10.5.2019, p. 1–38 (BG, ES, CS, DA, DE, ET, EL, EN, FR, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV), <https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:32019R0715>

<sup>4</sup> The Commission unique repository for all official documents.

<sup>5</sup> Advanced Records System.

<sup>6</sup> Nomenclature Commune.

Acronym	Meaning
Office	The Office of the Body of European Regulators for Electronic Communications as established by Regulation (EC) No 1211/2009 of the EP and of the Council of 25 November 2009 <sup>7</sup>
OLAF	European Anti-Fraud Office
OTP	Open tendering procedure following the publication of a contract notice in the Official Journal of the European Union
RBFM	Report on budgetary and financial management
RoP	Rules of Procedure
SC	Service contract
SLA	Service Level Agreement
SNE	Seconded National Expert
Sysper2	Système de gestion du Personnel <sup>8</sup> , version 2
RPO	Recovery point objective
RTO	Recovery time objective
TA	Temporary Agent
TSM Regulation	Telecoms Single Market Regulation (Regulation (EU) 2015/2120 of the EP and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union) <sup>9</sup>
WG	Working Group
WP	Work Programme

<sup>7</sup> OJ L 337, 18.12.2009, p. 1–10 (BG, ES, CS, DA, DE, ET, EL, EN, FR, GA, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV); a special edition (HR); <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1546582997398&uri=CELEX:32009R1211>; No longer in force, Date of end of validity: 19/12/2018; Repealed by [32018R1971](#)

<sup>8</sup> System for management of the personnel

<sup>9</sup> OJ L 310, 26.11.2015, pp. 1–18



## Mission Statement

The BEREC Office is an EU Agency supporting BEREC in the fulfilment of its mission to ensure the consistent implementation of the European regulatory framework for electronic communications. To achieve this, the BEREC Office provides all necessary professional and administrative support for the work of BEREC, including financial, organisational and ICT services, and contributes to BEREC's regulatory work for the benefit of people in Europe.

The guiding principles that lead us to achieve our professional objectives are as follows:

- **Professionalism:** We are results oriented and believe that by performing consistently to high standards we deliver value to our stakeholders. Professionalism also means for us transparency and integrity in all our actions, working always with the highest level of ethics in our contribution to the interests of the organisation and stakeholders;
- **Efficiency:** We take pride in our work and strive for both efficiency and quality in everything we do. We are committed to use the resources available in the most efficient way;
- **Effectiveness:** We aim to contribute to the work of BEREC with real value through tangible and evident results;
- **Accountability:** We take responsibility for our actions and their outcome both as individuals and as a team. We honour our commitments and obligations. We are held accountable to our constituency (and the public at large) regarding the adherence to the mission, the transparency of internal processes and the execution of our mandate.

The guiding principles of our behaviour in working with our colleagues and interacting with our stakeholders:

- **Teamwork** is the foundation of our organization. We share knowledge and expertise working cooperatively to achieve our goals. We foster collaboration while maintaining individual accountability;
- **Diversity:** We respect the diversity of our colleagues, BEREC community and the European Union. We understand that each individual is unique and we recognize and value the different skills and strengths of our team. We believe that diversity fosters creativity and growth and we promote an open and respectful working environment.

More on the BEREC Office tasks and mission can be found on the agency's website at:

[https://bereg.europa.eu/eng/bereg\\_office/tasks\\_and\\_role/](https://bereg.europa.eu/eng/bereg_office/tasks_and_role/)

## Section I – General Context

In view of the need to ensure the development of consistent regulatory practice and the consistent application of the Union's regulatory framework for electronic communications, the Commission established, by Commission Decision 2002/627/EC<sup>10</sup>, the European Regulators Group for Electronic Communications Networks and Services (ERG) to advise and assist the Commission in consolidating the internal market for electronic communications networks and services and, more generally, to provide an interface between NRAs and the Commission.

BEREC and the Office were established by Regulation (EC) No 1211/2009 of the European Parliament and of the Council<sup>11</sup>. BEREC replaced the ERG and was intended to contribute, on one hand, to the development and, on the other, to the better functioning, of the internal market for electronic communications networks and services by aiming to ensure the consistent implementation of the regulatory framework for electronic communications. BEREC acts as a forum for cooperation among NRAs and between NRAs and the Commission in the exercise of the full range of their responsibilities under the Union regulatory framework. BEREC was established to provide expertise and to act independently and transparently. BEREC also serves as a body for reflection, debate and advice for the European Parliament, the Council and the Commission in the field of electronic communications.

The Office was established as a Community body with legal personality to carry out the tasks referred to in Regulation (EC) No 1211/2009, in particular the provision of professional and administrative support services to BEREC. In order to support BEREC efficiently, the Office was given legal, administrative and financial autonomy. It was expected to operate as a Brussels-based support office as the successor of the former ERG secretariat. With only 16 posts and 12 external staff FTEs (of which two were assigned to Administration and Support), the Office became the smallest EU regulatory agency.

By Decision 2010/349/EU<sup>12</sup>, the Representatives of the Governments of the Member States decided that the Office would have its seat in Riga, thus becoming a decentralised regulatory agency. The resources were not adjusted accordingly.

BEREC and the Office have made a positive contribution towards the consistent implementation of the regulatory framework for electronic communications. In order to further contribute to the development of the internal market for electronic communications throughout the Union as well as to the promotion of access to, and take-up of, very high capacity networks, competition in the provision of electronic communications networks, services and associated facilities and the interests of the citizens of the Union, the revised BEREC Regulation aims to strengthen the role of BEREC. Such a strengthened role would complement the enhanced

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<sup>10</sup> Commission Decision 2002/627/EC of 29 July 2002 establishing the European Regulators Group for Electronic Communications Networks and Services (OJ L 200, 30.7.2002, p. 38).

<sup>11</sup> Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office (OJ L 337, 18.12.2009, p. 1).

<sup>12</sup> Decision taken by common accord between the Representatives of the Governments of the Member States of 31 May 2010 on the location of the seat of the Office of the Body of European Regulators for Electronic Communications (BEREC) (2010/349/EU) (OJ L 156, 23.6.2010, p. 12).

role played by BEREC following Regulations (EU) No 531/2012<sup>13</sup> and (EU) 2015/2120<sup>14</sup> and Directive (EU) 2018/1972<sup>15</sup>.

As stated in the new founding regulation, the new official name of the Office should be 'Agency for Support for BEREC' (the 'BEREC Office'). The designation 'BEREC Office' should be used as the Agency's short name. The BEREC Office should enjoy legal, administrative and financial autonomy. To that end, it is necessary and appropriate that the BEREC Office should be a body of the Union with legal personality that exercises the powers conferred upon it. As a Union decentralised agency, the BEREC Office should operate within its mandate and the existing institutional framework. The BEREC Office should provide all necessary professional and administrative support for the work of BEREC, including financial, organisational and logistical support, and should contribute to BEREC's regulatory work. When needed for carrying out its tasks, the BEREC Office may cooperate with competent Union bodies, offices, agencies and advisory groups, with competent authorities of third countries and with international organisations.

In order to guarantee the BEREC Office's autonomy and independence, and in order to provide support to the work of BEREC, the BEREC Office should have its own budget, most of which should derive from a contribution from the Union. The budget should be adequate and should reflect the additional tasks assigned and the enhanced role of BEREC and the BEREC Office. The financing of the BEREC Office should be subject to an agreement by the budgetary authority as set out in point 31 of the Inter-institutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management<sup>16</sup>.

The BEREC Office should be adequately staffed for the purpose of carrying out its duties. All tasks assigned to the BEREC Office, including professional and administrative services supporting BEREC in carrying out its regulatory tasks, together with compliance with the financial, staff and other applicable regulations, and the increased weight of operational tasks required of the BEREC Office vis-à-vis administrative ones should be duly assessed and reflected in the resource programming. Moreover, the rules on the governance and operation of the BEREC Office should, where appropriate, be aligned with the principles of the Joint Statement of the European Parliament, the Council and the European Commission of 19 July 2012 on decentralised agencies.

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<sup>13</sup> Regulation (EU) No 531/2012 of the European Parliament and of the Council of 13 June 2012 on roaming on public mobile communications networks within the Union (OJ L 172, 30.6.2012, p. 10).

<sup>14</sup> Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1).

<sup>15</sup> Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (see page 36 of this Official Journal).

<sup>16</sup> OJ C 373, 20.12.2013, p. 1.(see para.31 for reference to 'critical mass of staff and competences')

## Section II - Multi-annual programming 2020-2022

### 1 Multi-annual objectives

As the main task of the BEREC Office is to assist BEREC, it is required to possess the necessary capacity to support all BEREC activities. This includes the financial means for supporting BEREC's operations and activities but it is even more important to maintain an efficient human capital with the necessary expertise, to effectively and efficiently support the increasing demands of, and on, BEREC.

To align with the outcome of the review of the regulatory framework for electronic communications, the focus of the BEREC Office should be on maintaining this valuable human capacity along with the development and support of new applications, web-based portals and databases in view of supporting the demanding tasks that BEREC will face in the future. This requires the staff of the BEREC Office to be able to understand and cope with the job type and the workload that the challenges deriving from technology, market and regulatory domains will bring. On top of this, the BEREC Office shall support BEREC towards further improved working methods and higher quality on its output. The BEREC Office must be ready to assist BEREC to meet its future challenges for the benefit of the European telecom market and the welfare of European citizens.

Objectives	KPIs	Measure	Target
1. Maintain appropriate capacity for supporting existing and new BEREC tasks and activities	Fully staffed indicator	Number of temporary agents (TAs), contract agents (CAs), seconded national experts (SNEs) and interim staff / max. number of a fully staffed BEREC Office	100%
2. Improve the quality of work of BEREC by assisting with improvements to its work methods and the quality of its outputs by attracting and maintaining highly qualified staff	Quality of support to BEREC and its WGs	Measure quarterly the level of satisfaction of the BEREC Chair and the BEREC WGs Co-Chairs on a 5 grade scale on the basis of multiple questions	Minimum 85% of responses are in the top 2 scores
3. Develop and manage tools to operate effectively and efficiently	Availability rate of supporting tools	Percentage of time of proper operation of BEREC website, email server, BERECnet, Information sharing portal, public consultation platform, net neutrality measurement tool, etc.	Minimum 95%

## **2 Multi-annual programme**

### **2.1 Developing and maintaining the appropriate capacity for supporting existing and new BEREC tasks and activities**

Although the tasks of BEREC are modified both in nature and in volume, the BEREC Office must continue providing high quality professional, financial and administrative support to all its activities. Therefore, the first strategic objective of BEREC Office should be associated with the capacity that must be developed for supporting existing and new BEREC tasks and activities.

The technology and market developments impact the sector regulation and the activities of BEREC. The BEREC Office needs to recognise the incoming challenges and take them into account during the execution of its WP. As BEREC is going to rely more and more on the support of the BEREC Office for delivering its work programme, the BEREC Office should ensure and secure all necessary resources, which would enable the Agency to provide support to BEREC to implement its future work programmes.

In this context, the BEREC Office needs to attract and maintain high quality multidisciplinary staff while, at the same time, further improve its working methods and the quality of their output. This will ensure that the BEREC Office will continue to contribute effectively and efficiently to the strategic vision and to the priorities of BEREC improving its work planning and making optimum use of its resources.

In the next three years we are going to witness a significant degree of regulatory developments at the EU level. In particular, the implementation of the recently revised regulatory framework for electronic communications will be the top priority for BEREC and the BEREC Office. Further to this, BEREC will implement the tasks assigned by the TSM Regulation in the fields of mobile roaming and net neutrality.

In accordance to the EECC, during the transition period of two years the BEREC Office shall provide its professional support and assistance to establish and maintain a database of:

- (i) the notifications transmitted to the competent authorities by undertakings subject to general authorisation;
- (ii) the numbering resources with a right of extraterritorial use within the Union;
- (iii) where relevant, E.164 numbers of European emergency services.

During these years, an increase of the meetings held for the drafting and consultation process has been expected.

Having regards to aforementioned the BEREC Office shall provide more resources to organize, assist, coordinate and provide professional support for the work carried out of BEREC members.

The BEREC Office can contribute significantly to these goals by assisting BEREC in the execution of its WP and the consistent application of the regulatory framework, thus contributing to the further development of the European single market. The BEREC Office can continue to contribute towards harmonisation and accountability via support to the internal market procedures, supporting BEREC in monitoring the application of common positions and best practices, assisting and providing support to BEREC on establishment and maintenance

of BEREC databases, improving consistency through benchmarking and reporting activities and providing transparency to the BEREC activities via the IT platforms and the applications it manages and operates.

To thrive in this challenging ecosystem and to achieve these goals, the BEREC Office needs the adequate financial means, staff and the operational enablers, such as IT applications, that will allow the accomplishment of these goals.

## **2.2 Developing and managing tools and resources that will assist BEREC to operate effectively and efficiently, reducing on the same time its environmental footprint**

In its strategy (2018-2020<sup>17</sup>) BEREC has given particular attention to the optimisation of its output and operational efficiency as a significant contributor towards its strategic vision and priorities. The BEREC Office can contribute significantly to this goal by safeguarding the application of BEREC rules and working procedures at all stages of BEREC working activities.

This engagement can find application in a significant number of BEREC working tasks fostering optimum outputs and working methods. For instance, the BEREC Office can guarantee a high level of accuracy and consistency in BEREC documents, the application of well-established methodologies in the projects run by BEREC and the effective and efficient use of resources. It can also pursue transparency and accountability that will improve the visibility of BEREC and enhance external relationships and recognition of BEREC among institutions, stakeholders and the citizens of Europe.

Over the last number of years BEREC has encompassed more and more the use of software and hardware tools as enablers both for its working activities as well as for its relationship with the stakeholders and the citizens/consumers. The BEREC Strategy 2018-2020 and WP 2018 focuses even more in the use of such tools for accomplishing BEREC strategic goals and priorities. These tools introduce a new interaction with the BEREC stakeholders and introduce a new type of service on behalf of BEREC requiring constant (24/7) operation and maintenance. BEREC relies on the BEREC Office for procuring, financing, managing the operation and maintaining these tools. Therefore, the BEREC Office must develop the capacity and the expertise to provide reliable and constant support on this new field of services. In addition, these new tools will generate valuable data that are essential to many activities both internal to BEREC and its members (i.e. NRAs) as well as externally to a number of stakeholders. New areas of expertise might be required by the BEREC Office for managing, processing, using and opening these data to the public. The BEREC Office will need to meet the challenge and develop expertise and capacity for supporting BEREC in this new area of operation.

Aiming towards the provision of the best support to BEREC, the BEREC Office has requested to invest in new tools and services that will ease the BEREC workload, improve its efficiencies and outcomes. Planning the years ahead, it is essential to consider the effective and efficient operation of BEREC without forgetting the effect of its activities on the environment. Therefore, the strategic objectives should also consider the environmental footprint of BEREC and

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<sup>17</sup> BoR (17) 173, BEREC Strategy 2018-2020, 05.10.2017, [http://bereg.europa.eu/eng/document\\_register/subject\\_matter/bereg/annual\\_work\\_programmes/7304-2017-bereg-work-programme-status-update](http://bereg.europa.eu/eng/document_register/subject_matter/bereg/annual_work_programmes/7304-2017-bereg-work-programme-status-update)

BEREC Office.

### **2.3 Attracting and maintaining highly qualified staff for the support of BEREC by continuing to ameliorate the facilities and the working environment at the office and the living conditions of its employees**

During the past years BEREC Office always had the challenge to attract and retain highly qualified staff for the support of BEREC activities. Such situation required a particular attention from the management and additional efforts from the HR function of the Agency, which managed to mitigate the high staff turnover keeping high the reputation of the BEREC Office as a very attractive EU employer. Given the enhanced role the agency will have in the support of BEREC activities in the future the value of the human capital is increasing and the need to attract and maintain employees becomes more severe and imminent. Therefore, the third strategic objective of BEREC Office should be related to the development of the necessary conditions for making the agency attractive as an employer.

Being established as an EU agency in Riga the BEREC Office can enhance the cooperation with the host Member State providing more visibility to BEREC, strengthening the stakeholders' engagements ameliorating on the same time the office facilities and the living conditions of its employees. The new Headquarter agreement, as envisaged in the new BEREC regulation, shall serve as an instrument to increase the awareness and visibility of BEREC and the prestige of the BEREC Office as an EU employer to attract and retain highly specialized staff.

## **3 Human and financial resource outlook for the years 2020-2022**

### **3.1 Overview of the past and current situation**

BEREC was established with a Regulation of 2009 as an independent body of the NRAs with primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services. The ultimate goal of the legislator was to facilitate the consistent implementation of the EU rules in the field of telecommunications, to contribute to efficient competition, to foster investments and to protect end-user rights in the area of electronic communications.

An EU agency, called at the time 'the Office', was established to provide professional and administrative support to the independent regulators and to their body, BEREC. When the Office was set up in 2010 its establishment plan did not envisage sufficient resources for handling the standard administrative tasks envisaged in the legislation for a decentralised agency. This resulted in significant difficulties during the start-up phase, including postponing the discharge of the budget for 2012, which led to redirecting all available resources towards ensuring compliance with the Financial and Staff Regulations and the Framework of Internal Control Standards (ICSs). Gradually these efforts resulted in stabilising the day-to-day operation of the Agency and full compliance with the ICSs in 2015.

At the same time the amended Roaming Regulation and the TSM Regulation assigned new tasks to BEREC. The new responsibilities of BEREC in the field of net neutrality have attracted

the attention of the civil society<sup>18</sup>. The growing trend among consumers towards internet enabled services is expected to continue and therefore preserving open internet access will become even more important. To address adequately these expectations BEREC has defined new strategic areas of work and has requested more professional support from the BEREC Office. BEREC requested the Office to manage procurements of studies, run public consultations, organise specialised training for NRA experts and to deploy modern IT applications in support to BEREC.

Against this background the BEREC Office needed to cut two establishment plan posts thus further reducing its extremely limited capacity<sup>19</sup> (see table 1 in Annex III). To provide the requested support to BEREC and to cope with its day-to-day operations the Agency introduced different measures oriented to achieving efficiency gains and outsourced different technical tasks to EC services of private contractors. To free up further capacity for increased support to BEREC, the staff involved in operational support has been discharged from administrative and non-operational financial assignments. This trend will continue in 2020 and the objective would be to limit the number of financial actors working in the accounting system (ABAC<sup>20</sup>) only to the staff of the Administration and Finance.

However, on the administrative side the requirements to the Agency continue to increase. Although the BEREC Office is the smallest agency of the EU, the administrative requirements applied to the BEREC Office are identical to those applied to larger EU bodies, and relate not only to the implementation of the Financial and Staff Regulations but also to all relevant staff implementing rules and Commission Communications related to programming, reporting, internal controls, risk management, business continuity, etc. The changes in the data protection legislation introduced in 2018 increased the administrative burden for the BEREC Office, as the Agency has to review all its policies in a timely manner within two-year period and has to comply with the increased data protection requirements. The high staff turnover in the entity in charge of human resources (HR) management in 2019 has led to temporary decrease of the efficiency and effectiveness of the entity and consequently reduced output. Therefore, in 2019 priority was given to recruitment of new staff and consequently the major part of the revision of the data protection policies in the field of HR will be undertaken in 2020.

The limited size of the Agency requires the use of a multitasking approach, which makes the assignment of staff more challenging and demanding than in other bodies of the EU. In the last years, all these challenges in combination with other factors, such as low correction coefficient for the Republic of Latvia, challenging working and living conditions and difficulties in the establishment of the family members of the staff in the host member state (MS) has led

<sup>18</sup> During the public consultation on the draft BEREC Guidelines in the summer of 2016 the BEREC Office received around 500 000 contributions.

<sup>19</sup> Against this background, in 2015, the BEREC Office was required to cut one establishment plan post, which constituted 6.25 % of the total number of establishment plan posts and, therefore, the BEREC Office completed the objective to render 5 % of its staff as agreed in the Inter-institutional Agreement of 2 December 2013 between the EP, the Council and the EC See p. 27, 2013/C 373/01, Interinstitutional Agreement of 2 December 2013 between the EP, the Council and the EC on budgetary discipline, on cooperation in budgetary matters and on sound financial management, OJ C 373, 20.12.2013, p. 1–11, <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32013Q1220%2801%29> . Moreover, in 2017 the BEREC Office had to contribute with one post to the redeployment pool of EU Agencies. As a consequence, the establishment plan post of the Budget Assistant, vacant as of September 2016, was not filled in and was removed from the establishment plan as of January 2017

<sup>20</sup> **Accrual Based Accounting**



to high staff turnover and decrease of the Agency effectiveness and efficiency and thus putting at risk the delivery of the Agency WP.

To mitigate this risk the management has decided to implement several projects oriented to increasing the attractiveness of the Agency, which required and will require additional financial and human resources.

It should be emphasised that due to its supportive function of BEREC, the BEREC Office does not determine the work priorities for BEREC and has to be prepared to use the most appropriate and efficient approach to address the increase in its workload and so, to be able to fully support BEREC, as required by its new founding Regulation.

### **3.2 Assessment of possibilities, benefits and risks of externalisation**

In the last years, the BEREC Office has seen externalisation as the only way of filling in some of its missing capacities. The externalization of highly specialised tasks specific for the EU Institutions and bodies of the EU to EU partners such as: the EC and other EU Agencies is a safe and advantageous way to cope with the limited resources allocated to the BEREC Office. The BEREC Office has successfully outsourced to the EC services part of its appointing authority powers (to the PMO), the accounting officer function (to the EC Accounting Officer), the responsibility of its medical officer (to the EC Medical Service in Brussels), part of the responsibility of BEREC's and Agency's IT security (to EU-CERT), part of its procurements (to the EC services and other EU Agencies via different Memoranda of understanding specific for each case), for different digital services (to DG DIGIT and EUIPO), for translations (to CdT), for interpretations (to DG Interpretation), etc.

Due to its extremely limited capacity the Agency does not develop any tailor made IT tools and applications for its administrative and day-to-day operation. Therefore, the BEREC Office uses each opportunity to acquire EC IT applications, which may be complicated but guarantee compliance with the complex rules in place for EU institutions and bodies of the EU (e.g. in the field of HR, accounting, e-tendering, document management, etc.). Frequently the use of these tools require the existence of specialised functions, such as the Document Management Officer – for Ares, or Mission Management Officer – for the mission management tool – MIPs, Financial Contact Point – for ABAC, etc. but on the other hand the use of the EC IT tool leads to significant savings of FTEs for development of tailor-made applications and their regular up-date of these applications, which is undertaken entirely by the EC services. This approach provides the Agency with the opportunity to use its limited resources mainly in support to BEREC and in the interest of the EU and EU citizens.

However, at this moment it seems that the possibilities for externalisation have been exhausted due to the lack of further spare capacities in the potential partners of the BEREC Office.

