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European Ombudsman

Mr Jaime Royo-Olid
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Strasbourg, **09 -05- 2012**

Complaint 756/2011/(MHZ)RT

Dear Mr Royo-Olid,

Please find enclosed the reply that I received from EPSO to my request for further information concerning your above complaint.

If you wish to make any observations on the opinion, please send them to me before 30 June 2012.

Please note that, if I do not receive any observations from you, I may close the case with a decision, based on the information you have already provided and EPSO's opinion.

Yours sincerely,

P. Nikiforos Diamandouros

Enclosure:

- Copy of the reply submitted by EPSO

Comments by the European Personnel Selection Office on a request for further information from the European Ombudsman

- Complaint by Mr Jaime ROYO-OLID concerning open competition EPSO/AD/177/10 - ref. 756/2011/RT

In the framework of his inquiry into Mr Royo-Olid's complaint against EPSO, the European Ombudsman asked EPSO to respond to the following questions:

"(1) Could EPSO please explain what happens with questions which have been neutralised, namely whether they are removed from the CBT database or corrected and re-used in future competitions?"

(2) Could EPSO please explain why it considered adequate the three questions published in the compulsory self-assessment introduced in the registration process for the 2011 Open Competition, which were contested by the complainant?"

In addition, having regard the complainant's observations on EPSO's opinion, I would also be grateful if EPSO could please

(a) provide information (namely, overall figures concerning the entire CBT database) about the number of erroneous questions, which were used in competitions and which were subsequently cancelled?"

(b) explain in detail its internal quality control procedures set up to ensure the reliability of the CBT database (according to the complainant, only one EPSO staff member checks the questions in all EU official languages)?"

(c) provide information about i) the scientific data (reports, studies, statistics), which support the validity and reliability of the CBT database for the EU selection process and also ii) statistical analyses concerning the results obtained thus far, as of the date the CBT system was established."

EPSO's comments

Reply to question (1)

When the Selection Boards takes the decision to neutralise a question, it is immediately blocked in the CBT database. This implies that the question is not removed from the database, but it cannot be used in any tests during the time when it is blocked. The neutralised question is then analyzed in view of determining if it can be corrected. If correction is possible, the corrected question is fed back to the database and de-blocked, following extensive pre-testing conducted to confirm its validity after the correction. Questions that cannot be corrected are definitively deactivated in the database.

Reply to question (2)

Following analysis of the contested questions and of the complainant's arguments, EPSO concluded that the latter were incorrect and/or inconclusive, and no other errors could be detected in the questions, either.

Reply to question (a)

During the period between 2006 and 2007, only 53 questions had to be neutralized from among the several thousands available in the database (a total of 0.65% of the questions in a database which at the time contained over 12,000 items, in three languages only). In addition, the total number of questions that had to be neutralized was reduced considerably between 2006 and 2007 (39 questions neutralized in 2006 against only 14 in 2007). In 2008, only 9 questions had to be neutralized out of the 31 contested by candidates.

For the period from 2010 until now, EPSO can provide the Ombudsman with the following figures:

2010 AD Generalist cycle	6 questions neutralized out of 2540 used (0.24%)
2010 AD Linguist cycle	8 questions neutralized out of 3526 used (0.23%)
2010 AST cycle	8 questions neutralized out of 8898 used (0.09%)
2011 AD Generalist cycle	21 questions neutralized out of 6364 used (0.33%)

Reply to question (b)

With regard to the quality control procedures set up to ensure the reliability of the CBT database, EPSO wishes to provide the Ombudsman with the following information:

The contracts under which the test items (questions) are provided to EPSO foresee a series of quality checks to be carried out directly by the contractor developing the questions, prior to their delivery to EPSO. These arrangements include compulsory pre-testing on a control group to ensure that the questions are performing correctly.

Where test items need to be translated into other languages the translation is carried out by DGT, and the translated versions of the questions have to go through DGT's linguistic quality control process before being delivered to EPSO.

Following delivery to EPSO, the substance of each question is once again subjected to an internal quality check by EPSO staff.

Additional pre-testing of new test items may also be carried out by EPSO itself if the circumstances allow for it. This was the case, for example, with the Situational Judgment Test, which was first delivered as a compulsory non-eliminatory test in the 2010 AD and AST cycles before being included as an eliminatory test in the 2011 competition cycles. Another example was the pre-testing, on a voluntary basis in CAST selection procedures, of the verbal and numerical reasoning test items translated into new languages for the purposes of launching 23-language CBT testing.

Ex-post quality controls of test questions are also being carried out on a systematic basis by EPSO: since 2009, all questions delivered within the framework of any competition procedure are subject to an ex-post psychometric item performance analysis (see also our reply to question (c) below).

Finally, it should be recalled that following the rulings of the CST in case F-35/08, *Pachtitis/Commission* and of the GC in the appeal case T-361/10 P, *Commission/Pachtitis*, computer-based testing, including the control of test contents, have been placed under the authority of the selection boards. The selection boards exercise their rights and obligations in this respect, on the one hand, by means of systematic in-depth ex-ante controls of the questions to be delivered in any given competition. In addition, a systematic ex-post control is also exercised by the selection boards, namely, through examining candidates' complaints concerning specific test items, and through the neutralisation of items deemed to contain an error further to these complaints.

Reply to question (c)

As mentioned above, a systematic psychometric item performance analysis of all questions delivered is carried out internally by qualified EPSO staff. Consequently, EPSO possesses, for each question of the CBT database and for all its existing language versions, a detailed item performance profile based on the Rasch model. This ex-post analysis is routinely used to prepare the pool of questions for upcoming new competitions. If, on the basis of the analysis, it appears from a particular test question's Rasch model of performance that one or more of the performance elements do not meet the expected standards, the question is simply removed from the database.

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EPSO trusts that it has provided the Ombudsman with all the necessary information concerning this complaint.