

DECISION AB n° 06/2012

ON STAFF TRAINING

THE ADMINISTRATIVE BOARD OF THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS,

HAVING REGARD to Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing the Agency for the Cooperation of Energy Regulators (hereafter referred to as “ACER Regulation” and “ACER”), in particular Article 28(2), thereof;

HAVING REGARD to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities (hereafter “CEOS”), as laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68 and the amendments thereto, and in particular Article 24 (a) thereto;

After the consultation of the Staff Committee of the Agency and in agreement with the European Commission pursuant to Article 28(2) of Regulation (EC) No 713/2009 and Article 110 of the Staff Regulations;

Whereas,

- (1) ACER needs to establish a training scheme for the systematic development of knowledge, understanding and skills for its staff and to encourage development of professional and personal potentials.
- (2) ACER staff is the main asset and investing in staff training is essential for the continued success of the Agency. Organisational excellence begins with recruiting the right people, but rapidly requires their further training and development.
- (3) It is essential that staff who work at ACER are provided with sustained and accessible means of adding to their knowledge and strengthening their skills.

HAS DECIDED AS FOLLOWS:

Section 1 – General Guiding Principles and Objectives

Article 1 ***Guiding principles***

Staff training at ACER shall be guided by the following main principles¹:

(a) Learning is both a right and a duty for all persons working at ACER, regardless of their assigned functions or their place of employment.

ACER can achieve its goals better if its staff learns and develops continuously. In a changing world, life-long learning is essential.

(b) Training is an integral part of ACER's human resource policy and serves the interests of the individual as well as of ACER. Staff training shall be managed as part of the overall human resource policy of ACER.

(c) Responsibility for training is shared between the individual and ACER. For training to be effective there must be a close and active collaboration between staff members, the Human Resources (HR) section and management.

(d) Staff training is an investment which shall generate a return in terms of better achievement of ACER's goals. Thus, ACER will ensure, in line with its overall budget and development policy, that adequate resources are invested in staff training and will expect a return on this investment in terms of better achievement of ACER's goals.

(e) Training shall promote inclusiveness and strengthen the sense of belonging of each and every person working in ACER. The present Decision shall apply to all staff working at ACER, covered by the Staff Regulations.

(f) Training shall be managed by ACER in such a way as to contribute actively to the process of staff development, but also to effectively reaching ACER's objectives.

(g) Training shall always take account of and promote equal opportunities between women and men. Equal opportunities will be an essential component of all management development programmes and other training provisions as appropriate.

(h) Language learning shall also be encouraged at ACER.

¹ Commission-wide principles

(i) ACER will give extra priority to the language courses for staff members who have to comply with the third language requirement (Article 45(2) of the Staff Regulations) for their first reclassification.

Article 2
Objectives

(a) Staff training of ACER employees shall aim at the fundamental objective to expand and improve individuals' competencies so that each staff member can contribute optimally to the achievement of ACER's goals.

(b) At the individual level, training shall serve to improve professional effectiveness and contribute to every staff member's sense of fulfilment, belonging and commitment at the workplace. By developing relevant knowledge, skills and attitudes, training shall further help individuals to develop professionally and make desired career moves.

(c) At organisational level, training shall allow for building synergies across ACER, creating a strong institutional structure, establishing managerial excellence, assuring quality and rallying staff in pursuit of the objectives set by ACER.

Article 3
Staff Time Devoted to Training

An average of 10 working days shall be devoted to training activities per staff member per annum, comprising general training (courses, conferences, workshops, seminars, e-learning courses, etc.), technical and in-house trainings, language and other less formal training and development (coaching, mentoring, job shadowing, etc.).

Working days, dedicated to training, shall be initially discussed with and approved by the employee hierarchical supervisor and shall correspond to the employee's normal duties as described in his/her job description. Specialized training shall always respect the initially identified needs and serve the interest of both the service and the individual.