For example, in 2014 the Agency started a very beneficial partnership with ENISA in sharing ENISA's Internal Control Coordinator (ICC) capacity. However, due to increasing assignments for ENISA the Service Level agreement (SLA) with the Agency has been terminated unilaterally by ENISA as of 1 January 2020. Consequently, the BEREC Office will be without ICC capacity as of the beginning of 2020 and so far has not found a potential partner to take over this function. Similar is the situation with security, where the Agency has approached the EC and several Agencies, which have expressed willingness to support the BEREC Office in

deploying its own capacities but not to take over the function of Accreditation Authority, Local Security Officer or Local Security Informatics Officer.

Therefore, in 2020, the BEREC Office will continue to explore various ways of externalisation of its ancillary tasks, mainly on the private market, in line with the legislation in force, in order to free up capacity and/or to establish key missing capacities internally and to assign them to staff. The provisions of the Framework Financial Regulation<sup>21</sup> envisage that technical expertise tasks and administrative, preparatory or ancillary tasks not involving the exercise of public authority or the use of discretionary powers of judgement may be entrusted by contract to external private-sector entities, only where this proves to be indispensable. Due account should be paid to the financial implications of externalisation, as well as the constraints, which this will pose on business continuity.

It should also be noted that the current externalization of ICT services has been very costly [2 times more expensive than the cost of a contract agent (CA)] and is limited only to technical tasks. The external IT staff cannot be involved in policy development, project or contract management and cannot be assigned responsibilities to be system owner.

With the entry into force of the new BEREC Regulation, and in particular the new assignments to the Agency in the field of ICT, establishment of databases and registers and the increased responsibilities for regulatory support to BEREC it will be more appropriate to develop internally key knowledge and expertise related to the core business of the agency in areas in which previous external services were heavily used, mainly in the field of IT and communications. This will increase the independence of the Agency from external contractors and will lead to cost savings. Due to the 4 year cycle of the Agency's contracts and the likelihood of change of contractors, such an approach will have positive impact on ensuring the business continuity. It should also be noted that confidentiality and the need to protect classified information can be better insured under the obligations of the Staff Regulations and CEOS for staff.

The externalisation of logistics, secretarial and clerical services to a private contractor, which does not involve the exercise of public authority, will be maintained. Although there are some deficiencies in the quality of the service, mainly associated with the limitation for the external service provider's staff, the service has proved to be indispensable for the day-to-day Agency's operation. In particular, considering the limited number of staff at the BEREC Office, the preferred option is to use the Agency's staff more for specialised tasks and to continue with the use of technical support by external service providers.

In conclusion, it should be noted that although the BEREC Office has achieved a challenging balance in the distribution of the workload among its human resources, being the smallest agency of the EU, it has been a challenge to maintain a sustainable operation and to ensure an appropriate balance in the work organisation.

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<sup>21</sup> Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council

### 3.3 Resource programming for the years 2020-2022

#### 3.3.1 Financial resources

##### 3.3.1.1 Justification for the provisional revenue:

According to the BEREC Regulation, the BEREC Office's revenue, without prejudice to other resources, comprises the following:

- a) a contribution from the Union;
- b) any voluntary financial contribution from the MSs or the NRAs;
- c) charges for publications and any other service provided by the BEREC Office;
- d) any contribution from third countries or the regulatory authorities competent in the field of electronic communications of third countries participating in the work of the BEREC Office, as provided for in Article 35 of the BEREC Regulation.

Estimates of all revenue and expenditure for the BEREC Office shall correspond to the calendar year, and shall be shown in the BEREC Office's budget.

The 2020 estimated sources of revenue for BEREC Office are contribution from the EU and contributions from third countries, as shown below:

<i>Main EU subsidy 2020:</i>	<i>7 117 000</i>
<i>Assigned revenues deriving from previous years surpluses:</i>	<i>23 402</i>
<i>Third countries contribution (incl. EFTA and candidate countries):</i>	<i>93 251</i>
<b>TOTAL:</b>	<b>7 233 653</b>

Pursuant to Article 35(2) of Regulation (EU) 2018/1971 of the European Parliament and of the Council, the Board of Regulators, the working groups and the Management Board are to be open to the participation of regulatory authorities of third countries with primary responsibility in the field of electronic communications. It also provides that working arrangements are to be developed between BEREC and third countries NRAs specifying, in particular, the nature, extent and manner in which the regulatory authorities of the third countries concerned will participate without the right to vote in the work of BEREC and BEREC Office, including financial contributions.

In addition, on 18 March 2019 the European Commission adopted six decisions<sup>22</sup> on the participation of the National Regulatory Authority of third countries in the work of BEREC and BEREC Office. Each of the decisions is accompanied by an annex outlining the Terms of Reference (ToR) for the participation of the national regulatory authority of third countries in the work of BEREC and BEREC Office which states that the BEREC Office is obliged to collect the financial contribution from the third countries NRAs.

<sup>22</sup> Official Journal of the European Union, C 115, 27 March 2019 <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C:2019:115:TOC>>

In order to implement provisions of the BEREC Regulation and European Commissions' decisions on 21 May 2019 the BEREC Office Management Board adopted Decision No MB/2019/08 establishing Working Arrangements between NRAs of Albania, Bosnia & Herzegovina, Kosovo\*, Montenegro, North Macedonia, Serbia, Norway, Iceland and Liechtenstein and the Body of European Regulators for Electronic Communications (BEREC)<sup>23</sup>.

As a result and following the abovementioned legal basis the BEREC Office is going to request EUR 15,541.85 from each of the following third countries NRAs to cover costs of their participation in the work of BEREC and BEREC Office in 2020:

- Electronic and Postal Communications Authority (Albania),
- Regulatory Authority of Electronic and Postal Communications (Bosnia and Herzegovina),
- Communications Regulatory Agency (Kosovo\*),
- Agency for Electronic Communications and Postal Services (Montenegro),
- Agency for Electronic Communications (North Macedonia),
- Regulatory Agency for Electronic Communications and Postal Services (Serbia).

Any additional revenue from third countries, MSs or from NRAs shall be incorporated in an amending budget and amending work programme.

While the BEREC Office acknowledges that the programming of activities beyond 2020 is entirely indicative and can be given only for illustrative purposes given that the discussions in the EP and the Council on the EC proposal for the Multiannual Financial Framework 2021-2027 have not been finalised, it is likely that the sources of revenue and conditions for 2021 and beyond will remain the same as for 2019. Therefore the BEREC Office has applied a standard increase of 2% per year of its expected revenue, an approach which has been already used in the programming period 2014-2020.

### **3.3.1.2 Justification for the provisional expenditure:**

#### **3.3.1.2.1 Title 1 'Staff'**

The amounts requested in Title 1 are based on realistic assumptions as to the number of staff actually recruited at the end of 2019 and the planned number of staff and trainees for 2020, including appropriations for temporary filling in of the vacant post with interim workers. Calculation also takes into account the recruitment plan for the next year. The estimate on

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<sup>23</sup> Decision No MB/2019/08 of the BEREC Office Management Board to establish Working Arrangements between NRAs of Montenegro, Bosnia & Herzegovina, Albania, North Macedonia, Kosovo, Serbia, Norway, Iceland and Liechtenstein and the Body of European Regulators for Electronic Communications (BEREC), 21 May 2019 <  
[https://berec.europa.eu/eng/document\\_register/subject\\_matter/berec\\_office/decisions\\_of\\_the\\_management\\_board/8566-decision-no-mb201908-of-the-berec-office-management-board-to-establish-working-arrangements-between-nras-of-montenegro-bosnia-amp-herzegovina-albania-north-macedonia-kosovo-serbia-norway-iceland-and-liechtenstein-and-the-body-of-european-regulators-for-electronic-communications-berec](https://berec.europa.eu/eng/document_register/subject_matter/berec_office/decisions_of_the_management_board/8566-decision-no-mb201908-of-the-berec-office-management-board-to-establish-working-arrangements-between-nras-of-montenegro-bosnia-amp-herzegovina-albania-north-macedonia-kosovo-serbia-norway-iceland-and-liechtenstein-and-the-body-of-european-regulators-for-electronic-communications-berec)>

\* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

budgetary impact of salary adjustments has been also taken into account to the best possible extent.

Current 2021 and 2022 estimates for chapters related to staff active employment are calculated taking into account the increase due to possible indexation and changes in the correction coefficient as well as adjustments of the automatic step and possible reclassifications. The calculation is also made with stipulation that there would be no vacant posts and Agency is fully staffed.

The expenditure under Chapter 12 used for the expenses on recruitment is slightly increased in 2020 and followed by decrease onwards, this calculation takes into account the vacant posts to be filled in and assumption, that once new posts are filled in the magnitude of recruitment procedures will decrease. The budget for missions under Chapter 13 for 2020 and onwards is slightly increased to take into account the increase in number of staff and inflation. BERIC Office is encouraging its staff to participate in BERIC and other events by video and audio conference where possible, therefore the increase is modest and is not proportionate to the actual increase in the number of staff. The increase in the mission budget has also the objective to take into account the annual inflation and number of staff. The training and medical services chapters are increased proportional to the number of staff and the inflation rate, taking into account the fact that the Agency will reach fully staffed situation only in 2020<sup>24</sup>. Chapter 16 is budgeted with the assumption that BERIC Office, when fully staffed, will use interim staff mainly for addressing heavy workload and ad-hoc projects or temporary replacement of staff absent for long period of time. Consequently, the planned budget for interim staff under expenditure for external services in Title 1, Chapter 16 is decreased in comparison to 2020, where multiple selection are still vacant, thus increase in the use of the interims. If interim workers are needed for temporary filling in of other vacant posts a budgetary transfer will be planned from the respective budget line in which the remuneration of the respective post has been planned. Additionally with the increase in number of staff BERIC envisages proportional increase in the costs for temporary<sup>25</sup> financing of multilingual tuition by international schools available in Latvia for the children of staff. Under the same chapter, the BERIC Office will ensure the payment of grants and other associated expenditure for trainees, different services by DG HR and the PMO, translation of vacancy notices and other HR documentation, social welfare measures and other HR related services (including legal services to the staff). Flexibility in this item for 2020-2022 will be needed to address the uncertainty specific to many of the items listed above financed through this budget line and possible additional requests for support for studies of children received from the staff. Under Chapter 17 "Representation, receptions and events" BERIC has planned small amount for in-house meetings and receptions and unit/team events if needed.

### **3.3.1.2.2 Title 2 'Buildings, equipment and miscellaneous operating expenditure'**

The planned expenditure in Title 2 beyond 2020 is indicative and likely to change after the

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<sup>24</sup> The Agency will finish 2019 with 8 vacant posts (1 AD6 – due to a recent resignation, 1 AD5, 1 CA FG IV – for which the job offer was sent and accepted with start date in 2020, 3 CAs FGIII – for which selection is on-going or forthcoming, 2 CAs FGII – for which selection is on-going).

<sup>25</sup> In July 2017 the Latvian Authorities announced that the process to establish a European School in Latvia may be finalized in two years from the launch. The BERIC Office will support the staff until the end of such process.

negotiations on the new Headquarters agreements to be concluded in 2020. The outcome of the negotiations will be crucial to planning on the costs of rental of buildings and associated costs, such as utilities, furniture and other running costs.

In the current document the expenditure under Title 2 has been planned taking into account current situations, the inflation rates, the increase of personnel at the BEREC Office and the increased office space and respective expenditure and the increase of the cost of the services paid to the Commission Services.

Due to the increase of staff, phasing out of old IT equipment and planned externalisation of the back-up as a service (BaaS), disaster recovery as a service (DRaaS) and preparing for ordering desk-top as a service provided that the proof of concept is successful, a significant increase in the information and communication technology spending is required. The financial resources under Chapter 21 will be used also for paying external data processing services provided to the BEREC Office by the Commission services, such as: hosting of ABAC, HAN, Sysper2, IT security services (provided by the EU-CERT), access to DG DIGIT procurement procedures, etc. due to regular up-dating of their cost based on the charge-back model. The Chapter also includes a one-off fee for IaaS migration service to be paid in 2020, therefore decrease is envisaged for years onwards.

The expenditure under Chapter 22 for movable property and associated costs is increased proportionally to take into account the needs for additional furniture to accommodate new working spaces as well as to cover the consumption of office supplies, stationery, and drinking water.

In addition to expenses for outsourcing the services of the Accounting Officer, hiring an independent auditor, outsourcing the secretarial and logistic tasks, legal expenses and office supplies the chapter 23 'Legal and other operating expenses' includes expenditure related to the BEREC Office budget publications in the Official Journal, as well as translations and/or other language requests related to the BEREC Office documents, budgetary and legal issues. Therefore it is increased to take into account the language requirements of Article 46 of the new BEREC Regulation. Having in mind the obligation for the BEREC Office to use the services of the Translation Centre of the Bodies of the European Union the planned amount may not be sufficient to comply with the legal requirements.

The expenses under Chapter 24 will be used for various communication projects such as back-to-school initiative, open door days and promotional materials for the BEREC Office.

Chapter 25 'Meetings in general' will be used for meeting with the local authorities, representatives of the MSs not related to the Agencies mandate. Taking into account the expected intensification of these events in 2020 due to the preparation of the new Seat Agreement the planned expenditure under this Chapter is significantly increased. After the 2020 BEREC Office foresees a significant decrease in the use of the Chapter.

### **3.3.1.2.3 Title 3 'Operational expenditure'**

The appropriations under Title 3 will be used for operational activities of the BEREC Office. The operational activities consist of the following:

- a) financing the support to BEREC Working Groups (WGs), including organisation of meetings and workshops, as well as activities of market analysis including organisation of ad hoc meetings for Article 32 and 33 (former Article 7/7A) phase II cases;

- b) financing and support to high-level meetings and Board's secretariat, including support and organisation of BEREC Chair and Vice-Chairs, Plenary and CN meetings and international events;
- c) financing BEREC Communication activities, including BEREC Communication Strategy and Plan;
- d) ICT support to BEREC;
- e) Information gathering and distribution, including purchasing of studies and projects for BEREC.

The appropriations planned for support to WGs reflect the actual spending observed in 2018 and 2019 and the estimated needs for the period 2020-2022, including reimbursement of experts' participation in WG meetings, workshops or other events organised by the WGs (including for Ad Hoc WGs for Articles 32 and 33), meetings of the WGs with other EU institutions and bodies of the EU, etc.

Considering the launch of measures for the implementation of the new Agency mandate in support to BEREC, resources of Title 3 also will be used for:

- f) addressing public transparency and accountability obligations of BEREC;
- g) covering costs for update and maintenance of all BEREC IT tools and information and communication systems, such as BERECnet, BEREC website, etc.;
- h) maintenance and expansion (where needed) of the audio/video-conference systems;
- i) addressing the additional ICT related projects arising from the implementation of the TSM Regulation and the EECC (i.e. numbering and authorisation notifications) as well as other ICT projects requested by BEREC taking into account the limited financial and human resources available;
- j) providing any other support to BEREC and the NRAs, duly requested from the BEREC Office;
- k) covering the expenditure for the Expert Networking Groups and the work of the experts from the participating NRAs in the work of BEREC.

Activities under Information gathering and distribution item will be devoted for acquiring services of regulatory database, training for NRA experts on regulatory issues and other topics relevant to BEREC activities, language services necessary for BEREC work, maintenance of information sharing portal, on-line platform for public consultations, Net Neutrality tool as well as procurement and financing of studies and other projects for BEREC work.

More details are provided in tables in Annex II, including on the budget outturn and cancellation of appropriations.

### **3.3.2 Human resources**

#### ***3.3.2.1 Resource outlook over years 2020 to 2022***

##### **A) New mandate**

According to the new BEREC Regulation, which entered into force on 20 December 2018, the BEREC Office has a new, enhanced mandate, which includes the following main tasks:

No	Task	Comment
1.	Provision of professional and administrative support services to BEREC, in particular in fulfilling its regulatory tasks	Growth of existing task by inclusion of assignment for support to BEREC in the field of regulation
2.	Collection of information from NRAs and exchange and transmission of information in relation to the regulatory tasks assigned to BEREC	No change in the assignment of the BEREC Office but due to the increase in the regulatory tasks assigned to BEREC there will be growth in the tasks for the Agency.
3.	Preparation of regular draft reports on specific aspects of developments in the European electronic communications market, such as roaming and benchmarking reports, to be submitted to BEREC	Existing task
4.	Dissemination of regulatory best practices among NRAs	Existing task
5.	Provision of any information in a timely and accurate manner upon the reasoned request of the Commission or an NRA, to enable the Commission, the NRA or other competent authority, to carry out their tasks <sup>26</sup> .	New task
6.	Assistance to BEREC in establishing and maintaining registries and databases in accordance with the EU regulatory framework	New task
7.	<p>Establishment and management of an information and communication system with at least the following functions</p> <p>a) a common platform for the exchange of information, providing BEREC, the Commission and NRAs with the necessary information for the consistent implementation of the EU regulatory framework for electronic communications;</p> <p>(b) a dedicated interface for requests for information and notification of those requests as referred to in Article 40 of the BEREC Regulation, for access by BEREC, the BEREC Office, the Commission and NRAs;</p> <p>(c) a platform for early identification of the need for coordination between NRAs.</p>	New task

<sup>26</sup> Where the BEREC Office considers information to be confidential, the Commission, the NRA or the other competent authority shall ensure such confidentiality in accordance with Union and national law; business confidentiality shall not prevent the timely sharing of information.



No	Task	Comment
8.	To support the cooperation with other EU bodies, offices, agencies and advisory groups, in particular the Radio Spectrum Policy Group, the European Data Protection Supervisor, the European Data Protection Board, the European Regulators Group for Audiovisual Media Services, the European Union Agency for Network and Information Security (ENISA), the European Competition Network and European standardisation organisations, as well as with existing committees (such as the Communications Committee and the Radio Spectrum Committee) <sup>27</sup>	New task
9.	To support BEREC's strategy for relations with competent authorities of third countries and with international organisations concerning matters for which BEREC is competent in line with the provisions of Article 23 (5) of the BEREC Regulation.	New task
10.	To support the transparency and communication activities of BEREC and the BEREC Office; communication and dissemination plans to be adopted by the MB.	Enhanced task, also with reference to language requirement below.
11.	Compliance with the provisions of Regulation No 1 determining the languages to be used by the European Economic Community <sup>28</sup> .	New task
12.	Compliance with security rules equivalent to the Commission's security rules for protecting European Union Classified Information and sensitive non-classified information.	New task

According to its new mandate BEREC and the BEREC Office will have to process EU classified information, which so far has not been the case that will lead to major changes in the physical and IT security requirements and infrastructure to ensure compliance with the Commission's security rules for protecting EU classified information.

More stringent requirements on declarations of conflicts of interest and commitments will also apply.

Additionally in 2019 and 2020 the BEREC Office will have to comply with the recently adopted new legislation in the field of data protection and budgetary and financial management.

The new BEREC Regulation, among others, envisages the establishment of a new Headquarters Agreement between the BEREC Office and the host MS (the Republic of Latvia) within two years after the date of entry into force of the Regulation.

In addition, Article 35(2) of Regulation (EU) 2018/1971 states that the BEREC Board of Regulators, the BEREC Working Groups and the BEREC Office Management Board shall be open for participation of NRAs from third countries with primary responsibility in the field of electronic communications, where those third countries have entered into agreements with the Union to that effect.

<sup>27</sup> In 2019 BEREC and the BEREC Office already signed Memorandum of Understanding for cooperation with RSPG.

<sup>28</sup> [OJ 17, 6.10.1958, p. 385](#)

## B) Human resources under the revised mandate

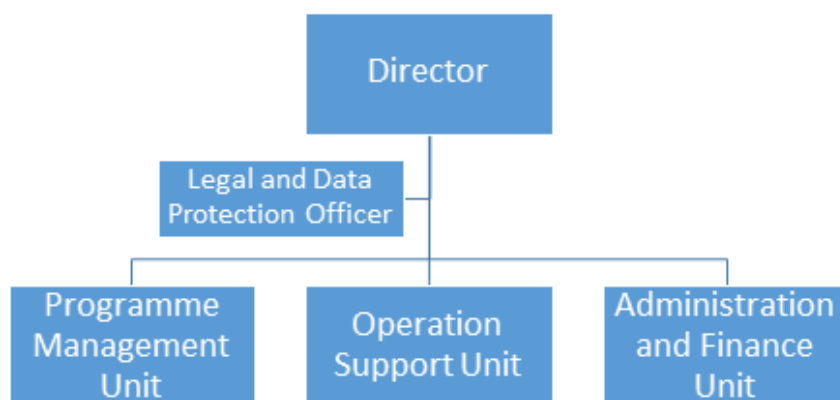
With the resources of year 2019, the BEREC Office should be able to provide the required support to BEREC on a satisfactory level and to comply with the mandatory rules without unnecessary risk taking.

In order to be able to better address the challenges under the revised mandate, more particularly in needs for robust and reliable ICT infrastructure, for facilitating the participation of NRAs of non-EU member countries and for enhanced transparency and stakeholder engagement, the former Executive Support entity is strengthened and also renamed.

With this change, the BEREC Office internal organisational structure shall contain:

- 1 senior management level (1 Director);
- 1 middle management level (3 Heads of Unit);
- Staff (organised in teams)

as follows:



If available financial resources will allow, it might be considered to engage SNEs or CAs for certain specific activities for limited time (1-3 years), for example:

- NN measurement tool, support to NRAs during implementation;
- Website renewal project, if and when confirmed;
- Introduction of new participating NRAs.

Subject to confirmation of ambition and timing, the following activities will require resources or re-shuffling the current profiles:

- Processing of EU classified information and application of the Commission rules;
- Complying with language requirements;
- Improvement of internal control with internal audit capability as foreseen in the relevant EU framework.

In the budget 2019 the BEREC Office has received an increase of its establishment plan posts from 14 to 16, which reinstates the number of establishment plan posts at the Agency of 2013 and 2014, as shown below.

The requested increase in the number of the establishment plan posts to 28 for 2020 was rejected by the EC and the Budgetary Authority and in 2020 the Agency will operate with 16 temporary agent (TA) posts, which includes the post of the Director.

Evolution of Agency's posts in 2013-2020								
2013	2014	2015	2016	2017	2018	2019	2020 – Agency's request	Final EU budget 2020
16	16	15	15	14 <sup>29</sup>	14	16	28	16

To comply with the requirements of the new legislation, the BEREC Office will re-shuffle existing staff during the programming period. Under the current circumstances any post for which there is no requirement to be filled in by temporary agents will be offered to CAs or SNEs, especially when the expertise of the NRAs could bring additional value to the activity of the Agency.

Therefore, as of 2020 the MB will establish seven additional external staff post (4 CAs and 3 SNEs) in the two operational units that supports BEREC, the NRAs and the BEREC WGs. The four CAs in the Operation Support Unit are foreseen in a budgetary neutral way compared to 2019 as it foresees internalisation of services that are currently being outsourced. Three additional SNEs are planned in activities for which such an experience is beneficial, especially in light of the Commission decisions for the participation of NRAs from third countries in the work of BEREC, which allows the BEREC Office to make use of staff from those countries, including seconded national experts and other staff not employed by the BEREC Office<sup>30</sup>, pursuant to Annex 1 of Decision MB/2019/08 to establish Working Arrangements between NRAs of Albania, Bosnia & Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia, Norway, Iceland and Liechtenstein and BEREC<sup>31</sup>.

### C) Efficiency gains, redeployment and negative priorities

The current internal structure of the Agency is based on three Units – Programme Management, Operation Support and Administration and Finance.

In order to increase synergies in procurement and finance to the extent possible, and to ensure high specialization, thus increasing the efficiency and effectiveness of the staff and the quality of the deliverable the BEREC Office centralized procurement as of 1 July 2019 and will centralise finance and accounting as of 1 January 2020 (for all transactions – operation and non-operational). Similar approach may be applied to mission management as soon as the

<sup>29</sup> According to the European Court of Auditors Rapid case review on the implementation of the 5 % reduction of staff posts the BEREC Office was affected by the highest cut of staff among all decentralised Agencies (12.75 %).

<sup>30</sup> See:

<sup>31</sup> [https://bereg.europa.eu/eng/document\\_register/subject\\_matter/bereg\\_office/decisions\\_of\\_the\\_management\\_board/8566-decision-no-mb201908-of-the-bereg-office-management-board-to-establish-working-arrangements-between-nras-of-montenegro-bosnia-amp-herzegovina-albania-north-macedonia-kosovo-serbia-norway-iceland-and-liechtenstein-and-the-body-of-european-regulators-for-electronic-communications-bereg](https://bereg.europa.eu/eng/document_register/subject_matter/bereg_office/decisions_of_the_management_board/8566-decision-no-mb201908-of-the-bereg-office-management-board-to-establish-working-arrangements-between-nras-of-montenegro-bosnia-amp-herzegovina-albania-north-macedonia-kosovo-serbia-norway-iceland-and-liechtenstein-and-the-body-of-european-regulators-for-electronic-communications-bereg)

Agency gets access to the EC mission management tool – MiPS, in 2020. This will increase the efficiency and effectiveness of staff and will free capacity in the operational units for addressing partially the new tasks in support to BEREC.

The Agency is committed to continuous improvements and has been constantly working towards ensuring the most effective and efficient use of its limited resources, to the extent possible. Further efficiency gains in the interest of increased support to BEREC and more benefits for the EU citizens can be explored only after a further increase of the Agency staff population, when the BEREC Office will achieve a critical size<sup>32</sup>, eventually in 2021 and beyond.

It should also be emphasised that the Agency is not in a position to decide on the reprioritisation of its actions, due to the fact that the priorities are set by BEREC and not by the BEREC Office. In order to maximize the scarce human resources in place, the clerical and secretarial tasks have been partially externalised with a view to entirely dedicate the temporary and contract staff in place to the professional support to BEREC<sup>33</sup>. However, at first opportunity these tasks should be internalised, which would ensure higher accountability of the staff towards the organisation.

In addition, the Agency will keep its target to achieve a paperless environment in order to reduce the paperwork. The implementation of the Commissions document management IT tool "HAN" started in 2017 and the implementation of "Sysper2" achieved in 2019 will, in the medium and long term, support this objective.

The appointing authority powers were previously exercised by the Vice-Chair of the Management Committee of the Office. With the new BEREC Regulation the Management Board delegated relevant appointing authority powers to the Director, who is authorised to sub-delegate those powers. This is intended to contribute to the efficient management of the staff of the BEREC Office.

### **3.3.2.2 Conclusion on evolution of resources**

The BEREC Office has played an essential role supporting BEREC and the NRAs to deliver results in the past several years.

The BEREC Office already demonstrated its capabilities to contribute to the work of BEREC with more added value. This has led to the decision of the legislator to entrust BEREC and BEREC Office with more responsible tasks, which could make a difference at EU level.

To ensure the sustainable operation and to fully exploit the potential of being a support agency, the BEREC Office needs to get adequate financial and human resources.

The BEREC Office has been constantly fully staffed in the last few years but nevertheless has experienced difficulties to address its workload and has been forced to externalise certain

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<sup>32</sup> The BEREC Office is the smallest EU agency with staff numbers still below the “critical mass of staff and competencies” as referred to in the Interinstitutional Agreement on budgetary disciplines (2013/C 373/01), signed by the European Parliament, the Council and the Commission in 2013.

<sup>33</sup> As at the moment there are no AST/SC at the BEREC Office and only one contract agent is in function group II, the secretarial and clerical tasks are partially distributed among the staff, including administrators and managers. This situation contributes to the limited attractiveness of the agency, including for posts with higher grades. The contract and temporary staff in place is currently requested to perform a wide range of technical and professional tasks, and as it would not be efficient to fully dedicate them to secretarial tasks, such tasks are in the process to be externalised.

technical tasks to external parties, including in support to BEREC (for example expert reimbursements). All efficiency gains have been either invested in additional support to BEREC or used by the headcount cut imposed on all agencies, which impacted the BEREC Office the most (-12.5% in posts).

The need for providing the Agency with proper resources has been recognised also by the legislator in the provision of the BEREC Regulation, and in particular in Recital 33 and Article 31, which stipulates that the BEREC Office should be adequately staffed for the purpose of carrying out its duties, namely professional and administrative services supporting BEREC in carrying out its regulatory tasks, together with compliance with the financial, staff and other applicable regulations.

If the BEREC Office does not obtain the resources it needs to comply with its new mandate and to fill up its missing profiles the delivering according the expectations of the legislator and BEREC would be highly unlikely.

Further details about the human resources needs over the programming period are provided in Table 2 of Annex III.

## Section III - Work Programme 2020

### 1 Executive summary

The activities in the BEREC Office WP for 2020 are split into the following main groups as follows:

- a) operational activities;
- b) horizontal activities;
- c) administrative support activities.

The multi-annual objectives outlined earlier in Section II 1 complement each of these activities and will assist their execution.

The operational activities include all actions undertaken by the BEREC Office in support of BEREC's work, which are grouped as follows:

#### 1. Support to WGs

This activity includes assisting in setting-up WGs and supporting their activities, including activities under market analysis (former Art.7/7a - current Art.32/33 phase II cases), in order to fulfil the BEREC WP. BEREC Office support will consist of organisation of meetings, workshops, participation of WG experts in 3<sup>rd</sup> party meetings, costs of WG event organisation, reimbursement of travel expenses and accommodation allowance of event participants. Also the Office will collect and keep track of all market analysis notifications under Article 32 and 33 of the EECC, establish and coordinate relevant ad hoc WGs, and ensure high-level quality and consistency of the BEREC opinions.

**2. High level meetings - Boards' secretariat**, which includes assisting the Board of Regulators (BoR), the Management Board of the BEREC Office (MB), and respectively their Chair and Chairperson and Vice-Chairs and Deputy Chairpersons, the Contact Network (CN) and BEREC Office Advisory Group (BAG) in fulfilling their assignments, especially in preparation of the BoR, MB, CN and BAG meetings, the BEREC meetings with the EU institutions, high-level BEREC workshops, events attended by the Chair and Vice-Chairs on behalf of BEREC as well as international events.

**3. ICT support to BEREC**, which includes maintaining the internal platform for collaboration (BERECnet), procuring and maintaining IT applications and tools (for example, audio video conferencing, etc.), portals, platforms, provision of necessary licences. This activity covers the establishment and maintenance of databases (including database for data sets for Roaming WG) in accordance with the EECC.

**4. Information gathering and distributing**, which includes procuring and managing the necessary services, such as subscription to regulatory database on intelligence services,

trainings for NRAs' experts, commissioning of studies and other projects upon request from BEREC, provision of online platform for BEREC public consultations, provision and maintenance of Net Neutrality Measurement Tool, procuring necessary data to support Working Group activities, such as data to support Remedies WG work, and also maintenance of IS Portal; procuring market or financial data, subscription materials (in paper or online), tools, equipment (including hosting), market research and other projects for BEREC operation and work. The activity also includes coordination of the preparation of the BEREC annual activity reports and necessary language and translation services in support to BEREC.

**5. BEREC communication activities**, which includes ensuring maximum internal and external transparency and accountability of BEREC activities, including through implementation of the BEREC External Communication Strategy and annual communication plans, maintaining the BEREC website, answering questions of citizens and stakeholders including the provision of documents and data, organisation of public briefings and managing relations with BEREC stakeholders.

**The horizontal activities include:**

**1. General coordination activities, which include activities that have the overall objective to support the management in addressing matters of horizontal nature, which have impact on all other Agency's activities, as follows:**

- **General coordination**, which includes mainly recurring activities, such as: preparation of the draft and final Single Programming Documents (SPD); the interim and final Consolidated Annual Activity Reports (CAAR); any reports to the Discharge Authority; participation in the activity of the EU Agencies' Network (EUAN); coordination of the external and internal audits from the Agency's side performed respectively by the European Court of Auditors (ECA), including independent auditor performing audit with a focus on finance, and the European Commission Internal Audit Service (IAS); implementation of the internal control framework, including risk management; relations with the Latvian authorities.
- **Legal advice and data protection**, which includes activities of the legal officer (not directly linked to the Agency mandate, excluding legal advice under the Financial Regulations), the activities of the data protection officer, relation with the Court of Justice and with the Ombudsman;
- **Communication activities** - not directly implementing the mandate of the Agency, such as traditional BEREC Office events;

**2. Centralised finance and procurement activities**, which include: budget management, finance, accounting and procurement (for all activities: in support to BEREC and for the

day-to-day Agency operation); payroll and reimbursement of mission costs; asset management; legal

3. advice for implementation of measures govern by the Financial Regulations.

The administrative support activities include:

1. **HR management** (except payroll and mission reimbursement), which includes selection and recruitment, day-to-day personnel management, carrier development, provision of social welfare to the staff, as required by the Staff Regulations, etc.;
2. **Security, information and communication technology (ICT) and logistics**, which include activities primarily supporting informatics infrastructure and services (e.g. workstation support, hardware support, ICT management, ICT service support with a role at Agency level (not directly implementing the mandate of the Agency); provision of security services, postal services, building and facility management (including premises and equipment) and office supplies and document management and archive activities (except operational).

The annual activity work programme contains detailed objectives, expected results and the description of the actions to be financed, including an indication of the amount of financial and HR allocated to each action. All activities listed above are developed on the basis of the availability of the following financial and HR:

Total budget	Establishment plan posts	External personnel (incl. SNEs)
EUR 7,233,652.74	16	31

The split of financial and HR costs between the different activities is presented in Annex I. Please consult Annex II and Annex III provides for detailed split of budget and HR resources.



## 2 Activities

### Operational Activities

#### 2.1 Support to BEREC Working Groups, including workshops and phase II cases

The total resources required for the support to BEREC WGs, including assistance in setting up WGs, organisation (either internal or external) and coordination of ad hoc WG meetings under Art 33/34 procedure is:

Financial resources (EUR)	FTEs
510,000.00	16.30

##### 2.1.1 Overview

According to the BEREC Regulation, the BEREC Office assists in setting up BEREC WGs, upon request of the BoR, and provides them with the appropriate administrative, professional and logistics support. This forms the framework of contribution by national experts to delivery of the BEREC WP.

The BEREC Office also manages changes relating to WGs, if required, during the calendar year. To enable smooth working of WGs, the BEREC Office collects resource commitments from the NRAs, sets up and manages the email lists and email exploders related to the WGs.

The BEREC Office provides administrative support to WGs with organising meetings and workshops – either physical or fully virtual, and maintaining the information flow among members. Furthermore, it also provides logistical support to WGs, such as circulation of documents and reimbursement of experts' travel expenses to the NRAs. Depending on the actual deliverable, the BEREC Office provides professional support to WGs in preparation of BEREC documents, assisting in public consultations and undertaking the role of drafters whenever needed.

##### 2.1.2 Objective, indicators, expected results and main outputs

Objective	Provision of administrative and professional support to WGs with organising of meetings		
Expected results	<ol style="list-style-type: none"> <li>1) Organisation of the WGs meetings (both virtual and physical);</li> <li>2) Maintaining updated distribution and contact lists of BEREC WG drafters and members;</li> <li>3) Provision of support, assistance in and coordination on dissemination of any kind of BEREC information and/or analysis of collected market data;</li> <li>4) Assistance in the timely submission of BEREC Opinions to the European Commission;</li> <li>5) Updated records of Market Analysis notifications;</li> <li>6) Contribution to the drafting of BEREC reports;</li> <li>7) Monitoring sustainability KPIs and the report.</li> </ol>		
Indicators	Latest result	Target Year	Means and frequency

		2020	of verification
1. Provision of virtual WG meetings	2018: up to 200	2020: 100<	Monthly report, Interim report, CAAR
2. Provision of support of physical WG meetings	2018: <100	2020: ≤150	Monthly report, Interim report, CAAR
3. Provision of support to workshops with external experts	2018: 4	2020: ≤10	Monthly report, Interim report, CAAR
4. Provision of support to participation in 3rd party meetings	2018: 5	2020: ≤10	Monthly report, Interim report, CAAR
5. Provision of ad hoc meeting under Article 33/34 procedures (former Art 7/7A)	2018: 3	2020: ≤10	Monthly report, Interim report, CAAR
6. Reimbursement of the expenses of the meeting participants invited to the events listed above in compliance with the applicable BEREC Office rules and within the deadlines envisaged in the BEREC Office Financial Regulation	2018: up to 600	2020: ≤1000 <sup>34</sup>	Monthly report, Interim report, CAAR
7. Monitor sustainability KPIs	2018: n/a	n/a	n/a
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Support to physical WG meetings, workshops with internal and/or external experts, phase II case meetings and audio-video conferences;</li> <li>2. Active participation of BEREC Office members as drafters in the work of WGs upon request;</li> <li>3. Structured and timely provision of support for BEREC information and/or analysis on collected market data (upon the request or in accordance with SPD);</li> <li>4. Full logistic and technical support to the organisation of WGs' public workshops – selection and rental of venue, ICT services, technical equipment and tools (like microphones, recordings, remote access provision, translation / interpretation services etc.), catering services;</li> <li>5. Provision of support in the proper functioning of WGs, including to workshops with external experts, phase II case meetings and audio-video conferences (such as invitations to meetings, document circulation and reimbursement of related travel and accommodation expenses to persons invited to attend meetings in and expert capacity);</li> <li>6. Data collection and dissemination upon request from WGs or the BEREC Chair;</li> <li>7. Coordination of the BEREC activities in accordance with the Article 33/34 procedures;</li> <li>8. Establishment of Ad Hoc WGs and regularly updated list of focal points;</li> <li>9. Regularly updated database of Internal Market notifications;</li> <li>10. Assistance in the timely submission of BEREC Opinions to the European Commission following phase II cases analysis;</li> <li>11. Acting as experts or rapporteurs in the Ad Hoc WGs if requested;</li> <li>12. Contribution to the drafting of the following reports (in due time): <ol style="list-style-type: none"> <li>a. Annual reports;</li> <li>b. Compiling international roaming benchmark reports;</li> <li>c. Compiling termination rates at European level reports;</li> <li>d. Compiling the report on transparency and comparability of international roaming tariffs;</li> <li>e. Support to the report on the implementation of the Open Internet Regulation.</li> </ol> </li> </ol>			

<sup>34</sup> Subject to increase, in case third countries that participate in BEREC make financial contributions. Participants from such third countries will become eligible for reimbursement of expenses.

## 2.2 High level meetings and support to the Boards

The total resources required for the organisation of high-level meetings and support to the Board's secretariat are, as follows:

Financial resources (EUR)	FTEs
560,000.00	3.50

### 2.2.1 Overview

According to the BEREC Regulation, BEREC should assist and advise the NRAs and the Commission in the execution of their responsibilities under the Union regulatory framework through the pooling of expertise from NRAs without duplicating work already undertaken. BEREC, as a technical body with expertise on electronic communications and composed of representatives from NRAs and the Commission, should contribute to consistent implementation of the regulatory framework for electronic communications. BEREC should also serve as a body for reflection, debate and advice for the European Parliament, the Council and the Commission in the electronic communications field.

These objectives, among others, are achieved through the adoption of a number of BEREC deliverables, which are approved either during the meetings of the Board of Regulators and the Management Board, with the former deciding mainly on regulatory matters and the latter on administrative matters such as the budget, staff and audits etc., or by electronic voting procedures.

Additionally, in order to enhance the cooperation between NRAs, Commission, European Parliament, the Council and interested parties (stakeholders) BEREC organizes different events and participates in events organized by third parties during which the Chair or the Vice-Chair present BEREC views and share BEREC expertise.

Therefore, the BEREC Office provides professional and administrative support services to the Board of Regulators (BoR), the Management Board of the BEREC Office (MB), and respectively their Chair and Chairperson and Vice-Chairs and Deputy Chairpersons, the Contact Network (CN) and BEREC Office Advisory Group (BAG) in fulfilling their assignments. In particular, the BEREC Office is in charge of the preparation of the BoR, MB, CN and BAG meetings, the BEREC meetings with the EU institutions, high-level BEREC workshops, events attended by the Chair and Vice-Chairs on behalf of BEREC.

In providing assistance to the BoR, the MB, the Chair of the BoR, Chairperson of the MB and Vice-Chairs of the BoR and Deputy Chairpersons of the MB and the CN in fulfilling their assignments the BEREC Office maintains the information flow among BEREC Members, representatives of regulatory authorities of third countries, other Union bodies, offices, agencies, advisory groups, international organisations and other relevant stakeholders, involved in the work of BEREC. The BEREC Office serves as a contact point and liaison with all the above mentioned stakeholders, and will assist BEREC in its engagements with the external stakeholders.

Based on Article 35 of the BEREC Regulation and the European Commission decisions on the participation of the National Regulatory Authorities of third countries in the Body of

European Regulators for Electronic Communications adopted on 18 March 2019<sup>35</sup> BEREC Office is obliged to collect the financial contribution from the third countries NRAs to cover costs of their participation in the work of BEREC and BEREC Office. In this regard at the beginning of each year, the BEREC Office shall send to the NRA concerned a call for funds corresponding to its contribution to the Agency as indicated in Annex II, Table 2.

The BEREC Office also provides the secretariat for BEREC and BEREC Office and their respective bodies i.e. the BoR, Miniboard, and CN, and the MB and the BAG, as envisaged in its recently amended MB Rules of Procedure<sup>36</sup> (RoP), including logistics support to the meetings, such as registration of meeting participants, circulation and preparation of meeting documents in timely manner and with high quality standards as well as reimbursement of the experts' travel expenses to the NRAs.

The BEREC Office also provides professional and administrative support services to the Chair/Chairperson for the organisation of BoR and MB electronic voting procedures when the organisation of a meeting for adoption of the decision needed is not possible or practicable and the adoption of the decision cannot be postponed until the next ordinary meeting.

The BEREC Office registers all new nominations of BoR, MB and CN Members or representatives of regulatory authorities of third countries and keeps the contact lists of these bodies regularly updated. The BEREC Office collects and makes publicly available on the BEREC website the Declarations of Interests, Commitment and CVs of the BoR and MB Members and their Alternates.

Due to the new tasks and responsibilities assigned by the new Regulation to BEREC, additional and more extensive services will be required to be provided by the BEREC Office. Therefore, in order to provide efficient professional and administrative supporting services to BEREC at satisfactory level and to fulfil all the objectives as indicated in the above-mentioned chapter, the BEREC Office needs additional human and financial resources strengthening the services provided by the Board's secretariat.

## 2.2.2 Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>To provide efficient professional and administrative supporting services to the Chair and Vice-Chairs of the BoR, Chairperson and Deputy Chairpersons of the MB of the BEREC Office, Miniboard, the BoR and MB, the CN in execution of their tasks and responsibilities, including cooperation and liaison with the EC, EP, the Council, other Union bodies, offices, agencies, advisory groups, regulatory authorities of third countries, international organisations, and other stakeholders.</b>
<b>Expected results</b>	1) Assistance in the organisation of the high-level BEREC events, such as BoR, MB, Miniboard, and CN meetings, and high-level workshops;

<sup>35</sup> Official Journal of the European Union, C 115, 27 March 2019 <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C:2019:115:TOC>>

<sup>36</sup> MB (19) 95 Rev.1, [Rules of Procedure of the Management Board of the BEREC Office](#), 04.10.2019, Annex 1

	<ol style="list-style-type: none"> <li>2) Assistance in the organisation of BoR and MB electronic voting procedures;</li> <li>3) Maintaining updated public lists of BoR, MB Members and their Alternates, including their Declaration of Interest and Commitments.</li> <li>4) Maintaining updated lists of the CN Members and BAG Members and their Alternates;</li> <li>5) Assistance in the organisation of the high-level BEREC and BEREC Office events, such as high-level workshops, meetings with the EU institutions and other similar events;</li> <li>6) Assistance in the establishment of working arrangements and liaison with the European Commission, European Parliament, the Council, other Union bodies, offices, agencies, advisory groups, regulatory authorities of third countries, international organisations, and other stakeholders.</li> </ol>		
Indicators	Latest result	Target Year 2020	Means and frequency of verification
1. Reimbursement of the expenses of the meeting participants invited to the events listed above in compliance with the applicable BEREC Office rules and within the deadlines envisaged in the BEREC Office Financial Regulation	2018: 100%	> 90 %	Monthly report, interim report, CAAR
Main outputs			
<ol style="list-style-type: none"> <li>1. Assistance in the organisation of 4 CN meetings;</li> <li>2. Assistance in the organisation of 4 ordinary BoR and MB plenary meetings;</li> <li>3. Organisation of 4 BAG video conferences;</li> <li>4. Management of documents related to the above-mentioned activities;</li> <li>5. High-quality support to the organisation of up to 20 electronic voting procedures;</li> <li>6. Preparation of regular overviews of the outcome of electronic voting procedures as well as information on electronic voting procedures planned in the period to the next plenary meeting (for each CN and plenary meetings);</li> <li>7. Regular updates to internal BoR, MB, Miniboard, CN and BAG contact lists and publishing the updated BoR and MB Members and Alternates lists;</li> <li>8. Collection and publication of the Annual Declarations of Interests and Commitments and of the BoR and MB Members and their Alternates on the BEREC website;</li> <li>9. Assistance in the organisation of up to 2 BEREC high-level workshops (public or internal) organised back-to-back with the BoR ordinary meetings;</li> <li>10. Assistance in the organisation of up to 2 BEREC meetings with the EU institutions (excluding meetings only with the BEREC Chair/Vice-Chairs, which are included in the Chair's events);</li> <li>11. Assistance in the organisation of approx. 45 meetings of the BEREC Chair and Vice-Chairs and Chairperson and Deputy Chairpersons of the Management Board of the BEREC Office and events attended by them or their representatives, such as: conferences, events organised by other EU bodies and/or EU institutions, bilateral meetings with interested parties, etc.;</li> <li>12. Assistance in the organisation of up to 15 BEREC international events (organised by BEREC or other stakeholders), especially events foreseen under the Memoranda of Understanding signed by BEREC and organised by international organisations;</li> </ol>			

13. Management of documents related to the above-mentioned activities;
14. Maintaining updated lists of key contact points and liaising with the European Commission, European Parliament, the Council, other Union bodies, offices, agencies, advisory groups, regulatory authorities of third countries, international organisations, and other stakeholders with whom BEREC and BEREC Office cooperates;
15. Calculation of financial contributions from the third country NRAs participating in the work of BEREC and BEREC Office.