Section 2 - General Applicable Rules for Training Enrolment

Article 4

Application Procedure for trainings, covered by ACER²

The following steps shall be respected with regards to training and development activities:

4.1. Identification of Training Needs

Any identified training need shall, in the first place, be discussed between the staff member and his/her hierarchical supervisor. This shall be done through a specifically dedicated dialogue between the employee and his/her superior at the time of the annual appraisal. To that end, ACER maintains a Learning and Development Framework, which will be reviewed annually.

4.2. Receipt of Approval

All staff training and development activities, supported by ACER, have to receive the hierarchical supervisor's prior approval. Only upon receipt of approval, the staff member is allowed to search for appropriate training options to meet those needs. Trainings shall be related to the staff member typical responsibilities or to the identified need for undertaking new tasks and/or career development.

4.3. Training Request Submission

The selected course/training shall be communicated to the hierarchical supervisor to receive a prior authorisation for enrolment. The form 'Training request', annexed to this Decision, shall be used for this purpose.

4.4. Enrolment in Trainings

After approval has been granted, the employee is allowed to enrol in the course and shall prepare a mission for participation in the training as soon as possible. This process has to take place, if possible, at least 3-4 weeks before the start date of the training.

4.5. Training Report

For all externally provided trainings, supported by ACER (except for language training), staff members shall be obliged to submit a 'Training report', providing the following general information: training objectives, scope and schedule; results from the training undertaken; added value to the employee's immediate responsibilities.

² For all training initiatives, supported by ACER, the following procedure shall be strictly respected. Otherwise, all staff members have the right to choose and enrol for courses, which they cover themselves, given those do not affect their typical responsibilities and availability at work, unless other conditions apply.

4.6. Priorities

ACER aims at meeting all properly identified training needs without undue delay. Where limited resources do not allow all identified training needs to be met within a given timeframe, priorities shall be assigned as follows:

1. First priority shall be given to the needs in the strategic interest of ACER, as identified both by senior management, the Annual Work Programme and the HR section.
2. Second priority shall be accorded to the needs which are primarily at the level of the respective Departments.
3. Third priority shall be given to training activities stemming primarily from personal interests in the wider organisational context.

Section 3 – Specific Responsibilities

Article 5

ACER Director and Heads of Departments

ACER Director and Heads of the respective Departments shall, within their areas of responsibility:

- (a) Ensure effective implementation of the present Decision and ACER's Learning and Development Framework.
- (b) Put mechanisms in place to manage trainings of ACER staff. These mechanisms shall include provisions for the approval of all training activities to be undertaken by ACER staff and to ensure compliance with both ACER's needs and the individual training needs.
- (c) Evaluate the effectiveness of training and ensure that it contributes both for the effective implementation of the individual tasks in line with ACER's objectives, and for the employee individual career development.

Article 6

Hierarchical Supervisors

All hierarchical supervisors (i.e. line managers) shall, within their areas of responsibility:

- (a) Implement the current Decision in their units/services.

- (b) Identify the needs of their staff, taking into account ACER's Learning and Development Framework.
- (c) Keep the HR section informed of the needs as identified and take all the necessary arrangements to ensure that the targets are achieved.
- (d) Ensure that action is taken to meet the identified needs; further to approving proposals for appropriate training activities, managers shall ensure that necessary practical arrangements are made to enable staff members concerned to participate fully in the approved activities – including arranging cover for the absent staff member.
- (e) Organise informal and job-based/in-house training activities, such as coaching and mentoring of new staff members, to complement the more formal activities. Such in-house training activities shall contribute to the better understanding of all internal processes and procedures within ACER and to better compliance with the applicable procedures and regulations.
- (f) Evaluate the effectiveness of training and the results achieved.