## 2.3 ICT support to BEREC

The total resources required for the support to ICT support to BEREC are as follows:

Financial resources (EUR)	FTEs
940,792.00	5.35

### 2.3.1 IT support, licenses, hardware and business continuity for BEREC

#### 2.3.1.1 Overview

In order to provide the necessary technical functionality of the existing operational IT systems and platforms certain number of software licenses and IT services must be purchased on a yearly basis. The specific ICT services which has to be procured such as an IT expertise and/or managed services for providing the necessary support activities in regard to the Information and communication system for the exchange of information, providing BEREC, the Commission and NRAs with the necessary information for the consistent implementation of the Union regulatory framework for electronic communications. In addition, the provision of ICT services such as necessary hardware, software, services like IaaS, SaaS and PaaS, ICT consultancy have to be ensured on a yearly basis.

The BEREC Office is committed to continue providing a high-quality support to BEREC and business partners regarding video conferencing ensuring the availability of different software solutions, professional equipment (including mobile/portable video conferencing equipment/kit), unified communication services and high-quality IT support services during Audio-Visual meetings and events. In order to comply with the corporate BC strategy, it is necessary to continue usage of back up as a service and disaster recovery as a service of business-critical operational data and ICT systems, which are already implemented with a cloud service provider.

According point 2.6 the BEREC Office will establish an Expert Networking Group of ICT experts.

#### **Objectives, indicators, expected results and main outputs**

<b>Objective 1</b>	<b>Enable operations by maintaining high availability of IT services (dedicated applications, databases, web sites) in regard to IT infrastructure and services (on prem. and cloud). Provision of necessary licenses and IT support. Provision of ICT network (knowledge exchange).</b>
<b>Expected result</b>	1) Continuous provision of software licenses and IT support services for operational needs; 3) Ensure a sustainable back-up system for the BEREC data as well as functional disaster recovery service;



	4) Maintained and secured infrastructures and applications, hosted as per SLA requirements; 5) Establishment of NRAs ICT network.		
Indicator	Latest result	Target Year 2020	Means and frequency of verification
Usage of BaaS services;	2018: -	restoration success 100%	Biannual recovery reports for restoration success;
Usage of DRaaS services	2018: -	DR system availability >98%	Biannual reports for DR system availability;
Usage of IaaS/PaaS services	2018: -	> 60% of systems to be operational from cloud env.	Reports for system usage;
Provision of video-conference software, support (onsite and remote)	2018: N/A	service availability >98%	Interim report, CAAR
Timely closure of IT tickets/requests in support to operational activities;	2018: average ticket resolution time 2.5 days	average ticket resolution time: 1.5 days	Reports from ticketing system
Main outputs			
<ol style="list-style-type: none"> <li>1. Signed contracts for software licensing (no interruption of IT services related to software licensing), ensuring the continuous availability of licensees (BERECnet, Microsoft, Cisco, Webex, Vydio, Sophos and other licenses);</li> <li>2. Continuous availability of necessary software products for IT support to BEREC;</li> <li>3. Continuous availability of IT support in regard to ICT system for the exchange of information - user management and WG sections;</li> <li>4. Continuous availability of licenses for video conferencing needs;</li> <li>5. Continuous availability of IT support and managed services for video conferencing;</li> <li>6. Continuous availability of IT support for management of email distribution groups and managed security services for email communication system;</li> <li>7. Continuous availability of IT support for provision of necessary security administration of corporate website;</li> <li>8. Continuous availability of IT support for the management of cloud infrastructure linked to back up as a service and disaster recovery as a service of business-critical operational data and ICT systems;</li> <li>9. Continuous availability of licenses for backup solution;</li> <li>10. Continuous availability of onsite IT support for the development and maintenance of ICT projects such as databases and ICT systems linked to BEREC activities;</li> <li>11. Continuous availability and operability of ICT systems for operational needs;</li> <li>12. Reduced time and increased efficiency for provided IT support to BEREC activities;</li> <li>13. Continuous availability of business-critical operational data and IT systems;</li> <li>14. Usage of cloud services in order to ensure business continuity linked to Back up as a service (BaaS), Disaster recovery as a service (DRaaS) and Infrastructure as a service (IaaS); Provision of systems operational from cloud environment;</li> <li>15. Reduced RTO and RPO as defined in the corporate BCM programme;</li> </ol>			

16. Fully independent management of DNS records;
17. Promote shared ICT knowledge and experience sharing in order to exchange good ICT practices;
18. Inter-NRA cooperation on issues of common interest in the area of Information and Communication Technologies;
19. Establish an Expert Networking Group of ICT professionals across NRAs in order to benefit from synergies and shared experience;
20. Organisation of 2 meetings of the Expert Networking Group;
21. Foster collaboration on common ICT problems.

## 2.3.2 IT Projects for BEREC

### 2.3.2.1 Overview

The development of a new corporate website starting during the course of 2020 will be completed by a final phase of deployment in 2021. In parallel, the organization of two dedicated workshops linked to the new features and functionalities of the system are envisaged to take place. The development of a new corporate website aims to include better and more modern technological solution (back office – content management system), improved end user experience and website functionality (including multi-lingual requirement) as well as new higher level of security features following the latest technological developments and trends. The necessary security updates of the current corporate website are aimed to ensure higher level of security and website availability. Corporate data is a vital asset for strategic and operational decision-making. The management of BEREC's data, data governance, data quality, data collection, data access and usage of metadata described in a data management strategy is considered as an important aspect of the new corporate website, which will be providing publicly available access to documents to all citizens.

According to the EEC (Article 12(4)), in order to approximate notification requirements, BEREC shall publish guidelines for the notification template and maintain an EU database of the notifications transmitted to the competent authorities. BEREC must elaborate guidelines on a common notification template in view of simplification and harmonisation of existing national forms. The notification should contain a minimum set of data, a declaration by a legal or natural person of the intention to commence the provision of electronic communications networks or services. Article 12(3) sets out the minimum set of data to be provided. The Guidelines were published on 11 December 2019.

According to the EEC (Article 93(4)), BEREC shall establish a central registry database on the numbering resources with a right of extraterritorial use within the Union. For this purpose, NRAs and/or competent authorities shall transmit the relevant information to BEREC. There are numbering resources that exist in some MS, and there are other MS where these resources do not exist, or their use is forbidden. The EEC made a step towards harmonisation, but many details remain in national competence. In this respect, BEREC will be required to constantly monitor the implementation status of each MS in order to be able to establish and keep the database up to date. NRAs should communicate to BEREC an up to date list on the competent authority on numbering issues in their MS. BEREC will rely on the resources of the BEREC Office for maintaining the database.

The BERECnet platform is considered to fulfil the requirements stated in Art. 41 of the BEREC Regulation (EU) 2018/1971 (i.e. paragraphs a, b and c) supporting knowledge-sharing and facilitating collaboration being a common platform for the exchange of information, providing



BEREC, the Commission and National Regulatory Authorities (NRAs) with the necessary information for the consistent implementation of the Union regulatory framework for electronic communications. The BERECnet platform is a single-entry point for access to BEREC documents and organisation of the meetings and video conferences. In order to facilitate, manage better the organization of events as well as to provide a user-friendly solution to BEREC members for meetings and high-level events a functionality within the system, or integration of an external app, is considered as appropriate. During 2020 number of operational costs and managed services linked to the maintenance, availability and operability of the Information and communication system are envisaged to be procured during 2020 via existing Inter-institutional FWC already in place.

According to the BEREC Regulation (Article 39), the BEREC Office shall adopt their own security rules equivalent to the Commission's security rules for protecting European Union Classified Information and sensitive non-classified information, inter alia, provisions for the exchange, processing and storage of such information as set out in Commission Decisions (EU, Euratom) 2015/443 (21) and (EU, Euratom) 2015/444 (22). This will likely require the deployment of infrastructure for processing classified data. Under the assumption that the Agency will not operate with classified data the BEREC Office does not foresee development and deployment of an infrastructure for the period 2020 and 2021.

BEREC Regulation (Article 5(c)) determines that the BEREC Office shall produce regular draft reports on specific aspects of development in the European electronic communications market, such as roaming and benchmarking reports to be submitted to BEREC. A present tool, like excel, is used for this exercise and requires a lot of manual work. Considering that benchmark exercise involves a significant number of several different type of data sets, the present form of data analysis, extraction and aggregation should be improved by a tool which allows data aggregation and graph production automatically. Thus, the development and implementation of such a tool for data aggregation purpose will ease and provide better performance of this benchmark exercise.

The BEREC Office is required by BEREC to collect, exchange and transmit information between NRAs regarding regulatory tasks assigned to BEREC. BEREC Office is also mandated to contribute to draft reports on specific aspects of the communications market, such as roaming and benchmarking of termination rates. Considering the amount and the complexity of the data collection, BEREC Office has to develop or purchase an appropriate database to gather the necessary data for BEREC.

Video-conferencing services, their continuous availability and usage became very important for all BEREC and BEREC Office staff members. In order to reduce travel expenses linked to missions, when possible and appropriate, all staff is encouraged to participate in video-conferencing calls and meetings with partner organizations. In addition, BEREC Office staff is allowed to work from home, due to justified reasons, where reliable VC solutions and services provided to the staff are of an utmost importance in order for the staff to be able to benefit from meetings and collaboration. Unified communication services and additional AVC equipment in meetings rooms are envisaged to be made available in the course of 2020 to BEREC and BEREC Office. This will serve as enabler for higher level of efficiency, cooperation and objective outcomes.

**2.4.2.2. Objectives, indicators, expected results and main outputs**

<b>Objective 1</b>	<b>Develop new systems according to BEREC regulation and maintain the existing products for ensuring their reliability, their need to meet evolving business needs and the need to be kept interoperable with other systems overtime.</b>		
<b>Expected results</b>	1) New systems developed; 2) Existing solutions maintained; 3) Systems and services piloted and implemented (on prem. and cloud).		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
1. Availability of systems: a. BERECnet b. BEREC Website, c. Database Numbering d. Database Notifications under general authorisation	2018: a >98% b > 98% c - N/A d – N/A	a >98% b >98% c >98% d >98%	Monthly report, interim report, CAAR
2. Timely response to user requests (BERECnet)	2018: N/A	less than 10% of user requests require more than 1.5 days to resolve;	Monthly report, interim report, CAAR; extract from ticketing system;
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Reliable IT solutions meeting the business needs;</li> <li>2. Developed new core-business and administrative solutions;</li> <li>3. Usage of modern and secure cloud services and solutions;</li> <li>4. Assessment, development and maintenance of BEREC Website and its data assets;</li> <li>5. Availability of mobile AVC equipment (portable AVC suitcases);</li> <li>6. Assist in a developed and maintained Database (notifications under general authorisation);</li> <li>7. Maintained BERECnet+ product;</li> <li>8. Developed and maintained data set tool for benchmarking exercise;</li> <li>9. Developed and maintained Infotainment system for WG meetings;</li> <li>10. Developed and maintained other ICT tools for the needs of BEREC;</li> <li>11. Ensure availability of Video-conferencing licences and services as well as equipped meeting rooms in Riga site for these reasons.</li> </ol>			

## 2.4 Information gathering and distribution

The total resources required for information gathering and distribution activities are, as follows:

Financial resources (EUR)	FTEs
410,200.00	2.33

### 2.4.1 Regulatory information and trainings for BEREC

#### 2.4.1.1. Overview

A need for a subscription to the regulatory intelligence services related to telecommunications and digital economy was identified by the management of the BEREC Office to provide the required professional support to the BEREC in accordance with its WP objectives. In view of the new BEREC regulation and the new EECC adopted at the end of 2018, BEREC Office requires the highest level of accuracy and relevance of real-time data and information available in the sector.

Therefore relevant updates on major EU level developments related to telecommunications regulation, key regulatory initiatives, market analysis, Telecom single market proposal and other important topics related to BEREC activity areas are necessary, in particular in view of the new EECC.

BEREC Office organises training for NRA experts on the regulatory framework for electronic communications and other topics related to BEREC activities. Training programme covers latest developments regarding the legal framework and trends within the electronic communication sector.

#### 2.4.1.2. Objective, indicator, expected results and main output

Objective 1	Provision of information and knowledge dissemination		
<b>Expected results</b>	1) Regular update on regulatory intelligence services related to BEREC work; 2) Provision of regular training to update and enhance the professional knowledge of BEREC experts; 3) Provision of data sets for the calculation of certain parameters underlying the weighted average cost of capital (WACC).		
Indicators	Latest result	Target Year 2020	Means and frequency of verification
1. Provision of training sessions per academic year	2018: 4	4	Monthly report, Interim report, CAAR
2. Reimbursement of the expenses of the training participants	2018: 66	108	Monthly report, Interim report, CAAR
Main outputs			
1. Purchase of regulatory intelligence services related to telecommunications and digital economy provided;			

2. Purchase of data sets for the calculation of certain parameters underlying the weighted average cost of capital (WACC);
3. Organisation of procurement procedures both for the provision of content of the training as well as for the organisational and logistical aspects (selection of venue, catering, invitations to registered participants, reimbursement of travel and accommodation expenses);
4. Professional training delivered (yearly) for 40 experts in total.

## **2.4.2 Studies and other projects for BEREC**

### **2.4.2.1. Studies, on-line tool and language service**

#### **2.4.2.1.1. Overview**

The BEREC Office supports the implementation of the BEREC Work Programme. In fulfilling this supporting role BEREC Office shall deliver studies and research reports or any other material, upon request from the WGs or from BEREC, including by launching and managing the necessary procurement procedures (where applicable) and/or contracts.

Recognizing the importance of consumers' protection as one of the pillars of BEREC multi-annual strategy, BEREC aims to commit and finance an external study in order to examine the consumer behaviour and attitude towards digital platforms as a mean for communication. Under a request of BEREC, BEREC Office will procure in 2020 a study on consumer behaviour and attitudes towards digital platforms as a mean for communication. This study aims to provide a better understanding of how consumers perceive, use and value digital services and platforms. The study is expected to bring new insights on European consumers view and behaviour in relation to digital platforms, and contribute to the wider discourse and policy debate on digital platforms since the findings of the study will feed into BEREC's work on digital platforms and other related areas.

BEREC Office will procure the development of an open data platform for compiling and distributing reports from the data provided by the NRAs on their national markets (e.g. on roaming and benchmarking). The platform will allow the drawing of statistics, graphs and reports about the European national markets in these areas.

Ensuring that there is maximum internal and external transparency and accountability of BEREC activities, the BEREC Office will continue the provision of the on-line public consultation platform.

The IS Portal is designed to complement the information available on NRAs websites. The information-sharing portal provides a one-stop access point to public documents in the field of electronic communications and ensures public access to a comprehensive, regularly updated list of documents. The portal includes several sections and covers all categories of documents issued by NRAs for public use.

In order to ensure high language quality of deliverables the professional editors can translate and proofread BEREC documents, so the final product is well written, precise, and easy to read. The European Commission Translation Centre (CdT) services will be used for translation and proofreading services.





## 2.5 Expert Networking Groups

### 2.5.1 Overview

In accordance with Article 12 of the Rules of Procedure of the Management Board of the BEREC Office, the Management Board creates Expert Networking Groups (hereinafter “ENG”). The ENGs should deliver expertise on specific matters requested by the BEREC Office in support to BEREC.

The following ENGs are created:

- 1) ENG of ICT experts for duration of 2 years;
- 2) ENG of communications experts for duration of 1 year;
- 3) ENG on sustainability for duration of 2 years.

When there is a need at the BEREC Office for additional expertise on a particular subject additional ENGs can be created by the Management Board decision on an ad hoc basis. Any request for establishing additional ENG shall describe the purpose of the ENG, the relevant area of expertise of the ENG members, and the duration of its mandate.

### 2.5.2 ENG of ICT experts

Objective:	Provision of expertise on ICT matters in support to BEREC		
<b>Expected results</b>	1) Sharing experience and benefiting from synergies, e. g. optimisation of security settings for on-premises and cloud environments; surveys on important topics; 2) Fostering collaboration on common ICT problems, e.g. impacting smooth communication services provided by ICT tools, implementation and usage of secure email; 3) Support of the coordination of common ICT initiatives among NRAs, e. g. usage of video-conferencing solutions, better IT Governance and IT Security; usage of 2FA for log in and mobile devices (BYOD);		
Indicators	Latest result	Target Year 2020	Means and frequency of verification
1. Provision of virtual WG meetings (ICT ENG)	2018: N/A	>2	Interim report, CAAR
2. Provision of support of physical WG meetings (ICT ENG)	2018: N/A	<2	Interim report, CAAR
Main outputs			
1) Bi-annual meetings organized with ICT colleagues from across NRAs. Establishment of contact details for communication concerning ICT emergency response – for issues and immediate collaboration linked to security and urgent issues; 2) Plot version of common collaboration space (section on BERECNet) for sharing ideas, procedures, policies, guidelines, comments, etc. – for fostering the ICT collaboration across NRAs; 3) Identified settings/connection details and software used for Video-conferencing across NRAs. Usage of different software pros and cons. List of VC solutions used. Possible synergies and common approach in that regard; 4) Provision of support to the proper functioning of ENGs and audio-video conferences and ENG meetings (such as invitations to meetings, document circulation and reimbursement of related travel and accommodation expenses to persons invited to attend meetings in expert capacity).			
Duration			
2 years			

### 2.5.3 ENG of communications experts

<b>Objective:</b>	<b>Provision of expertise on communications matters in support to BEREC</b>		
<b>Expected results</b>	1) Support of the implementation of the BEREC External Communications Strategy and its annual plans and delivering the communications outputs; 2) Support to the promotion of BEREC in the individual Member States, mainly by encouraging knowledge exchange between the communications staff of all the BEREC members, who can also act as multipliers of the message; 3) Provision of support to the proper functioning of ENG's and audio-video conferences and ENG meetings (such as invitations to meetings, document circulation and reimbursement of related travel and accommodation expenses to persons invited to attend meetings in expert capacity).		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
1. Provision of virtual WG meetings (Communications ENG)	2018: N/A	>2	Interim report, CAAR
2. Provision of support of physical WG meetings (Communications ENG)	2018: N/A	<2	Interim report, CAAR
<b>Main outputs</b>			
1. As identified in BEREC Communications Plan 2020; 2. Document to deliver for adoption: Communications Plan 2021; 3. Provision of support to the proper functioning of ENG's and audio-video conferences and ENG meetings (such as invitations to meetings, document circulation and reimbursement of related travel and accommodation expenses to persons invited to attend meetings in expert capacity).			
<b>Duration</b>			
1 year			

### 2.5.4 ENG on sustainability

As BEREC aims to include sustainability as a key element in its strategy and annual work programmes, an expert networking group (ENG) is established for 2 years period in order to:

- identify the steps to be taken to be sustainable in its operation and through its deliverables;
- define the mid- and long-term sustainability objectives and KPIs to monitor the progress.

<b>Objective :</b>	<b>Provision of expertise on specific matters requested by the BEREC Office in support to BEREC</b>		
<b>Expected results</b>	1) Implementation of mid- and long-term sustainability objectives and KPIs to monitor the progress.		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>



1. Provision of virtual WG meetings (Sustainability ENG)	2018: N/A	≤10	Interim report, CAAR
2. Provision of support of physical WG meetings (Sustainability ENG)	2018: N/A	≤10	Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Support to physical ENGs meetings, active participation of BEREC Office members as drafters in the work of ENGs upon request;</li> <li>2. Provision of support to the proper functioning of ENGs and audio-video conferences and ENG meetings (such as invitations to meetings, document circulation and reimbursement of related travel and accommodation expenses to persons invited to attend meetings in expert capacity).</li> </ol>			
<b>Duration</b>			
2 years			

## 2.6 BEREC Communications activities

The total resources required for the support to BEREC communications activities are, as follows: half of the envisaged FTEs assisting with the production of communications outputs, management of the communications tools, production of audio-visual and information materials, managing the BEREC Communications Expert Networking Group, social media accounts, etc. and half of the envisaged FTEs dealing /supporting the events organisation.

Financial resources (EUR)	FTEs
385,000.00	3.93

### 2.6.1 Overview

According to the establishing Regulation, BEREC should carry out its activities with a high level of transparency and have to ensure that the public and any interested parties are given appropriate, objective, reliable and easily accessible information, in particular in relation to its tasks and the results of its work.

The BEREC Office supports BEREC in reaching its communications objectives by ensuring that the BEREC target audiences are given appropriate, objective, reliable and easily accessible information on the BEREC tasks and the results of its work. This objective is reached by supporting the implementation of the BEREC External Communications strategy through its annual communications plans. Both are drafted and implemented by the BEREC Office Communications Team in cooperation with the BEREC Communications Expert Networking Group. The mentioned documents are adopted by the Board of Regulators.

According to point 2.6, the BEREC Office will re-establish the BEREC Ad Hoc Communications Group as the BEREC Communications Expert Networking Group.

### 2.6.2 Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>To provide efficient professional and administrative support services to BEREC in the implementation of the BEREC External Communications Strategy and the BEREC Communications Plan 2020</b>
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Assist the implementation of the activities and outputs planned under the BEREC Communications Plan 2020;</li> <li>2) Providing support to the development of BEREC communications projects and campaigns by the BEREC Communications Expert Networking Group;</li> <li>3) Dissemination of information on BEREC tasks, activities and results of its work through the BEREC Communications Expert Networking Group;</li> <li>4) Assist in the identification and planning of the BEREC communications activities for 2021;</li> <li>5) Regular update of the information on the website and its mobile version;</li> <li>6) Regular update of the information on the BEREC social media accounts on Twitter, LinkedIn and YouTube;</li> </ol>

	<p>7) Maintaining and updating the lists of website subscribers, stakeholders and journalists;</p> <p>8) Active interaction with stakeholder and media representatives upon request and according to the projects foreseen in annual communications plans;</p> <p>9) Assist the production, publication and distribution of BEREC Annual reports, Work programme, and annual BEREC Calendar;</p> <p>10) Production, publication and distribution of infographics, brochures, newsletters, banners, posters, and other type of information materials, branded items and audio-visual content;</p> <p>11) Assist the organisation of events open to public such as public debriefings and hearings, press events, high-level stakeholder events, including 1 BEREC Stakeholder Forum (TBC), etc. Certain public events are organised with the live streaming on the BEREC website. Assist the engagement with stakeholders is ensured at the events and via social media during the live streaming;</p> <p>12) BEREC Visual Identity guidelines are up-to-date and used when communicating on BEREC, its tasks and the result of its work;</p> <p>13) Assist in content and design development for the new BEREC website.</p>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
Online and other information materials are produced according to the request in the BEREC Annual Communications Plan	100%	100%	Interim report, CAAR
Assist the organization of high level full day BEREC public event(s) with up to 300 participants	1	1	Interim report, CAAR
Assist the organization of BEREC public debriefings with up to 60 participants and connection to the BEREC Office in Riga	4	4	Interim report, CAAR
Provision of virtual meetings of the network	3	4	Interim report, CAAR
Support the provision of physical meetings of the network	3	3	Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Information materials produced according to the request in the annual BEREC Communications Plan;</li> <li>2. Support to the organization of 3 physical meetings and 4 videoconferences of the network;</li> <li>3. Contribution to the drafting of an annual BEREC Communications Plan;</li> <li>4. News items published on the BEREC website monthly;</li> </ol>			

5. Regularly updated content on the BEREC website;
6. Social media posts published on the BEREC social media accounts monthly;
7. Information updates sent via email to the website subscribers, stakeholders and journalists monthly;
8. Regularly updated lists of website subscribers, stakeholders and journalists;
9. The response provided to the stakeholders and media upon the request;
10. Support the publication/distribution of 1 BEREC Annual report, 1 Work programme and 1 BEREC Calendar;
11. Up to 5 livestream recordings are produced and published;
12. Stakeholder Forum with the live streaming in Q2;
13. Support of 4 Public debriefings with the livestreaming and connection to the BEREC Office in Riga;
14. Updated BEREC visual identity guidelines;
15. Assist in the content and design development for the new BEREC website.