Article 7
ACER Human Resources Section

ACER HR section shall, within their overall responsibility for staff administration, training and development:

- (a) Manage the overall implementation of this Decision, communicate recommendations and instructions for its proper application;
- (b) Set the policy context and priorities for training in ACER within its Learning and Development Framework;
- (c) Cooperate with management (hierarchical supervisors) in identifying training needs at the level of individual staff members;
- (d) Support individual staff members and hierarchical supervisors in identifying appropriate training activities to meet the identified needs;
- (e) Approve all training activities for ACER staff to be supported by ACER;
- (f) Organise and coordinate internal training actions - organise necessary training activities centrally, where this is the most (cost) effective approach and/or where this approach is necessary in order to ensure access to the training by staff who need it;

- (g) Manage ACER training budget, together with the Head of Administration and Finance section;
- (h) Monitor progress and keep staff accountable for trainings carried out;
- (i) Where staff is underperforming, support hierarchical supervisors in identifying appropriate training actions and, if required, establishing the appropriate measures;
- (j) Advise ACER staff on training and staff development issues in general;
- (k) Maintain a record of all staff training activities.

Article 8
Individual Staff Members

Staff members are encouraged to play an active role in promoting their own training. Specifically, once a training need has been identified in respect of the immediate individual staff member duties, the person concerned shall normally present one or more proposals for specific training actions to meet the identified need. Those should always be discussed with and approved by the employee's hierarchical supervisor and the HR section before any further action is undertaken.

Thus, individual staff member has the responsibility to:

- (a) Work actively with his/her hierarchical supervisors to identify his/her training needs.
- (b) Take action to meet the identified training needs.
- (c) Apply new learning in the workplace.
- (d) Follow strictly the requirements and provisions of the present Decision.

Section 4 - Other provisions

Article 9

General Provisions

- (1) Training serves the interests of ACER, as well as the individual and, accordingly, the training function shall be managed by ACER in such a way as to contribute actively to the process of individual development.
- (2) Where a training or development need is part of identified underperformance, the hierarchical supervisor and the HR section may designate certain activities, such as attendance of training courses and seminars, as compulsory for the staff member concerned.
- (3) Once a training proposal presented by a staff member has been approved by both the hierarchical supervisor and the HR section, participation in the designated training activity shall be considered as a work requirement for the staff member concerned and undue hindrance shall not be placed in his/her way in participating in the said activity. Where, for whatever reason, a staff member has not been able to participate in whole or in part in a designated training activity, this fact, together with an explanation for not completing the training, shall be noted formally to their hierarchical supervisor and the HR section.
- (4) In the event of disagreement between an individual and her/his hierarchical supervisor concerning the proper implementation of a measure contained in the individual's Training Map, the final decision should be taken by ACER's Director, considering all general provisions of the current Decision, ACER's Learning and Development Framework and resources available.
- (5) ACER's Staff Committee shall play an active role in relation to ACER's Learning and Development Framework and activities. Furthermore, the Committee will provide the forum for addressing any issues arising in relation to the implementation of the terms of this Decision.
- (6) Care should be taken that all training activities take account of the professional and private life balance. Timing of courses undertaken should generally be within the normal working hours of ACER, except for the regular language courses. Where staff wishes to avail of training while on parental leave, this should be facilitated.

Article 10 *Mechanisms*

10.1. Identification of training needs and actions at ACER

HR staff will be centrally responsible for identifying training needs which lie in the interest of achieving ACER's goals. Account will be taken of:

(a) Strategic reflection at the level of ACER; e.g. need for new skills and attitudes, better induction and management training.

(b) Analysis of special trainings, involving professional skills and qualifications; e.g. accountancy, auditing, staff management, training, information technology.

(c) Analysis of ACER functions and roles; e.g. appraisal techniques, selection interview techniques, coaching and mentoring skills, etc.

Based on these needs, the HR section will formulate recommendations and instructions, as appropriate, to the respective hierarchical supervisors and staff members, covering training activities in the interest of ACER.