## Horizontal activities

### 2.7 Coordination activities

The total resources required for coordination activities are as follows:

Financial resources (EUR)	FTEs
117,900.00	2.74 <sup>37</sup>

#### 2.7.1 General coordination activities

##### 2.7.1.1 Overview

The general coordination activities have the overall objective to support the management in addressing matters of horizontal nature, which have impact on all other Agency's activities and, which include the following recurring activities (Objectives 1 and 2):

- Preparation of the draft and final (if needed) Single Programming Documents (SPD) of the Agency's activities for a 3 year period (usually N+1 - N+3);
- Preparation of interim and final Consolidated Annual Activity Reports (CAAR);
- Provision of reports and replies to questions of the Discharge Authority;
- Participation in the activity of the EU Agencies' Network (EUAN);
- Coordination of the external and internal audits from the Agency's side performed respectively by the European Court of Auditors (ECA), including independent auditor performing audit with a focus on finance, and the European Commission Internal Audit Service (IAS);
- Implementation of the Internal control framework, including risk management.

Another important task, which forms part of this activity group, is ensuring compliance with the provisions of Article 47 of the BEREC Regulation, which requires the Agency and the host Member State (MS), the Republic of Latvia, to agree on a Headquarters Agreement and the

<sup>37</sup> Incl. 1 Interim worker for temporary addressing the workload related to the negotiations on the new Headquarters agreement

operating conditions after obtaining the approval of the Management Board and no later than 21 December 2020.

Therefore a priority objective under this activity will be the conduct of the negotiations on a new Headquarter agreement (Objective 1). Among others, the BEREC Office should strive to negotiate the best possible conditions for its premises and for the staff, so that the new Headquarter agreement could serve as an instrument to increase the awareness and visibility of BEREC and the prestige of the BEREC Office as an EU employer to attract and retain highly specialised staff, as requested by [Decision No MB/2019/06 of the BEREC Office MB authorising the BEREC Office Director to engage in a joint project with the Government of the Republic of Latvia for a Headquarters agreement](#).

Furthermore, the BEREC Office has committed itself to develop at least 1 project per year in the interest of the Latvian society (Objective 4). In 2020 the BEREC Office would like to further elaborate on the experiences of the extremely successful training on EU public procurement for economic operators organised jointly with the Latvian Ministry of Economy, Ministry of Transport and Procurement Bureau and to prepare a manual for tenderers. The delivery of the document will be accompanied by a public presentation and a communication campaign – to increase the awareness of the public and any prospective tenderers of the manual.

#### 2.7.1.2 Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>Delivery of BEREC Office planning and reporting documents within the set deadlines</b>		
<b>Expected results</b>	Timely preparation of the following documents: <ul style="list-style-type: none"> <li>• Draft SPD for 2022-2024;</li> <li>• Final SPD for 2021-2023;</li> <li>• BEREC Office CAAR for 2019;</li> <li>• Interim CAR covering the first semester of 2020;</li> <li>• Other documents, if and when required by the legislation in force.</li> </ul>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
Compliance with legal deadlines or deadlines for submission of documents to MB ordinary meetings	2018: 100%	100 % of FR deadlines are met	Interim report, CAAR, management meetings
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Consolidated Annual Activity Report for 2019;</li> <li>2. BEREC Office programming document 2021-2023;</li> <li>3. Draft BEREC Office programming document 2022-2024;</li> <li>4. Interim report to the MB on the BEREC Office operations and budget execution 2020;</li> <li>5. Other documents for the MB plenaries or BAG meetings.</li> </ol>			

<b>Objective 2</b>	<b>Smooth running of activities linked to audit management, budgetary discharge, internal controls and risk management</b>		
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Timely transmission of information to the Discharge Authority, ECA, the IAS and the independent auditor;</li> <li>2) Implement in a timely manner an action plan to address the recommendations from the IAS and reply to ECA observations if and when applicable;</li> <li>3) Coordinate the discharge process and timely address the comments;</li> <li>4) Implementation of the internal control framework and risk management at appropriate level.</li> </ol>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
1. ECA comments	2018: yes	All transactions are found legal and regular	Interim report, CAAR
2. IAS observations	2018: 4	<6 observations	Interim report, CAAR
3. Discharge Authority negative observations	2018: 9	<6 observations	CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. BEREC Office SPD;</li> <li>2. Interim report, CAAR;</li> <li>3. Report on Budget and Finance Management;</li> <li>4. Provisional and Final Annual Accounts;</li> <li>5. Consolidated Annual Activity report;</li> <li>6. Reply to ECA observations;</li> <li>7. Report to Discharge authority;</li> <li>8. Risk assessment workshop, follow-up to most significant risks;</li> <li>9. Assessment of the efficiency and effectiveness of the internal control framework;</li> <li>10. Action Plan to address IAS recommendations.</li> </ol>			

<b>Objective 3</b>	<b>Negotiating the best possible arrangements concerning the accommodation to be provided for the BEREC Office in the host MS and the facilities to be made available by that MS as well as the specific rules applicable in the host MS to the Director, members of the MB, the BEREC Office staff and members of their families as envisaged in Article 47 of the BEREC Regulation.</b>
<b>Expected results</b>	Signature of a new Headquarters agreement with the Government of Latvia in line with the provisions of Decision MB/2019/06 not later than 21 December 2020.

Indicators	Latest result	Target Year 2020	Means and frequency of verification
Number of meetings organised	2018: N/A	4	Interim report; CAAR
Headquarters agreement signed following approval by the MB	2018: N/A	Q4-2020	CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>At least four formal meetings with the Latvian authorities on the matter, recorded in minutes of the meetings;</li> <li>MB Decision to approve the final draft of the Headquarters Agreement between the BEREC Office and the host MS;</li> <li>New Headquarters agreement between the BEREC Office and the Government of the Republic of Latvia.</li> </ol>			

<b>Objective 4</b>	<b>To further enrich the knowledge of EU rules on public procurement for the Latvian economic operators</b>		
<b>Expected results</b>	To increase the knowledge of Latvian economic operators in the area of EU public procurement with a view to enabling them to successfully bid in public procurement procedures of EU institutions and bodies of the EU and in particular the BEREC Office.		
Indicators	Latest result	Target Year 2020	Means and frequency of verification
Seminar organized by end of 2020	2018: N/A	1	CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>Publication of a manual for prospective tenderers on EU/BEREC Office public procurement rules;</li> <li>Public seminar for local businesses to present the manual.</li> </ol>			

## 2.7.2 Communication activities

### 2.7.2.1 Overview

According to the founding Regulation, communications activities of the BEREC Office should be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board. In this regard, this document presents the plan on the BEREC Office communications activities. To complement the list of communications activities in support to BEREC, the BEREC Office as the EU Agency based in Latvia, Riga, will continue its efforts in raising awareness of BEREC work among citizens in the hosting country by the organisation of small-scale communications activities. It will also make efforts for the improvement of its internal communication among staff.

### 2.7.2.2 Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>To provide professional and administrative support to the BEREC Management Board in implementing the BEREC Office communications activities</b>		
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) Organisation of traditional BEREC Office public events including production of relevant materials;</li> <li>2) Strengthening the BEREC Office profile and recognition on LinkedIn in order to support recruitment procedures;</li> <li>3) Development of the BEREC Office Internal Communications strategy;</li> <li>4) Development of the BEREC Office Internal Communications Annual Plan 2021;</li> <li>5) Development of the BEREC Office Intranet;</li> <li>6) Organization of the work of the volunteer group on internal communication for regular discussions on improving the existing internal communications tools and gathering new ideas;</li> <li>7) Development and implementation of the digital signage at the premises;</li> <li>8) Use team building events to improve the internal climate of the organisation.</li> </ol>		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
1.Number of public events organized to raise awareness on the BEREC Office work	4	5	Interim report, CAAR
2.Number of participants of the public events organized by the BEREC office	145	Up to 200	Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Organisation of traditional BEREC Office public events</li> <li>2. The BEREC Office Internal Communications Strategy;</li> <li>3. The BEREC Office Internal Communications Annual plan 2021;</li> <li>4. Developed and launched intranet;</li> <li>5. 4 meetings of the volunteer's group of the BEREC Office on internal communication;</li> <li>6. Contribution to the team building events of the BEREC Office staff;</li> <li>7. Various subscriptions to the communications tools.</li> </ol>			

### 2.7.3 Legal advice and data protection

#### 2.7.3.1 Overview

This horizontal activity supports the Agency's activities by providing state-of-the art services to all operations in the areas of legal (including processing of applications for access to documents – Objective 1) and data protection (Objective 2).

All objectives listed below are recurring and continue from year-to-year.



**2.7.3.2 Objectives, indicators, expected results and main outputs**

<b>Objective 1</b>	<b>Timely processing of applications for access to documents</b>		
<b>Expected results</b>	Processing of applications for access to documents within the deadlines prescribed by Regulation 1049/2001 on access to documents		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
Applications processed within 15 working days	2018: N/A	85%	Interim report, CAAR
<b>Main outputs</b>			
Replies to the applicants			

<b>Objective 2</b>	<b>Effective and efficient protection of personal data</b>		
<b>Expected results</b>	Full compliance with EU data protection rules and enhanced awareness on data protection related issues		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
1. Number of data protection policies (or DPO notification) in place compared to the number of processing operations identified	2018: 57.4%	80%	Interim report, CAAR
2. Number of personal data breaches notified to the EDPS	2018: N/A	≤ 3	Interim report, CAAR
3. Negative references to the BEREC Office in the European Data Protection Supervisor (EDPS) annual report	2018: 0	≤ 2	Interim report, CAAR
4. Number of internal trainings organised for newcomers	2018: 2	One training/semester	Interim report, CAAR
<b>Main outputs</b>			
Data protection policies			

## 2.8 Centralised finance and procurement

The total resources required for the finance and procurement activities are as follows:

Financial resources (EUR)	FTEs
212,150.00	7.25

### 2.8.1 Overview

The activities of the BEREC Office in this area consist mainly in managing the budget of the Agency, ensuring that all financial transactions and workflows are executed in compliance with the requirements of the Financial Regulation (Objective 1), Staff Regulation (payroll), missions guidelines and other legal acts governing the individual entitlements for staff and SNEs and managing procurement procedures (Objective 2).

This activity also includes developing and updating the internal instructions, guidelines and templates for staff in line with the legislation in force, regular budget management and reporting. Specific for 2020 this activity includes a project for an update of the Activity based costing (ABC) and Activity Based Budgeting (ABB) models in line with new BEREC Office activities.

This activity also includes ensuring minimum compliance with the internal control framework, which will need to be internalised temporarily following the termination by ENISA of the Service level agreement (SLA) on sharing the internal control coordinator (ICC) function as of 1 January 2020. The BEREC Office never had an ICC internally and the termination of the SLA by ENISA will lead to a gap in the area of internal controls at the Agency. Temporarily this task is assigned to an interim worker with contract of 6 months. The BEREC Office will try to search for other partners, to which to outsource this function (including to the EC services).

### 2.8.2 Objectives, indicators, expected results and main outputs

Objective 1	Smooth running of activities linked to finance and budget management
Expected results	<ol style="list-style-type: none"> <li>1) Prepare and provide the draft budget, the financial statement, amended budget(s), when and if needed, and other budgetary and accounting reports in accordance with the legal requirements;</li> <li>2) Update the model and work methods for Activity Based Costing (ABC) / Activity Based Budgeting (ABB);</li> <li>3) Monitor and report on level of budget execution (monthly, quarterly) and coordinate the budget planning, cash-flow forecast and regular budget reviews;</li> <li>4) Keep the manuals and guidance document in the field of finance up-to-date;</li> <li>5) Ensure daily management of the Agency's financial workflows, including the payroll for the staff;</li> <li>6) Apply current accounting standards, rules and accounting quality controls in order to draw accurate Annual accounting cooperation with the Commission accounting officer;</li> <li>7) Ensure regular payment of the salaries and individual entitlements for staff, allowances for SNEs, grants for trainees and mission reimbursement;</li> </ol>

	8) Ensure the ex-ante and ex-post controls of the Agency's financial transactions; 9) Ensure financial audit by an independent auditor.		
Indicators	Latest result	Target Year 2020	Means and frequency of verification
1. Commitment appropriations' rate	2018: 99.86 %	≥95 %	Monthly reports, interim reports, CAAR, internal budget meetings
2. Cancellation rate of commitment and payment appropriations carried over	2018: 3.10 %	≤5 %	Interim report, CAAR, RBFM, internal budget meetings
3. Salaries to staff paid within the legal deadlines	2018: 100%	≥95 %	Interim report, CAAR, internal budget meetings
4. Payments of contractual obligations within the limits set by the Financial Regulation	2018: 98.35	≥95 %	Monthly reports, interim report, CAAR, RBFM, internal budget meetings
Main outputs			
<ol style="list-style-type: none"> <li>1. Monthly payroll;</li> <li>2. Monthly, quarterly budget and financial reports;</li> <li>3. BEREC Office Budget 2021;</li> <li>4. Draft BEREC Office Budget 2022;</li> <li>5. Financial statement for financial year 2019;</li> <li>6. Report on Budget and Financial Management 2019;</li> <li>7. Provisional and Final Annual Accounts;</li> <li>8. Opinion on the provisional and final accounts by the independent auditor.</li> </ol>			

Objective 2	Timely provision of state-of-the-art supplies and services in support to BEREC and for the needs of the BEREC Office		
Expected results	<ol style="list-style-type: none"> <li>1) Management of all procurement procedures, incl. reopening of competition;</li> <li>2) Preparation of all procurement documents excluding the technical specifications;</li> <li>3) Handling inter-institutional procurement procedures and joint procurement procedures with the host member state;</li> <li>4) Updating templates and the internal procurement procedures;</li> <li>5) Supervising the implementation of the procurement plan;</li> <li>6) Implementation of e-procurement tools;</li> <li>7) Use of the Joint procurement platform of EUAN or the Latvian Government;</li> <li>8) Preparation of the procurement files.</li> </ol>		
Indicators	Latest result	Target Year	Means and frequency

		2020	of verification
1. % of procurement procedures launched within the deadlines agreed with the ordering services	2018: N/A	90%	Monthly management report, Interim report, CAAR
2. % of inter-institutional procurement procedures disseminated to the concerned services within 2 working days	2018: N/A	90%	Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Director's documentation (incl. decisions, letters, guidelines, policies);</li> <li>2. Procurement documentation;</li> <li>3. Legal commitments (contracts, etc.);</li> <li>4. Reporting (on procurement, contracts);</li> <li>5. Documents relating to court decisions related to procurement/contracts;</li> <li>6. Institutional agreements (memoranda of understanding, delegation agreements, working arrangements, regulatory documents, etc.).</li> </ol>			

## Administrative support activities

### 2.9 Human Resources (HR) management

The total resources required for the HR management activities are, as follows:

Financial resources (EUR)	FTEs
0	2.95

#### 2.9.1 Overview

The BEREC Office since its establishment has experienced serious difficulties in attracting and retaining key staff due to the reasons mainly of external origin, such as: Very low and not realistic correction coefficient, challenging living conditions in Latvia, low entry levels and unappropriated categories of staff for certain posts, heavy workload and others.

This has resulted in high turnover of key personnel and has been registered as the most significant risk in the Agency's risk registers of 2017<sup>38</sup> and 2018<sup>39</sup> due to the risk of reduced efficiency and quality of results, loss of know-how, low team spirit and low satisfaction and confidence felt by the staff at work.

Similar observations were made by the European Court of Auditors (ECA)<sup>40</sup>, in which it is emphasized that high staff turnover affects the Agency's efficiency and poses risks to the implementation of its work programmes. The concerns of the BEREC Office management that this situation affects the Agency's efficiency and presents risks for the implementation of its

<sup>38</sup> Reg. number: Ares(2017)5923321 - 04/12/2017

<sup>39</sup> Reg. number: [Ares\(2018\)6628621](#) - 21/12/2018

<sup>40</sup> 2017/C 417/03, OJ C 417, 6.12.2017, p. 31–36, [https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1573459898115&uri=CELEX:52017TA1206\(03\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1573459898115&uri=CELEX:52017TA1206(03))

work programmes were shared also by the Discharge Authority. Consequently, the European Parliament requested the BEREC Office to report to the Discharge Authority on the actions taken or planned to mitigate the risk and to properly tackle the issue of the retention of staff<sup>41</sup>.

To address its new assignments and to compensate missing capacities, which are currently externalised, in 2020 the BEREC Office will hire four CAs and three SNEs in the two operational units that supports BEREC, the NRAs and the BEREC WGs. The four CAs are foreseen in a budgetary neutral way compared to 2019 as it foresees internalisation of services that are currently being outsourced.

While giving priority on the recruitment of new staff the Agency entity in charge of HR will continue the efforts to ensure paperless HR management by putting Syspter2 in operation for the staff, digitalising the personal files and planning the introduction of any other EC IT tools in the field of HR which would be made available to the decentralised agencies.

The efforts oriented to retaining and further developing the highly specialised staff will continue through different measures, such as: promoting career development within the Agency, working towards reshaping the job profile in order to reduce the number of functions performed by one staff member and ensure higher specialisation, continuing the efforts with the Latvian authorities for improving the living and working conditions for the staff, including during the negotiations of the new Headquarters Agreements; continuing the implementation of the action plan for social welfare, continuing the temporary measures for financial support of schooling and kindergarten until the establishment of a European School and others.

## 2.9.2 Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>To maintain the appropriate HR capacity in line with the Agency's updated multiannual staff policy plan approved by the MB and to develop the skills required to offer the necessary support to BEREC and its members</b>
<b>Expected results</b>	<ol style="list-style-type: none"> <li>1) To recruit the additional HR (including trainees) in line with the Agency's updated multiannual staff policy plan and replace departing staff (if any) in an efficient and timely manner;</li> <li>2) To support the implementation and completion of the annual appraisal exercise and to organize and complete the reclassification exercise in line with the staff implementing rules;</li> <li>3) To ensure that staff members are offered appropriate training opportunities aimed to improve their skills and competencies or to acquire missing competences in the context of the new mandate of the agency;</li> <li>4) To continue the efforts for digitalizing the HR management to the benefit of managers and staff and with view to ensure consistent application of the staff implementing rules throughout the Agency;</li> <li>5) To ensure that the legal basis in force and the procedures in place are up-to-date with 2 year period;</li> <li>6) To continue the implementation of the action plan for social welfare.</li> </ol>

<sup>41</sup> European Parliament resolution of 18 April 2018 with observations forming an integral part of the decision on discharge in respect of the implementation of the budget of the Office of the Body of European Regulators for Electronic Communications for the financial year 2016 ([2017/2175\(DEC\)](https://www.europarl.europa.eu/doceo/document/TA-8-2018-0135_EN.html?redirect)), [https://www.europarl.europa.eu/doceo/document/TA-8-2018-0135\\_EN.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-8-2018-0135_EN.html?redirect)

Indicators	Latest result	Target Year 2020	Means and frequency of verification
1. Fully staffed indicator (Nr of TAs, CAs, SNEs and interim staff / max. number of a fully staffed BEREC Office)	2018: 107.39%	100%	Interim report, CAAR
2. Nr of trainings indicated on the training plans attended/overall number of trainings indicated in the training plans	2018: 96,78%	80%	Interim report, CAAR
3. Number of decisions of the Authority authorised to conclude contracts of employment	2018: 146	At least 100	Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Staff with the necessary knowledge and skills (including trainees) is recruited and retained in the Agency in line with the interest of the service and the applicable law;</li> <li>2. Learning and Development activities are made available as per identified needs;</li> <li>3. Decisions of the Authority authorised to conclude contracts of employment;</li> <li>4. Up-dated policies and rules (including in the field of protection of personal data).</li> </ol>			

## 2.10 ICT, security, logistics and document management

The BEREC Office operates in one site, in Riga, Latvia (detailed information on the building is available in annex V: Buildings), with a standard office IT environment.

The current activity includes actions designed to support the day-to-day operation of the Agency in terms of ensuring safe and secure ICT and working environment, business continuity, document management and the provision of logistical and facility management services.

In 2020 some of the core IT infrastructure will still be located on-site, which poses some issues related to the Business Continuity and is associated with certain risks, which have been registered in the risk register. The usage of reliable Back up as service (BaaS), Disaster recovery as a service (DRaaS) as well as Infrastructure as service (IaaS) with third party cloud provider is considered therefore as necessary. The already implemented technical solution with cloud service provider is planned to be maintained during 2020 and even further extended in its scope by purchasing additional services.

The total resources required for these activities are as follows:

Financial resources (EUR)	FTEs
740,389.87	2.65

### 2.10.1 ICT and document management

#### 2.10.1.1 Overview

Due to the limited human resources of the Agency and high expenditure for the provision of onsite third-party ICT support services, linked to some of the core IT team needs like maintenance of the existing IT infrastructure and ICT help-desk activities, additional staff members shall be recruited instead. This is seen as the only way to ensure business

continuity. Such a measure will not only enable higher efficiency but will also allow cost reduction and optimization of the ICT related expenditures. Until the recruitment procedures are finalized the Agency will ensure the provision of necessary ICT services, external service providers, via active FWCs.

The software development and maintenance of tailor-made applications for the Agency's day-to-day operation, which requires high number of FTEs consisting of several teams for software development, testing, deployment and maintenance for these reasons, taking into account the limited number of IT personnel currently in place is therefore not possible. The Agency will continue to use as far as possible applications already developed by the EC and offered to the EU decentralised agencies. The BEREC Office has used since its establishment the EC accounting system ABAC. In addition, the BEREC Office started to use the EC application on document and records management and archiving (HAN), electronic management of learning (EU-LEARN) and e-tendering. To increase its IT security the BEREC Office also signed a Memorandum of Understanding with the EU Computer emergency response team (EU-CERT) for usage of the services offered it. In order to provide centralized service for the entire organization with regard to surveys the Agency has implemented the EC application EU-Survey, which is hosted locally on premises.