10.2. Compulsory training and essential training

The HR section will, as appropriate, designate activities which:

1. Have a compulsory character; participation in these activities is mandatory;
2. Are essential pre-conditions for certain career steps, especially for access to designated posts, functions or promotion. Likewise, appointment to different specialist functions – e.g. HR posts, financial management posts – will be made dependant on participation in specific preparatory training courses.

10.3. ACER Learning and Development Framework

ACER Learning and Development Framework will constitute a set of standing instructions on training from top management to individual staff members. It will cover the full range of training needs, including needs stemming from personal interests of staff members. The framework will be updated by the HR section as required, but at least once per year.

10.4. Ensuring that action is coherent with strategy

The HR section will ensure that training activities within ACER are coherent with its Learning and Development Framework and Annual Work Programme objectives. The HR section will also have the responsibility for managing the budget for training at ACER, together with the Head of Administration and Finance section. Therefore, the HR section will

be involved in the approval of every proposal for training activities in compliance with the budget available. The HR section's approval shall mean that the proposal (a) is coherent with the overall policy and (b) represents value-for-money within the given budget.

Article 11

Link with the Performance Appraisal Report

(a) Dialogue between a staff member and his/her hierarchical supervisors to identify needs should be an on-going process but, in any event, shall take place in the context of preparing each staff member's Performance Appraisal Report.

(b) The outcome of each and every training dialogue between a staff member and hierarchical supervisors shall be recorded in two parts: a retrospective section, recording all training activities undertaken by the staff member, known as the **Training Passport** and a section, known as the **Training Map**, noting the staff member's current training needs including, if available, initial ideas on activities, such as attendance of courses or seminars, to meet the identified needs. On the occasion of preparing each staff member's Performance Appraisal Report, both the Training Passport and the Training Map shall be brought up to date and noted in the report.

Article 12

Entry into Force

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

Done in Ljubljana on 13 March 2012

For the Administrative Board:

SIGNED

Piotr Woźniak
Chairman of the Administrative Board

ANNEX DECISION AB n° 06/2012

| | | | |
|--|--|---|-----------------------|
|  ACER <small>Agency for the Cooperation of Energy Regulators</small> | | <u>TRAINING REQUEST</u> | |
| <p>In order to ensure timely processing the Requests for Training must be received by the Human Resources Unit at least one month before the training takes place.</p> | | | |
| Name, Surname: | | Grade: | |
| Personnel number: | | Unit: | |
| Title and/or subject of requested training course: | | | |
| <p>If you have already found a particular training, please attach the relevant document mentioning course title, description, program, the organiser, the course fee and venue</p> | | | |
| Preferred date(s)/time(s): | | | |
| Objective of the training in relation to the position: State the work-related objectives to be attained from this training course | | | |
| | | | |
| Competencies to be developed: State the skills/competences to be developed with the completion of this course | | | |
| | | | |
| Training:* | ACER initiative | <input type="checkbox"/> | Own initiative |
| | | <input type="checkbox"/> | |
| Included in the Training Map: | YES | <input type="checkbox"/> | NO |
| | | <input type="checkbox"/> | |
| Justification: | | | |
| Estimated cost**: | | | |
| | | | |
| | Applicant | Hierarchical supervisor approval | |
| Name | | | |
| Date | | | |
| Signature | | | |
| <u>To be filled in by HR:</u> | | | |
| | | | |
| Date of receipt | | HR Training Manager | |
| | | | |
| DECISION: | Approval: | <input type="checkbox"/> | Rejection: |
| | | <input type="checkbox"/> | |
| Justification for rejection: | | | |
| | | | |
| <u>To be filled in by Finance:</u> | | | |
| | | | |
| Finance unit: | Budget available | | |
| (Date and signature) | YES <input type="checkbox"/> NO <input type="checkbox"/> | | |
| Registration No: | | | |

* This indication does not automatically imply a final decision. HR reserves the right to decline or alter the initiative.

**If approved, estimated cost to be booked against the budget