The BEREC Office has signed also a SLA with DG DIGIT for use of the full scale of services offered to agencies, such as: establishment of FWCs for IT equipment and services, hosting of ABAC, use of ABAC Assets, use of e-Prior, use of telecommunication services and others.

#### **2.10.1.2 Objectives, indicators, expected results and main outputs**

<b>Objective 1</b>	<b>Provide ICT systems, services and infrastructure Ensure ICT security, confidentiality, integrity and availability of BEREC Office data and ICT systems</b>		
<b>Expected results</b>	Ensure reliable IT services to BEREC Office; Secure and reliable IT environment and guaranteed high level of availability of the BEREC Office corporate IT systems;		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
1. Hours of continuous downtime of systems minimized	2018: 95%	minimum availability of systems hosted on premises >95%;	Reports on incidents and user requests through ticketing system;
2. Timely response to user requests provided	10%<	less than 10% of user requests require more than 2.5 days to resolve;	Reports on incidents and user requests through ticketing system;
3. Ensure availability of remote connection to BEREC Office IT infrastructure	2018: 95%>	Provision of remote access to IT infrastructure for staff with availability > 95%;	Secure and reliable environment for staff when teleworking;



4. Usage of IaaS/PaaS services	2018: -	> 50% of systems to be operational from cloud env.	Reports for system usage;
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Ensured access to corporate tools and ICT systems;</li> <li>2. Ensured IT support services to BEREC Office;</li> <li>3. Improved administration of IT infrastructure, security management and user performance;</li> <li>4. Ensured smooth running of the EC applications already in place at the BEREC Office such as ABAC, HAN, Sysper2, EU-Learn, e-Tendering, MiPs, etc. Continuous support to the staff with the migration to any new applications;</li> <li>5. Ensured licences and maintenance subscriptions for IT products such as, Microsoft, Sophos, GlobalSign, Adobe, AutoCAD, Veeam, MDM solutions, etc.</li> <li>6. Gradual replacement of hardware (servers, routers, computers and mobile phones) with more modern and secure operation;</li> <li>7. High-level security of IT operations. Ensured security measures and procedures are in place for the usage of tools and ICT systems</li> <li>8. Penetration testing of on-site systems and networks, verification of IT security compliance;</li> <li>9. Deployment and usage of IT audit software and EU CERT services;</li> <li>10. Organization of information security awareness training for BEREC Office staff;</li> <li>11. Preparation of IT security plan according to MC/2018/03 - BEREC Office MC Decision concerning the decision on IT security and ensuring compliance;</li> </ol>			

### **2.10.1.3 Security and business continuity of the Agency**

#### **2.10.1.3.1 Overview**

According to the provision of Article 39 of Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009 (BEREC Regulation) the BEREC Office has to adopt its own security rules equivalent to the Commission's security rules for protecting European Union Classified Information and sensitive non-classified information, as set out in Commission Decisions (EU, Euratom) 2015/443<sup>42</sup> and (EU, Euratom) 2015/444<sup>43</sup>. Alternatively, the BEREC Office may adopt a decision applying the Commission's rules *mutatis mutandis*. These requirements are new for the Agency and were not required under Regulation (EC) No 1211/2009 and the Agency has no experience in the implementation of such requirements. For this reason the BEREC Office never had a Security Officer, a post which has to be occupied by an official or temporary agent and which was not granted to the BEREC Office by the Budgetary Authority in the 2020 establishment plan. Therefore in 2020 the Agency will try to undertake only preparatory actions in cooperation with the European Commission or other Agencies of the EU to ensure compliance with these rules as of 2021 and beyond (Objective 1).

Until that moment the BEREC Office will try to ensure physical and technical security at its premises to the strict minimum required as explained below. Until the appointment of the

<sup>42</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission ([OJ L 72, 17.3.2015, p. 41](#)).

<sup>43</sup> Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information ([OJ L 72, 17.3.2015, p. 53](#)).



Security Officer the responsibility for the physical security will be entrusted on a temporary basis to the Logistics Assistant (CA FG II) in charge of premises management<sup>44</sup>.

In order to provide an extra layer of protection and security for the visitors and the staff members of the Agency, two security measures are applied and achieved by CCTV for surveillance and security of the premises and Access Control System providing automated badge access control.

Another important task under this activity is the obligation for ensuring business continuity. The purpose of this task is to enable the BEREK Office to withstand interruptions to business functions, and to protect mission-critical business functions from the effect of major failures of information systems or disasters and to ensure their timely resumption.

### 2.10.2 Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>Preparation to ensure compliance with the provisions of Article 39 of the BEREK Regulation as of 2021 and beyond</b>		
Expected results	Security risk assessment to be used as input for any future work by the Agency in the field of security		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
1. Timely submission of the deliverables	2018: N/A	2020: Q3	Interim report, CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Report from a security audit of the premises;</li> <li>2. Report on the outcome of the security risk assessment.</li> </ol>			

<b>Objective 2</b>	<b>Ensure proper functioning of the access card and video-surveillance systems of the Agency</b>		
Expected results	Appropriate level of security and protection for the staff and visitors, safeguards of the Agency's assets (incl. informational).		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
1. Operational CCTV system	2018: N/A	Minimum: 98%	Reports on registered incidents through ticketing system; Daily morning / evening checklist report
2. Operational access control system	2018: N/A	Minimum: 98%	Reports on registered incidents through ticketing system; Daily morning / evening checklist report
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Ensure continuous availability and performance of CCTV and access control systems;</li> <li>2. Provide additional layer of security and protection</li> </ol>			

<sup>44</sup> See section 2.11 below

<b>Objective 3</b>	<b>Deployment and use of proper off-site back-up services for the Agency data and development of a reliable disaster recovery plan</b>		
Expected results	Up-date of the business continuity strategy and plan. Reduced recovery point objective (RPO) and recovery time objective (RTO) for corporate data.		
<b>Indicators</b>	<b>Latest result</b>	<b>Target Year 2020</b>	<b>Means and frequency of verification</b>
1. Usage of BaaS services;	2018: N/A	2020: 100%	Biannual recovery reports for restoration success;
2. Usage of DRaaS services	2018: N/A	2020: 100%	Biannual recovery reports for restoration success;
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Up-dated business continuity and disaster recovery plan;</li> <li>2. Ensured reliable backup and disaster recovery procedures are in place - usage of BaaS and DRaaS services with cloud provider;</li> <li>3. Continuous availability of business critical corporate data and IT systems;</li> <li>4. Reduced RTO and RPO as defined in the up-dated corporate business continuity strategy;</li> <li>5. Ensured system availability from cloud environment and improved costs for system maintenance.</li> <li>6. Provision of core ICT hardware on demand in disaster events for the secondary location of the Agency as described in the BCM programme.</li> </ol>			

## 2.11 Facility management and logistics

### 2.11.1 Overview

The BEREC Office currently uses part of the building located at Z. A. Meierovica bulv. 14, Riga, under the condition laid down in the Memorandum of Understanding between the Agency and the Government of the Republic of Latvia of 2011 and in line with the Lease agreement with the property management company – VNI, which has been amended several times.

The current premises have been designed for a maximum of 35 people, which does not meet the current needs of the Agency anymore. Already in 2018 the BEREC Office started preparatory work with VNI about identifying possible options for accommodating the new needs of the Agency in short-term (on a temporary basis) and in long-term. Several different possibilities have been considered by the dedicated Task Force, composed of representatives of the BEREC Office and VNI, and by the Steering Committee, composed of representatives of the BEREC Office, the Latvian Ministry of Transport and VNI.

At the end of the first half of 2019 the BEREC Office and VNI signed an amendment to the lease agreement for obtaining additional 185.1 m<sup>2</sup> of office space, which allowed partially to ease the overly populated offices at the end of June 2019 (135.34% of the requirements of the Commission Building Manual).

In 2020 BEREC Office, preferably in cooperation with the property management company and the Latvian authorities, will continue the work for renting additional offices in order to accommodate increased number of Agency's staff and ensuring safe and secure working environment for the staff and BEREC Office visitors.

To ensure the immediate putting into operation of the additional offices the Administration and Finance will order all the necessary office furniture and non-IT equipment. All new furniture to be ordered will follow modern ergonomic standards and the objective is to gradually replace all desks used by staff with modern and up-to-date ones of the type of electrical adjustable height standing desks.

The provision of office supplies, office decoration and facility management services are ensured with the objective to ensure the best possible office place use within the limited budget available for this activity.

### 2.11.2 Objectives, indicators, expected results and main outputs

<b>Objective 1</b>	<b>Ensure proper functioning of the physical infrastructure, while taking into account the growing needs of the Agency in cooperation with the property management company and the Latvian authorities</b>		
Expected results	<ol style="list-style-type: none"> <li>1) Manage the BEREC Office premises in line with the evolving needs of the Agency, including, whenever necessary, the expansion of the occupancy of the office surface and the necessary fitting out works and purchase of furniture and equipment to ensure smooth continuation of the Agency's work;</li> <li>2) Ensure minimum level of physical security at the Agency's premises, taking into account the limitations of the current physical infrastructure;</li> <li>3) Ensure the provision of logistical services and office and other supplies to the staff, necessary for the continuation of their work;</li> <li>4) Reduce the office vacancy rate with a gradual spatial expansion of the current premises in order to ensure the minimum spatial requirements to each staff member contained into "<i>Housing Manual for Commission DGs and Services – Part 1 and 2</i>";</li> <li>5) Provide staff members with apposite areas, where they can make business call and video conferences;</li> <li>6) Improve the visual and acoustic privacy of workstations by installing apposite panels to desks.</li> </ol>		
Indicators	Latest result	Target Year 2020	Means and frequency of verification
1. Operational technical facilities (electrical, sewage and heating systems, air-ventilation system, air-conditioning units, etc.)	2018: 90%	90% of the repair work are executed within the deadline of the Lease agreement	Daily morning / evening checklist report Monthly report
2. Occupancy rates of the offices according to EC building manual <sup>45</sup>	2018: 126.96%	100%	Interim report/CAAR

<sup>45</sup> The data refers to office spaces only, thus excluding meeting rooms, technical spaces, etc.

3. Timely registration of assets and inventory items	2018: within maximum 7 calendar days from the receipt of the invoice	2020: within maximum 7 calendar days from the receipt of the invoice	ABAC WH reports
4. Garbage sorting	2018: only for paper	Ensure garbage sorting for paper, glass, tin and plastics	Weekly report by the facility management staff
5. Availability and provision of the supplies and services ordered by the Agency	2018: 95%	Minimum 95%	Interim report/CAAR
6. Organization of meetings with the premises management company	2018: ad hoc meetings organised at management level	Bi-monthly meetings organized onsite	Report on the outcome of the meetings and creation of follow-up action plan
7. Organization of meetings for ensuring the future premises needs with the management company and/or Latvian authorities	2018: N/A	Bi-monthly meetings at management level	Interim report/CAAR
<b>Main outputs</b>			
<ol style="list-style-type: none"> <li>1. Orders for services and supplies;</li> <li>2. Services and supplies are provided to the BEREC Office;</li> <li>3. ABAC assets report; Inventory report;</li> <li>4. Report on the outcome of the meetings with the property management company and Latvian authorities and creation of execution of the follow-up action plan(s);</li> <li>5. Input to a new MoU with the Latvian Government for the premises of the Agency.</li> </ol>			

## Annex I: Resource allocation per activity 2020

ACTIVITIES 2020	Direct costs EUR	FTEs	HR related costs EUR	Total costs EUR
<b>Operational activities</b>				
1. Support to BEREC WGs including Phase 2 cases	510,000.00	16.30	1,164,312.77	1,674,312.77
2. High level meetings - Boards' secretariat	560,000.00	3.50	250,005.81	934,005.81
3. ICT support to BEREC	940,792.00	5.35	382,151.74	1,322,943.74
4. Information gathering and distributing	410,200.00	2.33	166,432.44	576,632.44
5. BEREC communication activities	385,000.00	3.93	280,720.81	541,720.81
<b>TOTAL operational expenditure</b>	<b>2,805,992.00</b>	<b>31.41</b>	<b>2,243,623.56</b>	<b>5,049,615.56</b>
<b>Horizontal activities</b>				
1. Coordination activities	117,900.00	2.74	195,718.83	313,618.83
2. Centralised finance and procurement (incl. for operational needs)	212,150.00	7.25	517,869.18	730,019.18
<b>TOTAL horizontal expenditure</b>	<b>330,050.00</b>	<b>9.99</b>	<b>713,588.01</b>	<b>1,043,638.01</b>
<b>Administrative support activities</b>				
1. HR management	0.00 <sup>46</sup>	2.95	210,719.18	210,719.18
2. ICT, security, logistics and document management	740,389.87	2.65	189,290.11	929,679.98
<b>TOTAL administrative expenditure</b>	<b>740,389.87</b>	<b>5.60</b>	<b>400,009.30</b>	<b>1,140,399.17</b>
<b>TOTAL</b>	<b>3,876,431.87</b>	<b>47.00</b>	<b>3,357,220.87</b>	<b>7,233,652.74</b>

<sup>46</sup> The value of direct HR management costs is 0 due to the fact that all HR related expenditure is shown in the column "HR related cost".

## Annex II: Financial Resources 2020-2022

Table 1 – Expenditure

Expenditure	2019 <sup>47</sup>		2020	
	Commitment appropriations	Payment appropriations	Commitment appropriations	Payment appropriations
<b>Title 1</b>	2,913,259	2,913,259	3,357,221	3,357,221
<b>Title 2</b>	834,741.00	834,741.00	1,070,440	1,070,440
<b>Title 3</b>	1,953,000	1,953,000	2,805,992	2,805,992
<b>Total expenditure</b>	<b>5,701,000</b>	<b>5,701,000</b>	<b>7,233,653</b>	<b>7,233,653</b>

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<sup>47</sup> Status on 10 December 2019, final numbers will be published in the Statement of revenue and expenditure for the year 2019

Commitment and payment appropriations							
Titles	Description	Outturn 2018	Appropriations		VAR 2020/2019	Envisaged 2021	Envisaged 2022
Chapters							
Articles							
Items			2019 <sup>47</sup>	2020			
<b>1</b>	<b>STAFF EXPENDITURE</b>						
<b>1 1</b>	<b>STAFF IN ACTIVE EMPLOYMENT</b>						
<b>110</b>	<b>Temporary agents</b>						
1100	Temporary agents' salaries and allowances	1,172,283.72	1,237,121.06	1,338,441.87	108%	1,525,896.85	1,582,169.95
	<b>Total Article 110:</b>	<b>1,172,283.72</b>	<b>1,237,121.06</b>	<b>1,338,441.87</b>	<b>108%</b>	<b>1,525,896.85</b>	<b>1,582,169.95</b>
<b>111</b>	<b>Contract staff and other staff</b>						
1111	Contract staff and Seconded National Experts (SNEs)	624,655.37	669,100.94	1,099,329.00	164%	1,356,529.00	1,442,268.12
	<b>Total Article 111:</b>	<b>624,655.37</b>	<b>669,100.94</b>	<b>1,099,329.00</b>	<b>164%</b>	<b>1,356,529.00</b>	<b>1,442,268.12</b>
<b>112</b>	<b>Employer's social security contributions</b>						
1120	Employer's social security contributions	58,166.16	60,733.50	80,000.00	132%	90,000.00	96,986.27
	<b>Total Article 112:</b>	<b>58,166.16</b>	<b>60,733.50</b>	<b>80,000.00</b>	<b>132%</b>	<b>90,000.00</b>	<b>96,986.27</b>
	<b>TOTAL CHAPTER 11:</b>	<b>1,855,105.25</b>	<b>1,966,955.50</b>	<b>2,517,770.87</b>	<b>128%</b>	<b>2,972,425.85</b>	<b>3,121,424.34</b>

Commitment and payment appropriations													
Titles Chapters Articles Items	Description	Outturn 2018	Appropriations		VAR 2020/2019	Envisaged 2021	Envisaged 2022						
			2019 <sup>47</sup>	2020									
			<b>12</b>	<b>MISCELLANEOUS EXPENDITURE ON STAFF RECRUITMENT AND TRANSFER</b>									
			<b>120</b>	<b>Recruitment expenses</b>									
1200	Recruitment expenses	25,717.96	18,172.59	30,000.00	165%	25,000.00	25,500.00						
	<b>Total CHAPTER 12:</b>	<b>25,717.96</b>	<b>18,172.59</b>	<b>30,000.00</b>	<b>165%</b>	<b>25,000.00</b>	<b>25,500.00</b>						
<b>13</b>	<b>MISSIONS AND DUTY TRAVEL</b>												
<b>130</b>	<b>Mission and duty travel</b>												
1300	Mission expenses, duty travel expenses and other ancillary expenditure	174,900.00	208,726.00	249,000.00	119%	261,185.60	263,000.00						
	<b>Total CHAPTER 13:</b>	<b>174,900.00</b>	<b>208,726.00</b>	<b>249,000.00</b>	<b>119%</b>	<b>261,185.60</b>	<b>263,000.00</b>						
<b>14</b>	<b>SOCIOMEDICAL SERVICES</b>												
<b>140</b>	<b>Medical service</b>												
1400	Medical service	7,820.00	9,000.00	12,000.00	133%	14,500.00	15,567.84						
	<b>TOTAL CHAPTER 14:</b>	<b>7820</b>	<b>9,000.00</b>	<b>12,000.00</b>	<b>133%</b>	<b>14,500.00</b>	<b>15,567.84</b>						



Commitment and payment appropriations													
Titles Chapters Articles Items	Description	Outturn 2018	Appropriations		VAR 2020/2019	Envisaged 2021	Envisaged 2022						
			2019 <sup>47</sup>	2020									
			<b>15</b>	<b>TRAININGS</b>									
			<b>150</b>	<b>Training</b>									
1500	Training	79,766.25	88,726.41	90,000.00	101%	85,000.00	115,500.00						
	<b>TOTAL CHAPTER 15:</b>	<b>79,766.25</b>	<b>88,726.41</b>	<b>90,000.00</b>	<b>101%</b>	<b>85,000.00</b>	<b>115,500.00</b>						
<b>16</b>	<b>EXTERNAL SERVICES</b>												
<b>160</b>	<b>External services</b>												
1600	External services	289,558.49	603,618.47	438,250.00	73%	449,913.21	315,527.65						
	<b>TOTAL CHAPTER 16:</b>	<b>289,558.49</b>	<b>603,618.47</b>	<b>438,250.00</b>	<b>73%</b>	<b>449,913.21</b>	<b>315,527.65</b>						
<b>17</b>	<b>REPRESENTATION AND MISCELLANEOUS STAFF COSTS</b>												
<b>170</b>	<b>Representation and miscellaneous staff costs</b>												
1700	Representation, receptions and events, and miscellaneous staff expenses	15,755.27	18,060.00	20,200.00	112%	21,000.00	22,000.00						
	<b>TOTAL CHAPTER 17:</b>	<b>15,755.27</b>	<b>18,060.00</b>	<b>20,200.00</b>	<b>112%</b>	<b>21,000.00</b>	<b>22,000.00</b>						

Commitment and payment appropriations							
Titles	Description	Outturn 2018	Appropriations		VAR 2020/2019	Envisaged 2021	Envisaged 2022
Chapters							
Articles							
Items							
			2019 <sup>47</sup>	2020			
	<b>TOTAL TITLE 1:</b>	<b>2,448,623.22</b>	<b>2,913,258.97</b>	<b>3,357,220.87</b>	<b>115%</b>	<b>3,829,024.66</b>	<b>3,878,519.83</b>
<b>2</b>	<b>BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE</b>						
<b>20</b>	<b>RENTAL OF BUILDINGS AND ASSOCIATED COSTS</b>						
<b>200</b>	<b>Buildings and associated costs</b>						
2000	Rent of building and associated costs	134,030.35	179,195.80	232,565.00	130%	401,935.15	408,873.85
	<b>TOTAL CHAPTER 20:</b>	<b>134,030.35</b>	<b>179,195.80</b>	<b>232,565.00</b>	<b>130%</b>	<b>401,935.15</b>	<b>408,873.85</b>
<b>21</b>	<b>DATA PROCESSING AND TELECOMMUNICATIONS</b>						
<b>210</b>	<b>Data processing and telecommunications</b>						
2100	Data processing and telecommunications	248,754.25	404,000.56	423,224.87	105%	410,044.81	426,642.59
	<b>TOTAL CHAPTER 21:</b>	<b>248,754.25</b>	<b>404,000.56</b>	<b>423,224.87</b>	<b>105%</b>	<b>410,044.81</b>	<b>426,642.59</b>
<b>22</b>	<b>MOVABLE PROPERTY AND ASSOCIATED COSTS</b>						
<b>220</b>	<b>Movable property and associated costs</b>						

Commitment and payment appropriations							
Titles	Description	Outturn 2018	Appropriations		VAR 2020/2019	Envisaged 2021	Envisaged 2022
Chapters			2019 <sup>47</sup>	2020			
Articles							
Items							
2200	Movable property and associated expenditure	18,577.70	55,215.73	55,200.00	100%	56,000.00	59,000.00
	<b>Total CHAPTER 22:</b>	<b>18,577.70</b>	<b>55,215.73</b>	<b>55,200.00</b>	<b>100%</b>	<b>56,000.00</b>	<b>59,000.00</b>
<b>23</b>	<b>CURRENT ADMINISTRATIVE EXPENDITURE</b>						
<b>233</b>	<b>Current administrative expenditure</b>						
2330	Legal and other operating services	106,259.00	182,767.71	269,450.00	147%	200,000.00	210,000.00
	<b>TOTAL CHAPTER 23:</b>	<b>106,259.00</b>	<b>182,767.71</b>	<b>269,450.00</b>	<b>147%</b>	<b>200,000.00</b>	<b>210,000.00</b>
<b>24</b>	<b>NON-OPERATIONAL MEDIA AND PUBLIC RELATIONS</b>						
<b>240</b>	<b>Non-operational media and public relations</b>						
2400	Non-operational media and public relations	0*	0*	68,000.00	N/A	94,860.00	96,757.20
	<b>TOTAL CHAPTER 24:</b>	<b>0*</b>	<b>0*</b>	<b>68,000.00</b>	<b>N/A</b>	<b>94,860.00</b>	<b>96,757.20</b>
<b>25</b>	<b>NON-OPERATIONAL MEETINGS</b>						
<b>250</b>	<b>Non-operational meetings</b>						

Commitment and payment appropriations							
Titles	Description	Outturn 2018	Appropriations		VAR 2020/2019	Envisaged 2021	Envisaged 2022
Chapters							
Articles							
Items			2019 <sup>47</sup>	2020			
2500	Non-operational meetings	9,310.11	13,561.25	22,000.00	162%	15,000.00	16,000.00
	<b>TOTAL CHAPTER 25:</b>	<b>9,310.11</b>	<b>13,561.25</b>	<b>22,000.00</b>	162%	<b>15,000.00</b>	<b>16,000.00</b>
	<b>TOTAL TITLE 2:</b>	<b>516,931.41</b>	<b>834,741.05</b>	<b>1,070,439.87</b>	<b>128%</b>	<b>1,177,839.96</b>	<b>1,217,273.64</b>
<b>3</b>	<b>OPERATIONAL EXPENDITURE</b>						
<b>30</b>	<b>BEREC PROGRAMME MANAGMENT SUPPORT</b>						
<b>300</b>	<b>BEREC programme management support</b>						
3001	BEREC Programme Management Support	373,006.52	450,000.00	920,200.00	204%	950,000.00	1,000,000.00
	<b>TOTAL CHAPTER 30:</b>	<b>373,006.52</b>	<b>450,000.00</b>	<b>920,200.00</b>	<b>204%</b>	<b>950,000.00</b>	<b>1,000,000.00</b>
<b>31</b>	<b>OPERATION AND STRATEGIC SUPPORT TO BEREC</b>						
<b>310</b>	<b>Operation and strategic support to BEREC</b>						
3101	Operation and strategic support to BEREC	992,438.85	1,503,000.00	1,885,792.00	125%	1,953,235.38	1,972,508.53
	<b>TOTAL CHAPTER 31:</b>	<b>992,438.85</b>	<b>1,503,000.00</b>	<b>1,885,792.00</b>	<b>125%</b>	<b>1,953,235.38</b>	<b>1,972,508.53</b>

Commitment and payment appropriations							
Titles	Description	Outturn 2018	Appropriations		VAR 2020/2019	Envisaged 2021	Envisaged 2022
Chapters			2019 <sup>47</sup>	2020			
Articles							
Items							
	<b>TOTAL TITLE 3:</b>	<b>1,365,445.37</b>	<b>1,953,000.00</b>	<b>2,805,992.00</b>	<b>144%</b>	<b>2,903,235.38</b>	<b>2,972,508.53</b>
	<b>TOTAL:</b>	<b>4,331,000.00</b>	<b>5,701,000.02</b>	<b>7,233,652.74</b>	<b>127%</b>	<b>7,910,100.00</b>	<b>8,068,302.00</b>

Table 2 – Revenue

Revenues		2019		2020		
EU contribution		5,701,000		7,140,402		
Other revenue		0		93,251		
<b>TOTAL:</b>		<b>5,701,000</b>		<b>7,233,653</b>		
REVENUES	2018	2019	2020	VAR 2020/2019	Envisaged 2021	Envisaged 2022
	Executed Budget	Estimate	Forecast			
<b>1 REVENUE FROM FEES AND CHARGES</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>N/A</b>	<b>0.00</b>	<b>0.00</b>
<b>2. EU CONTRIBUTION</b>	<b>4,331,000</b>	<b>5,701,000</b>	<b>7,140,402</b>	<b>1.25</b>	<b>7,910,100</b>	<b>8,068,302</b>
<i>of which Administrative (Title 1 and Title 2)</i>	<i>2,941,669.00</i>	<i>3,748,000.00</i>	<i>4,427,661.00</i>	<i>118%</i>	<i>5,006,865.00</i>	<i>5,095,793.00</i>
<i>of which Operational (Title 3)</i>	<i>1,389,331.00</i>	<i>1,953,000.00</i>	<i>2,805,992.00</i>	<i>144%</i>	<i>2,903,235.00</i>	<i>2,972,508.00</i>
<i>of which assigned revenues deriving from previous years' surpluses</i>	<i>206,664.00</i>	<i>23,335.00</i>	<i>23,402.00</i>	<i>100%</i>	<i>p.m.</i>	<i>p.m.</i>
<b>3 THIRD COUNTRIES CONTRIBUTION (incl. EFTA and candidate countries)</b>	<b>0.00</b>	<b>p.m.</b>	<b>93,251</b>	<b>N/A</b>	<b>p.m.</b>	<b>p.m.</b>
<i>of which EFTA<sup>48</sup></i>	<i>0.00</i>	<i>p.m.</i>	<i>0.00</i>	<i>N/A</i>	<i>p.m.</i>	<i>p.m.</i>
<i>of which Candidate Countries</i>	<i>0.00</i>	<i>p.m.</i>	<i>62,167.40</i>	<i>N/A</i>	<i>p.m.</i>	<i>p.m.</i>
<b>4 OTHER CONTRIBUTIONS<sup>49</sup></b>	<b>0.00</b>	<b>p.m.</b>	<b>p.m.</b>	<b>N/A</b>	<b>p.m.</b>	<b>p.m.</b>
<i>of which delegation agreement, ad hoc grants</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>N/A</i>	<i>0</i>	<i>0</i>
<b>5 ADMINISTRATIVE OPERATIONS</b>	<b>0.00</b>	<b>p.m.</b>	<b>p.m.</b>	<b>p.m.</b>	<b>p.m.</b>	<b>p.m.</b>
<b>6 REVENUES FROM SERVICES RENDERED AGAINST PAYMENT</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>p.m.</b>	<b>0</b>	<b>0</b>
<b>7 CORRECTION OF BUDGETARY IMBALANCES</b>	<b>90.00</b>	<b>p.m.</b>	<b>p.m.</b>	<b>p/m</b>	<b>p.m.</b>	<b>p.m.</b>
<b>TOTAL REVENUES</b>	<b>4,331,090</b>	<b>5,701,000</b>	<b>7,233,653</b>	<b>127%</b>	<b>7,910,100</b>	<b>8,068,302</b>

<sup>48</sup> Subject to the provisions of Article 25 and 35 of the BEREC Regulation.

<sup>49</sup> Voluntary contributions from MS or their NRAs.

**Table 3 – Budget outturn and cancellation of appropriations**

Calculation of the budget outturn:

Budget outturn	2016	2017	2018
Revenue actually received (+)	4,246,176	4,246,000	4,331,000.00
Payments made (-)	-3,277,547	-3,690,674	-3,580,804.46
Carry-over of appropriations (-)	-807,028	-552,791	-743,954.24
Cancellation of appropriations carried over (+)	44,896	20,412	17,115.65
Adjustment for carry over of assigned revenue appropriations from previous year (+)	0.00	0.00	0.00
Exchange rate differences (+/-)	167	389	44.69
Adjustment for negative balance from previous year (-)	0	0	0
<b>Total</b>	<b>206,664</b>	<b>23,336</b>	<b>23,402</b>

The 2018 surplus that was reimbursed to the EU budget is EUR 23,402.00

Carry-over of appropriations (EUR 743,954.24) relates to:

**Title 1: Staff related costs, such as:**

- missions of staff for support provided to BEREK and WGs;
- payments due to the candidates who participated in the selection procedures in the second half of 2018 and are to be reimbursed in the Q1 2019
- trainings (trainings delivered in 2018, for which the invoices have not been received and trainings to be carried out in 2019 under contracts signed in 2018);
- SLAs with EC services and bodies of the EU (Medical service of the EC, DG HR, PMO fees for calculation of missions, inter agencies network secretariat, laissez-passer office)
- liabilities under contracts for provision of interim staff concluded in 2018, for which services will continue in 2019.

**Title 2: Building, equipment and miscellaneous operating expenditure:**

- invoices for services and supplies delivered in 2018 (mainly in December 2018) for premises' utilities, security services, consumables, postal and telecommunications services, that will be received in 2018;
- IT purchases and related services, for which contracts have been signed in 2018 and/or services rendered and invoices will be received in 2019;
- the cost for the use of the EC's financial system (ABAC) and the services for the AccO (debit notes to be received in 2019);
- publications ordered to the Publication Office in 2018 which will be invoiced in 2019 and a

subscription to a regulatory intelligence services database for the BEREC Office staff for one year;

- the costs for external audit, which will be paid at the end of service delivery - in 2019.

**Title 3: Operational activities such as:**

- expenses for organisation of BEREC WG meetings and reimbursement of travel expenses of experts participating in these meetings held in October, November and December 2018; final invoice for services rendered in late 2018 is to be received and paid at the beginning of 2019;

- expenses for organisation and expert reimbursements for participation in BEREC meetings (incl. WG meetings) beginning of 2019 ( January and February), planned under the 2018 budget;

- SLAs (CdT, Publications Office) for services acquired in 2018 for which invoices are received in 2019;

- expenses under the Specific Contract within the FWC on supervision of implementing Net Neutrality measurement tool (development and maintenance phase);

- expenses under the Specific Contract within the FWC for a Study on the determinants of investment in very high capacity networks in a system dynamics approach in telecommunication sector;

- expenses for organisation and reimbursement of travel expenses of experts participating in BEREC NRA Training 1<sup>st</sup> session on regulatory framework, which is to be held on 24-25 January 2019;

- expenses to cover provision of training - content part under Specific Contract within the FWC of BEREC NRA Training 1<sup>st</sup> session on regulatory framework on 24-25 January 2019;

- expenses for of services of online public consultation platform, provision of which started in late 2018 and continues till late 2019.

Cancellation of payment appropriations carried over:

	<b>Payment appropriations</b>	<b>Payments made</b>	<b>Cancellation Payment appropriations (EUR)</b>	<b>Cancellation %</b>
	<b>1</b>	<b>2</b>	<b>3</b>	<b>5=3/1</b>
<b>Title 1 C8</b>	106,715.00	104,206.50	2.508,50	2.35%
<b>Title 2 C8</b>	170,849.09	170,168.54	680,55	0.40 %
<b>Title 3 C8</b>	275,226.78	261,300.18	13.926,60	5.06 %
<b>Total</b>	<b>552,790.87</b>	<b>535,675.22</b>	<b>17.115,65</b>	<b>3.10 %</b>

The cancellation of payment appropriations carried over happened mostly due to the fact that:



**Title 1: Staff:**

- Cost for the staff training expenses provided by the EC in 2018 were lower than estimated and EUR 1048 had to be cancelled
- Expenses for staff missions which took place in the last quarter of 2018 were lower than initially estimated at the end of the year and EUR 935 had to be cancelled.
- Carry-forwards for interim staff contracts were based on the contracts' amount. The actual consumption was lower by EUR 161 and unused appropriation had to be cancelled;
- Expenditure for invoices received for the inter agencies network contribution and medical services was less than expected and 364 EUR had to be cancelled.

**Title 2: Building, equipment and miscellaneous operating expenditure:**

- The estimates of the needs for telecommunication services, utilities and fees for BEREC Office budget publication, were lower by EUR 680.50 cumulatively. Therefore, the unused appropriations had to be cancelled.

**Title 3: Operational activities:**

- Reimbursement of participants/experts to EWGs travel were based on the number of people invited and eligible to receive reimbursements and average costs per expert;

However, the final costs depend on the actual participation and the number of applications received and actual costs incurred due to the use of audio-visual conference facilities available for the EWG meetings These costs were lower than estimated by EUR 12,101.90 and were cancelled

An amount of 174.76 EUR was cancelled by the ICT services for BEREC contract due to travelling expenses not incurred as per the conditions of the said contract

**Annex III: Human Resources 2020-2022, part 1**

Table 1 – Staff population and its evolution; Overview of all categories of staff

Staff population		Actually filled as of 31.12.2017	Authorised <sup>50</sup> under EU Budget 2018	Actually filled as of 31.12.2018	Authorised <sup>51/</sup> estimated <sup>52</sup> under EU budget for year 2019	Authorised <sup>53/</sup> estimated <sup>54</sup> under draft EU budget for year 2020	Envisaged in 2021 <sup>55</sup>	Envisaged in 2022
Officials	AD							
	AST							
	AST/SC							
TAs	AD	11	11	11	13	13	13	13
	AST	3	3	3	3	3	3	3
	AST/SC							
Total <sup>56</sup>		14 <sup>57</sup>	14	14	16	16	16	16
CA GF IV		8	8	8 <sup>58</sup>	10	12	12	12
CA GF III				1 <sup>59</sup>	4	6	6	6
CA GF II		1	1	1	4	4	4	4
CA GFI								

<sup>50</sup> As authorised for officials and TAs and as estimated for CAs and SNEs.

<sup>51</sup> For officials and TAs

<sup>52</sup> For all other categories of staff

<sup>53</sup> For officials and TAs

<sup>54</sup> For all other categories of staff

<sup>55</sup> The programming of activities beyond 2020 is entirely indicative and can be given only for illustrative purposes given that the discussions in the European Parliament and the Council on the Commission proposal for the Multiannual Financial Framework 2021-2027 of 2 May 2018 are ongoing. The figures for 2021 and beyond will be synchronised with the final data to be included in the SPD 2021-2023

<sup>56</sup> Headcounts.

<sup>57</sup> The total headcount of 14 includes the decrease by 1 post brought about by the Inter-institutional Agreement of 2 December 2013 between the EP, the Council and the EC on budgetary discipline, on cooperation in budgetary matters and on sound financial management, which stipulates a 5% reduction in the number of posts in the establishment plans of all institutions, bodies and agencies over a 5 year period, and the decrease by 1 post for the redeployment pool. The first cut (Administrative Assistant (AST1) from the Programme Management Unit) actually constituted 6.25 % of the total number of establishment plan posts and, therefore, the BEREC Office completed the objective for progressively render 5 % of its staff as agreed. The objective to decrease 1 post for the redeployment pool was achieved in September 2016, when the post of the Budget Assistant (AST 4) became vacant and has not filled in with a view to a further cut in the establishment plan as of January 2017. Also in this case, the decrease by 1 post represented more than 5 % of BEREC Office Staff.

<sup>58</sup> One FG IV has been temporarily hired to replace a member of the temporary staff (AD 5) on long term leave). The headcount also includes a job offer sent and accepted for a new FG IV replacing the Budget and Finance Support Officer who left the organisation in October 2018.

<sup>59</sup> One FG III has been temporarily hired for 6 months to replace a member of the temporary staff (AST 3) on long term leave.

Staff population	Actually filled as of 31.12.2017	Authorised <sup>50</sup> under EU Budget 2018	Actually filled as of 31.12.2018	Authorised <sup>51/</sup> estimated <sup>52</sup> under EU budget for year 2019	Authorised <sup>53/</sup> estimated <sup>54</sup> under draft EU budget for year 2020	Envisaged in 2021 <sup>55</sup>	Envisaged in 2022
<b>Total CAs</b>	<b>9</b>	<b>9</b>	<b>10</b>	<b>18</b>	<b>22</b>	<b>22</b>	<b>22</b>
SNEs <sup>60</sup>	4	4	4	6	9	9	9
<i>Structural service providers</i> <sup>61</sup>	2	2 <sup>62</sup>	5	3 <sup>63</sup>	3	3	3
<b>TOTAL</b> <sup>6465</sup>	<b>29</b>	<b>29</b>	<b>33</b>	<b>43</b>	<b>50</b>	<b>50</b>	<b>50</b>
<i>External staff for occasional replacement</i> <sup>66</sup>	4	3	1	1	1	1	1

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<sup>60</sup> FTE.

<sup>61</sup> Service providers are contracted by a private company and carry out specialised outsourced tasks of horizontal/support nature, for instance in the area of information technology. At the Commission the following general criteria should be fulfilled: 1) no individual contract with the Commission; 2) on the Commission premises, usually with a PC and desk; 3) administratively followed by the Commission (badge, etc.) and 4) contributing to the value added of the Commission. FTE.

<sup>62</sup> Originally envisaged.

<sup>63</sup> Envisaged.

<sup>64</sup> Excluding external service providers.

<sup>65</sup> Trainees not included

<sup>66</sup> For instance replacement due to maternity leave, long sick leave or unexpected turnover, and workload peaks. FTEs.

Table 2 – Multi-annual staff policy plan year 2020-2022

Category and grade	Establishment plan in EU Budget 2018		Filled as of 31/12/2018	Modifications in year 2018 in application of flexibility rule <sup>67</sup>		Establishment plan in voted EU Budget 2019 <sup>68</sup>		Modifications in year 2019 in application of flexibility rule	Establishment plan in draft EU Budget 2020		Establishment plan 2021		Establishment plan 2022	
	Officials	TA		Officials	TA	Officials	TA		Officials	TA	officials	TA	officials	TA
AD 16														
AD 15														
AD 14		1	1				1			1		1		1
AD 13														
AD 12														1
AD 11		1					1			1		1		1
AD 10		1	1				1			2		3		2
AD 9		2	1				2			2		3		3
AD 8		1	2				1			2		2		2
AD 7		2	1				4			2		1		1
AD 6		3	5				2			2		1		2
AD 5							1			1		1		
<b>Total AD</b>		<b>11</b>	<b>11</b>				<b>13</b>			<b>13</b>		<b>13</b>		<b>13</b>
AST 11														
AST 10														
AST 9														
AST 8														
AST 7														1
AST 6							1			1		2		1
AST 5		1	1				1			1		1		1
AST 4		2					1			1				
AST 3			2											
AST 2														

<sup>67</sup> In line with Article 32 (1) of the framework Financial Regulation, the management board may modify, under certain conditions, the establishment plan by in principle up to 10% of posts authorised, unless the financial rules of the body concerned allows for a different % rate.

<sup>68</sup> The Establishment Plan includes the revision of the grades of posts in order to ensure equal opportunities for the staff's career progression. This is without prejudice to the outcome of the annual reclassification exercise, which is based on merit **and bound by the promotion rates of Annex I.B of the Staff Regulations** over years.

Category and grade	Establishment plan in EU Budget 2018		Filled as of 31/12/2018	Modifications in year 2018 in application of flexibility rule <sup>67</sup>		Establishment plan in voted EU Budget 2019 <sup>68</sup>		Modifications in year 2019 in application of flexibility rule	Establishment plan in draft EU Budget 2020		Establishment plan 2021		Establishment plan 2022	
	Officials	TA		Officials	TA	Officials	TA		Officials	TA	officials	TA	officials	TA
AST 1														
<b>Total AST</b>		<b>3</b>	<b>3</b>				<b>3</b>			<b>3</b>		<b>3</b>		<b>3</b>
AST/SC6														
AST/SC5														
AST/SC4														
AST/SC3														
AST/SC2														
AST/SC1														
<b>Total AST/SC</b>														
<b>TOTAL</b>		<b>14</b>	<b>14<sup>69</sup></b>				<b>16</b>			<b>16</b>		<b>16</b>		<b>16</b>

<sup>69</sup> According to the Commission Communication Programming of human and financial resources for decentralised agencies 2014-2020 and the General Budget of the EU for 2017, in 2017 the BEREC Office needed to contribute with one post to the redeployment pool of Agencies. As a consequence, the post of the Budget Assistant, vacant as of September 2016, has not been filled in and was cut as of January 2017.

## Annex IV: Human Resources 2020-2022, part 2

### A. Recruitment policy

The recruitment and selection policies are defined in the relevant implementing rules of the EU Staff Regulations.

It is not foreseen to recruit permanent officials at the BEREC Office.

The selection and recruitment of TAs, CAs and SNEs will follow the relevant rules and the latest version of the internal recruitment documents. The selection and recruitment procedures' consistency is ensured by the agency entity in charge of HR through policies and guidelines.

### B. Appraisal of performance and reclassification/promotions

Table 1 – Reclassification of temporary staff/promotion of officials

Category and grade	Staff in activity at 1.01.2017		How many staff members were promoted / reclassified in 2018		Average number of years in grade of reclassified/ promoted staff members
	Officials	TA	officials	TA	
AD 16					
AD 15					
AD 14		1			
AD 13					
AD 12					
AD 11					
AD 10		1			
AD 9		1			
AD 8		2			
AD 7		1		1	2 years 8 months
AD 6		2 <sup>70</sup>			
AD 5		3		2	2 years
<b>Total AD</b>		11		3	
AST 11					
AST 10					
AST 9					
AST 8					
AST 7					
AST 6					

<sup>70</sup> Including 1 Temporary Agents AD 5 who was reclassified in grade AD 6 at the end of 2017 with retroactive effect as of 01.01.2017.

Category and grade	Staff in activity at 1.01.2017		How many staff members were promoted / reclassified in 2018		Average number of years in grade of reclassified/ promoted staff members
	Officials	TA	officials	TA	
AST 5					
AST 4		1		1	3 years
AST 3		1			
AST 2					
AST 1					
<b>Total AST</b>		2		1	
<b>Total</b>		13		4	

The key feature of the BEREC Office's staff appraisal and career development scheme is the establishment of an annual dialogue with management / reporting officer on performance, to set up clear and measurable objectives, to put in place meaningful indicators to measure performance against individual objectives and to guide possible promotion (reclassification) opportunities. This non-automatic procedure is based on merit.

The reclassification is usually preconditioned by an evaluation/appraisal. All BEREC Office staff managers are being informed to set objectives of their staff members at the beginning of each year and to evaluate the performance of their staff based on the guidelines of the Staff Regulations, CEOS and relevant implementing rules.

The BEREC Office conducted the appraisal 2014 exercise from February to October 2014, which was followed up with the reclassification 2014 exercise. Due to the rigidity within the Establishment Plan, it was not possible to reclassify any TA. As a consequence, the reclassification rates of Annex I.B allowed for an increased volume of reclassifications in the first part of the period 2018-2020.

As mentioned above, the rigidity within the Establishment Plan made it impossible to reclassify temporary agents in 2014, but the problem has been solved in the first part of 2015. As a consequence, four TAs have been reclassified in 2015, three TAs have been reclassified in 2016 and two TAs have been reclassified in 2017. In 2018 4 TAs has been reclassified.

Since the reclassification is based on merit, the actual reclassification rates will only be known when the performance appraisal has been conducted following the principle of merit and of transparency. Additionally, reclassification will only be possible if provided for in the adopted budgetary limits and establishment plan.

Table 2 – Reclassification of contract staff

Function Group	Grade	Staff in activity at 1.01.2017	How many staff members were reclassified in 2018	Average number of years in grade of reclassified staff members
<b>CA IV</b>	18			
	17			
	16	1		
	15			
	14	2		
	13	5	1	3 years
<b>CA III</b>	12			
	11			
	10			
	9			
	8			
<b>CA II</b>	7	1		
	6			
	5			
	4			
<b>CA I</b>	3			
	2			
	1			
<b>Total</b>		<b>9</b>	<b>1</b>	

The general principles which guide the appraisal and reclassification exercise for temporary staff also apply to the appraisal of contract staff employed under Article 3a of the CEOS. In the reclassification exercise of 2016, a contract agent has been reclassified. While in 2017 no contract agents were reclassified, 1 FG IV has been reclassified in 2018.



### **C. Mobility policy**

#### a) Mobility within the agency

Horizontal mobility within the BEREC Office is quite limited due to specialisation for different positions. The implementing rules for temporary agents at the BEREC Office foresee the possibility of internal publication of vacant posts. In accordance with the implementing rules on engagement and use of temporary staff, the BEREC Office adopted in 2018 a Policy for internal mobility of temporary staff under Article 2(f).

#### b) Mobility among agencies (Inter-agency Job Market)

The implementing rules for temporary agents at the BEREC Office foresee the possibility of publishing a vacancy in the Inter-agency job market. The implementation of an Inter-agency Job Market is envisaged in the future. Currently no posts have been filled with staff from other agencies using this procedure.

#### c) Mobility between the agencies and the institutions

Currently no posts have been filled with staff seconded from other EU institutions.

### **D. Gender and geographical balance**

In accordance with Article 1d of the Staff Regulations and articles 12.1 and 82.1 of the CEOS, the BEREC Office applies equal opportunities policy for its staff, while making provision for measures and actions promoting equal opportunities in respect to the provisions of the European Commission's Strategy on equal opportunities for women and men (2010 – 2014, ref. SEC (2010) 1554/4, adopted on 17.12.2010 by the EC).

In order to have better gender balance within the BEREC Office, the units are reminded to pay attention to the gender balance. The middle management of the Agency is evenly balanced (50% female, 50% male).

Geographical balance has been achieved in accordance to articles 12.1 and 82.1 of CEOS, bearing in mind the small size of the Office. As of 31.12.2018 the Office has representatives from 13 different MSs (14 MSs taking into account also trainees) and will keep monitoring this balance for planned recruitments in next years.

However, while the BEREC Office manages to keep a good balance in the reserve lists recently established, it has been proven challenging to fill in posts with candidates of EU nationalities other than Latvians. The number of refusal of job offers from candidates who are not Latvian citizens is high. In parallel, the number of Latvian nationals working at the BEREC Office has a tendency to increase. The BEREC Office will continue to monitor this tendency and, at the same time, an extra effort has been put in place in order to promote the BEREC Office in the job market.

The general living conditions in Latvia, together with the low correction coefficient, are the main cause of this trend. The BEREC Office has no influence on the establishment of the correction coefficient. On the other hands, it has brought the issue of the difficult living conditions, especially for expats, to the Latvian Authorities. Only with concrete measures offered by the host member state it will be possible to keep the geographical balance under control. At the same time, in the last years the BEREC Office successfully started to revamp its reputation as top EU employer.

## **E. Schooling**

As established in the Seat Agreement (Article 18) between the Latvian Government and the Office, the Government undertakes to its utmost efforts jointly with the BEREC Office to find the best solution possible for multilingual schooling for the children of the BEREC Office staff. The Ministry of Education and Science of the Republic of Latvia is acting as a focal point addressing the questions with regard to schooling in the Republic of Latvia.

Currently, the host Member State Latvia does not have an accredited European School in Riga and children of the staff members attend English, French or Latvian speaking schools. Since the possibility of providing accredited European schooling for the pupils of BEREC Office staff does not currently exist, the Latvian Government should establish such an accredited curriculum. The BEREC Office can only insist in its support of this plan and contribute to its progress. On more than one occasion, the BEREC Office offered its support to the local authorities and to the representatives of the schools with an international dimension in Latvia. Relations have been established with the management of the schools and the premises of such schools have been visited by representatives of the Administration and Finance Unit.

The Ministry of Education and Science has been exploring possibilities of establishing an accredited European School within the public school network in Latvia or within the private school network, in accordance with the Convention defining the Statute of the European Schools and with the programmes of European schools. Negotiations are ongoing since November 2010.

The establishment of a new accredited European School is a long process, and in the meantime the BEREC Office is adopting all the necessary measures to ensure the proper schooling of staff pupils. The BEREC Office has already in place 3 agreements with Latvian schools with an international dimension, in order to ensure the multi-lingual schooling for the children of staff. The basis for such measures is the financial autonomy of the BEREC Office, which allowed the BEREC Office to take measures within the framework of the Financial Regulation in order to support staff and cover most part of the costs of multilingual tuition provided by the international schools available in Latvia.

## Annex V: Buildings

### A. Current building:

The BEREC Office premises are located at 14 Zigfrida Annas Meierovica boulevard, Riga, Latvia, on part of 1<sup>st</sup> and at the 2<sup>nd</sup> floor. The building used by the Agency is shared with several other tenants. The BEREC Office rents its premises in accordance with the Memorandum of Understanding with the Government of the Republic of Latvia, signed on 30 September 2011<sup>71</sup>, which was further detailed in a lease agreement.

	Main Information	Other Comments
Name, location and type of building	14 Zigfrida Annas Meierovica boulevard, Riga, Latvia	
Surface area (in square meters)	1,116.00 m <sup>2</sup> <sup>72</sup>	According to the MoU with the Latvian Government the BEREC Office can use in addition to the main surface area 1 covered and 5 open parking spaces in the inner yard of the building free of charge and 2 open air parking spaces in front of the main entrance of the premises free of charge.
– of which office space	438.48 m <sup>2</sup>	
– of which non-office space	677.52 m <sup>2</sup>	
– Number of parking slots	17	
Annual rent (in EUR)	62,898.00	The rental price is based on a Regulation of the Cabinet of Ministers of the Republic of Latvia No 515 "Procedure for Lease of State and Local Government Owned Property, Methodology for Determination of Rent Charges and Standard Terms of Lease Agreements" of 08.06.2010 determining the

<sup>71</sup> [Memorandum of Understanding between the BEREC Office and the Government of the Republic of Latvia on the establishment of the headquarters of this European entity in Riga](https://www.vestnesis.lv/index.php?menu=doc&id=246139), 30 September 2011, published in Latvian at: <https://www.vestnesis.lv/index.php?menu=doc&id=246139>

<sup>72</sup> The BEREC Office has requested additional offices from the property manager; the discussion is ongoing; the budgetary impact can be addressed within the planned appropriations.

	Main Information	Other Comments
		state and local government property leasing arrangements, which will cover the lessor's expenditure for the leased object without any profit.
Type and duration of rental contract	Lease agreement with State owned joint-stock company Valsts nekustamie īpašumi - VNI, signed on 01/08/2011, effective until 31/07/2028 with the agreement n. 3318-4 signed on 08/07/2019.	
Host country grant or support	Not applicable for the programming period	
Present value of the building (if the agency owns the building)	Not applicable	The BEREC Office does not own the building.

**B. Building projects in planning phase:**

For the programming period the BEREC Office does not plan any building projects yet.

## Annex VI: Privileges and immunities

According to the provision of Article 34 of the BEREC Regulation the Protocol on the privileges and immunities of the EU are applicable also to the BEREC Office and its staff.

To further detail the practicalities of the implementation of the aforementioned Protocol, on 24 February 2011 the BEREC Office and the Government of the Republic of Latvia signed a Seat Agreement<sup>73</sup>, which further details the right and obligation of the BEREC Office staff and host MS. However, some areas of improvement have been identified.

Article 47 of the BEREC Regulation states that the arrangements concerning the accommodation to be provided for the BEREC Office in the host MS and the facilities to be made available by that MS as well as the specific rules applicable in the host MS to the Director, members of the MB, the BEREC Office staff and members of their families shall be laid down in a Headquarters Agreement between the BEREC Office and the host MS, to be concluded after obtaining the approval of the MB and no later than 21 December 2020.

The host MS is required to provide the necessary conditions to ensure the smooth and efficient functioning of the BEREC Office, including multilingual, European-oriented schooling and appropriate transport connections.

Therefore in 2019 the BEREC Office has envisaged revision of the Seat Agreement, which in addition to the requirement listed above will focus on the challenges experienced since 2011.

According to the current Seat Agreement the Agency and the staff has the following privileges:

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities / diplomatic status	Education / day care
<b>Inviolability and Immunity</b>		According to the Seat Agreement the Latvian Government has undertaken the responsibility jointly with the BEREC Office to find the best solution possible for schooling for the children of the BEREC Office staff.
The seat of the BEREC Office, irrespective of ownership, is inviolable	The BEREC Office staff shall enjoy privileges and immunities based on the Protocol on the Privileges and Immunities of the EU and enjoy immunity from legal proceedings in respect of acts performed by them in their official capacity.	The Latvian Government shall facilitate offering European schooling to children of the BEREC Office staff in English, French and German by the existing private and public international schools in Riga and will ensure that the children of the BEREC Office
The seat of the BEREC Office is exempt from search, requisition, confiscation or expropriation.	Together with their spouses and dependent members of their families, not be subject to immigration restrictions or to formalities for the registration of aliens.  The host member State informally suggests the staff to	

<sup>73</sup> [https://berec.europa.eu/eng/document\\_register/subject\\_matter/berec\\_office/others/1032-seat-agreement-between-the-berec-office-and-the-government-of-the-republic-of-latvia](https://berec.europa.eu/eng/document_register/subject_matter/berec_office/others/1032-seat-agreement-between-the-berec-office-and-the-government-of-the-republic-of-latvia)

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities / diplomatic status	Education / day care
	register with the local authorities, as this is the only way to receive a personal code and have access to some basic services in the country.	staff get priority access to them.  In practice this provision has not been applied. The Latvian Ministry of Education, which is the focal point for issues related to schooling has informed the BEREC Office that due to case law no priority access to BEREC Office staff children can be ensured. Additionally the BEREC Office has been informed that the Latvian Government cannot influence the fees of the private establishments.
The property and assets of the BEREC Office cannot be subject to any administrative or legal measure of constraint, whether by executive, administrative, judicial or legislative action, without the authorisation of the Court of Justice of the EU.	The Administrative Manager and the members of his/her family, who have not been nationals or permanent residents of Latvia before being employed by the BEREC Office, are accorded with the privileges and immunities, exemptions and facilities accorded to the heads of diplomatic missions and the members of their family in accordance with the Vienna Convention on Diplomatic Relations of 18 April 1961.	
Communications and the transmission of all BEREC Office documents are treated in the same way as documents and communications of diplomatic missions.		
<b>Exemption from taxes, duties, national, regional and municipal charges</b>		
The Agency is exempt from:	BEREC Office staff are exempt from	
- all direct taxes on its assets, revenues and other property	Salaries, wages, emoluments, SNEs' allowances, retirement, invalidity and survivor's pensions paid by the BEREC Office or by the EU are exempted from national taxes.	
- all national, regional and municipal excise duties, sales charges and other taxes for substantial purchases for official use (e.g. for any amount above 125 LVL <sup>74</sup> = EUR 177.86); exemption from VAT, excise duty and other indirect taxes is	The VAT included in the price of articles listed in an annex to the Seat Agreement, including 1 vehicle for personal use, acquired by the BEREC Office staff in the Latvia within 1 year from taking up their post in Latvia is reimbursed to the staff and SNEs provided that the single article price is not	

<sup>74</sup> Official exchange rate 1LVL = EUR 0,702804

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities / diplomatic status	Education / day care
provided by means of a tax refund.	<p>less than 35 LVL. This rule is not applicable for nationals or permanent residents of Latvia.</p> <p>The application of this provision shows a lack of flexibility by the Latvian side.</p>	
- imports and exports customs duties, taxes, prohibitions or restrictions on goods for official use, including vehicle and spare parts	<p>BEREC Office staff has the right to import free of duty and without prohibitions or restrictions, in respect of initial establishment, within 2 years of taking up their appointments within the BEREC Office and in maximum 2 shipments, furniture and personal effects, including vehicles purchased under market conditions.</p> <p>BEREC Office staff is entitled to export, after the date of cessation of functions at the BEREC Office, without prohibitions or restrictions, personal and household effects, including vehicles they use and which are in their possession.</p> <p>However, the excessive administrative burden on the staff of the BEREC Office on the registration of the vehicles, pose a problem to the proper application of this provision.</p>	
- vehicle exploitation tax for BEREC Office official vehicles registered under a special series	The BEREC Office AM is exempt from vehicle exploitation tax.	

## Annex VII: Evaluations

In September 2016 the EC published an evaluation of the regulatory framework for electronic communications<sup>75</sup>, which among others also contains a Screening of the BEREC Regulation (see annex VI). The screening has been carried out based on the following evaluation criteria, namely: relevance, effectiveness, efficiency, coherence. It has been based on a study prepared by an external consultant (PricewaterhouseCoopers Luxembourg, PwC) and published by the EC in 2013, together with a Commission Staff Working Document<sup>76</sup> and the outcome of the public consultation organised by the EC on the review of the EU regulatory framework for electronic communications.

The evaluation has concluded that the work carried out by BEREC and supported by the BEREC Office is relevant and has an impact on stakeholders. The BEREC Office provides administrative support to BEREC and its budget is also used to finance BEREC activities, therefore its activities continue to be relevant for BEREC.

However, the evaluation questions the adequacy of the current governance structure. In particular, it is emphasised that the organisational structure of the BEREC Office is not in line with the Common Approach (CA) agreed between the EP, the Council and the EC. Article 10(3) of the BEREC Regulation provides that the power of the appointing authority should be exercised by the Vice-Chair of the MC and only a limited list of tasks is delegated to the Administrative Manager, thus unnecessary administrative burden is created. Therefore, this aspect of the day-to-day operation of the Agency has been identified as an area for improvement both in the EC legislative proposal and by BEREC in its opinion on the telecom review<sup>77</sup>.

Furthermore, it is emphasised that, in order to allow the MC to focus on the core business, the powers of the Appointing Authority for all the staff should be delegated to the Administrative Manager (who must also be authorised to sub-delegate those powers).

The role of the BEREC Office, which is limited to administrative and professional support, and its size (only 27 FTE posts), creates some inefficiency. The Office has to comply with the same resource-intensive procedures as much bigger Agencies and the professional support it provides to BEREC is still rather limited, as identified through experience and pointed out in the Evaluation Study. This has created difficulties in order to recruit and retain qualified staff

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<sup>75</sup> SWD(2016) 313 final; <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=SWD:2016:0313:FIN>

<sup>76</sup> SWD(2013) 152 final; BEREC provided its own input to the evaluation process; see BoR (12) 118 BEREC input to the European Commission on the BEREC and BEREC Office Evaluation Exercise, 13.11.2012, [http://berec.europa.eu/eng/document\\_register/subject\\_matter/berec/others/1073-berec-input-to-the-european-commission-on-the-berec-and-berec-office-evaluation-exercise](http://berec.europa.eu/eng/document_register/subject_matter/berec/others/1073-berec-input-to-the-european-commission-on-the-berec-and-berec-office-evaluation-exercise)

<sup>77</sup> BoR (17) 94, BEREC views on the draft report elaborated by ITRE Rapporteur Evžen Tošenovský on the proposal for a Regulation of the European Parliament and of the Council establishing the Body of European Regulators for Electronic Communications, 28.03.2017, [http://berec.europa.eu/eng/document\\_register/subject\\_matter/berec/opinions/7040-berec-views-on-the-draft-report-elaborated-by-itre-rapporteur-ev382en-to353enovsk253-on-the-proposal-for-a-regulation-of-the-european-parliament-and-of-the-council-establishing-the-body-of-european-regulators-for-electronic-communications](http://berec.europa.eu/eng/document_register/subject_matter/berec/opinions/7040-berec-views-on-the-draft-report-elaborated-by-itre-rapporteur-ev382en-to353enovsk253-on-the-proposal-for-a-regulation-of-the-european-parliament-and-of-the-council-establishing-the-body-of-european-regulators-for-electronic-communications)



as well as challenges in ensuring such basic requirements as the segregation of duties in financial circuits or ensuring that certain functions could be performed in an independent way (this is one of the reasons why recently the accounting officer function has been delegated to the Commission).

As pointed out in the Evaluation Study, it is also suggested that the BEREC Office could be better used, especially when supporting EWGs in their everyday work (see also comments under "effectiveness" and "coherence" of the EC SWD).

Finally, no performance indicators were included in the Working Programmes to allow for effective assessment of the results achieved in terms of objectives, as pointed out in the Evaluation Study, in the EP's opinion on the Evaluation Report and by respondents to the Public Consultation, which has been rectified in the Annual and Multiannual Programming Document for 2017-2019.

## Horizontal and administrative activities: a bottom-up calculation for the minimum required capacities

1 FTE = 210 working days

		BEREC Office 2018		Need for a decentralised agency	FTE needed for an ordinary agency	
		FTE internal	FTE externalised			Externalisation feasible?
1	General coordination	Line manager (incl. team leader)	1.5		2.0	
2		Reporting Officer	0.6		0.6	
3		Internal Control Coordinator (ICC)			0.2	
4		ICC Assistant		0.1	0.2	
5		Internal Audit Capability			0.5	
6		Programming and Reporting Officer			0.5	
7		External Relations Officer (host MS authorities, CD, EU inst.)			1.0	
8		Business Continuity Officer	0.2		0.5	
9		Secretary	0.1	0.4	2.0	
10	Communication	Communications Officer	0.2		1.5	
11		Event Management Officer		0.5	Y	1.0
12		Internal Communications Officer				0.5
13	Legal activities and advice	Legal Officer	0.5		0.5	
14		Data Protection Officer	0.2		0.5	
15	Financial operations	Data Entry Agent	0.1		0.8	
16		Financial Initiating Agent	0.5		1.0	
17		Verifying Agent	0.6		0.8	
18		Authorising Officer	0.4		0.6	
19		Local Profile Manager			0.2	
20		Budgeting, Controlling and Reporting Officer	0.5		1.0	
21		Local Missions Officer (in MIPS)			0.5	
22		Accounting Officer		0.5	Y	0.5
23	Accounting Assistant and audit coordinator	0.5		1.0		
24	Human resources related operations	Procurement Officer	0.3		0.5	
25		Authority to Conclude Contracts (appointing authority)		0.2		0.2
26		HR Coordinator	0.5		1.0	
27		HR Officer - Payroll and Entitlements	0.2		1.0	
28		HR Officer - Selection and Recruitment	0.3	0.4	1.0	
29	HR Officer - Talent Management and Development	0.3	0.2	1.0		
30	Logistics, security and document management	HR Assistant		0.6	1.0	
31		Facility Officer	0.5		Y	1.0
32		Logistics Officer		0.5		0.5
33		Security Officer (also for EUCI)				1.0
34	Document Management Officer	0.2	0.4		0.8	
35	ICT and systems	Registry Control Officer (EUCI)			0.2	
36		IT Officer	0.2			1.0
37		IT operator		1.0	Y	1.0
	Information Security Officer	0.1			0.5	
		<b>TOTAL FTE internal</b>	<b>8.5</b>		<b>26.1</b>	
		TOTAL FTE externalised	4.8		3.5	
		<b>TOTAL FTE</b>	<b>13.3</b>		<b>29.6</b>	

**Annex VIII: Risks for 2020**

In compliance with its internal control standards framework<sup>78</sup> the BEREC Office has established a risk management process. To ensure practical implementation of this requirement on 30 June 2015 the BEREC Office Administrative Manager established a Risk Management Implementation Guide. Afterwards, under the Service Level Agreement with ENISA for sharing the function of the Internal Control Coordinator, the BEREC Office undertook a full risk assessment/analysis of all BEREC Office activities.

In the summer of 2016 the BEREC Office carried out a full ICT risk assessment and in January 2017 – a full fraud risk assessment. In the autumn of 2018 the BEREC Office organised a risk assessment workshop to assess the risk for the implementation of the 2019 and 2020 WPs.

During these risk assessment exercises no critical risks have been identified. The most significant risks identified were recorded in a risk register. The BEREC Office has developed action plans for addressing these risks, whose execution is regularly monitored by the management.

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<sup>78</sup> MC (13) 34, BEREC Office Internal Control Framework and Standards, June 2016, not published

## Annex IX: Procurement plan for 2020

No	Ref. to 2020 WP	Budget line	Subject /Scope	Type of procedure	Type of contract	Budget estimated for whole contract duration	Budget 2020	Contract duration (years)	Estimated launch date
1.	2.4.2.	B-3001	Hosting and maintenance services for the IS Portal	NP1	SC	4,000	1,000	4	Q1 2020
2.	2.11.	A-2200	Stationery	NP1	FWC	15,000	7,500	2	Q1 2020
3.	2.11.	A-2200	Supply of office furniture and other equipment and provision of maintenance services	OTP	FWC	500,000	30,000	4	Q1 2020
4.	2.7.2.1	A-2330 B-3101	Legal services	ENP	FWC	135,000	5,000	4	Q1 2020
5.	2.4.2.	B-3001	Study on consumer behaviour and attitudes towards digital platforms as a means for communication	OTP	SC	140,000	140,000	1	Q1/Q2 2020
6.	2.4.1.	B-3001	NRA Training on Regulatory Framework	OTP	FWC	460,000	115,000	4	Q1/Q2 2020
7.	2.11. 2.2.2.	A-2330 B-3101	Express courier services	NP3	SC	55,000	9,000	4	Q2 2020
8.	2.3.1 2.10.2	A-2100 B-3101	Provision of on-site information and communication technology (ICT) support services, including systems maintenance and development and centralized software management	OTP	FWC	1,141,680	60,000	4	Q2 2020

No	Ref. to 2020 WP	Budget line	Subject /Scope	Type of procedure	Type of contract	Budget estimated for whole contract duration	Budget 2020	Contract duration (years)	Estimated launch date
9.	4.10.2	A-2100	Provision of ICT hardware on demand in disaster events at secondary location for business continuity needs	NP1	FWC	15,000	0	4	Q2/Q3 2020
10.	2.3.2	B-3101	Smart application for meetings	NP3	SC	60,000	60000	4	Q2/Q3 2020
11.	2.10.2	A-2100	Provision of fixed telephony and internet services	NP5	SC	72,000	0	4	Q3 2020
12.	2.10.2	A-2100	Provision of mobile telephony services	NP3	SC	60,000	0	4	Q3 2020
13.	2.11.	A-2330	Postal services	NP1	SC	10,000	0	4	Q3 2020
14.	2.11.	A-2000	Provision of parking spaces for the BEREC Office	OTP	FWC	300,000	0	4	Q3 2020
15.	2.4.2.	B-3001	Open Data Platform	NP3	SC	60,000	60,000	4	Q3/Q4 2020
16.	2.11.	A-2000	Cleaning Services for the premises	OTP	FWC	200,000	0	4	Q4 2020

Legend of abbreviations:

**I. Type of procedure**

- a. Procedures for the establishment of middle, low and very low value contracts awarded by negotiated procedure in accordance with the arrangements on negotiation set out in Article 164(4) of the Financial Regulation and in point 6.5 of Annex I

NP1 – very low value negotiated procedure with at least 1 candidate for award of contracts of a value not exceeding EUR 15 000

NP3 – low value negotiated procedure with at least 3 candidates used for the award of contracts of a value exceeding EUR 15 000 and below 60 000

NP5 – middle value negotiated procedure with at least 5 candidates used for the award of contracts of a value exceeding EUR 60 000 and below the thresholds referred to in Article 175(1) of the Financial Regulation

b. Procedure for the establishment of contract above the thresholds referred to in Article 175(1) of the Financial Regulation

OTP – open tendering procedure following the publication of a contract notice in the Official Journal of the European Union

**II. Type of contracts**

SC – service contract; FWC – framework contract

Annex X: Organisation chart for 2020

