



**ADMINISTRATIVE BOARD
OF THE EUROPEAN UNION AGENCY FOR THE COOPERATION OF ENERGY
REGULATORS**

***– 47th Meeting –
– Ordinary Session –***

Thursday, 17 December 2020, 09:00 — 13:30

**Trg Republike 3, Ljubljana – Slovenia
- ONLINE MEETING -**

MINUTES

I. LIST OF ATTENDEES

The following Members and Alternates of the Administrative Board were present at the meeting:

Dr Jochen PENKER,	<i>Member</i>	Dr Jurijs SPIRIDONOVŠ,	<i>Vice-Chair</i>
Mr Michel THIOLLIÈRE,	<i>Member</i>	Ms Karin LUNNING	<i>Member</i>
Mr Bogdan CHIRIȚOIU,	<i>Member</i>	Mr Florian ERMACORA,	<i>Alternate</i>
Ms Edit HERCZOG,	<i>Member</i>	Mr Eberhard HOLSTEIN,	<i>Alternate</i>
Mr Pal KOVÁCS,	<i>Alternate</i>	Mr Vaclav BARTUŠKA,	<i>Alternate</i>
Ms Britta THOMSEN,	<i>Alternate</i>	Mr Zhecho STANKOV,	<i>Alternate</i>
Mr Diego VAZQUEZ,	<i>Alternate</i>		

Mr Florian ERMACORA submitted proxies by Ms Ditte JUUL JØRGENSEN and Ms Anne MONTAGNON.

Mr Eberhard HOLSTEIN, alternate of Dr Romana JORDAN, was granted with voting rights pursuant to Article 1 of Decision No. 10/2018¹.

Mr Christian Pilgaard ZINGLERSEN (*Director*) and Ms Clara POLETTI (*Chair of the Board of Regulators*) were present at the meeting, acting as observers.

Mr Michael SCHUETZ and Mr Juan-Ignacio DE DIOS MORALES, acting as advisor, were present at the meeting.

The secretariat was provided by the Agency.

¹ Decision No. 10/2018 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 6 September 2018 on the participation of the Alternates in the meetings of the Administrative Board of the Agency for the Cooperation of Energy Regulators and the attribution of voting rights.

II. SUMMARY OF CONCLUSIONS OF THE 47th MEETING OF THE ADMINISTRATIVE BOARD

At the 47th meeting, the Administrative Board:

- (1) discussed budgetary issues and staff shortages of the Agency and emphasised the continuous effective communication and negotiating efforts required to meet the Agency's budgetary needs;
- (2) declared urgency for the adoption the Programming Document 2021-2023 via written procedure, provided that, in case of changes with the adoption of Budget 2021, the Programming Document should be amended accordingly (if needed) and submitted for adoption to the Administrative Board at a later stage;
- (3) Following the report of the BoA Chairman as well as the consequences of the General Court ruling in *Aquind*², invited the Agency to explore the possibility to guarantee immunity to members and alternates of the Board of Appeal for the actions performed in their duties;
- (4) endorsed the Director's proposal concerning the amendments of the internal Rules of Procedure for the functioning of the working groups;
- (5) endorsed the proposal on the decision of the establishment of the Retail Working Group of the Agency;
- (6) considered the results of the Staff Engagement Survey, enquiring about the possible reasons behind the lower satisfaction score in some of the questions of the survey, for example on cross-department cooperation, while reflecting on the importance to have a benchmark and reflect the situation with other EU institutions;
- (7) invited the senior management to establish an action plan to address the low performance of the Agency resulting from the Staff Engagement Survey in cooperation with the Staff and report any progress at the subsequent meetings;
- (8) invited the Agency to define more clearly internal roles and responsibilities and improve the decision-making processes by establishing standard operating procedures.

² Judgment of the General Court (Second Chamber) of 18 November 2020, *Aquind Ltd v European Union Agency for the Cooperation of Energy Regulators*, Case T-735/18

III. MINUTES

SESSION I

SECTION I – OPENING

The 47th meeting of the Administrative Board of the European Union Agency for the Cooperation of Energy Regulators was convened, in ordinary session, on 17 December 2020. The meeting started at 09h00.

Upon invitation of the Chair to the present Members and Alternates of the Administrative Board to declare any actual or potential interest that could be considered prejudicial to their independence with respect to the items on the agenda, no actual or potential interest was declared nor reported.

(1) Approval of the Agenda

The Agenda of the 47th meeting of the Administrative Board was approved as follows:

OPENING **Opening of the 47th Meeting of the Administrative Board**
 09:00 -
 09:05 *Adoption of the Agenda and Declaration of Interests*

STRATEGIC DISCUSSION **Budget 2021 – Planning the execution of the Agency’s mandate**
 09:05 -
 10:25 *Presentation by the Director on budgetary developments and the consequent HR planning for 2021 to ensure the fulfillment of the mandate of the Agency*
 Roundtable Discussion
 Report and Discussion on the Programming Document 2021-2023
 Adoption of the Budget of the Agency for the year 2021

10:35-11:15 **The Board of Appeal – Lessons learnt and way forward**
 Presentation by the Chair of the Board of Appeal and the Agency
 Roundtable Discussion

REPORTING, INFORMATION, AND INTERNAL FUNCTIONING OF THE AGENCY **Report on the activities of the Board of Regulators**
 11:15-13:20 *Presentation by the Chair of the Board of Regulators*
 The internal functioning of the Agency – the Working Groups
 Presentation by the Agency
 Roundtable Discussion

Invitation to the Board of Regulators to express its opinion for: i) the amendment of the internal rules of procedure for the functioning of the Working Groups and ii) on the establishment of the Retail Working Group of the Agency

Report on the activities of the Agency

Presentation by the Heads of Departments on selected topics related to the operational and horizontal activities of the Agency

Presentation on the results of the Staff Engagement Survey 2020

CLOSURE
13:30-13:40

Invitation to the 48th Meeting of the Administrative Board and to the meetings for the year 2021 (28 January 2021, 16 June 2021 (Extraordinary), 7 October 2021, 16 December 2021)

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SECTION II – STRATEGIC DISCUSSION

(2) Budget 2021 – Planning the execution of the Agency’s mandate

The Chair of the Administrative Board recalled that since the last meeting, two items were outstanding: i) the definition of the communication and dissemination plans of the Agency for the years 2021 and 2022; ii) the definition of a fall-back plan for Human Resources in case the negotiation on the Budget 2021 would have not been successful for the Agency.

The Chair explained that the strategic discussion would not touch upon the first item, as this was not presented to the Administrative Board, while the item regarding the fall-back plan for Human Resources would have been treated in the course of the discussion concerning the Programming Document 2021-2023.

The Chair introduced the first item of the Agenda, that is the Budget 2021, and explained that the Administrative Board was called to discuss and adopt the Budget 2021 and the Programming Document for the years 2021-2023.

The Chair recalled that at the 44th meeting, the Administrative Board endorsed the Programming Document 2021-2023. Subsequently, the Agency revised the draft Programming Document based on the Opinion of the Commission and submitted it to the Board of Regulators for its respective Opinion. On the other hand, the EU budget 2021 was not yet been adopted by the Budgetary Authority.

The Chair pointed out that should the Budget 2021 differ from the budget proposal of the Commission, the Agency might need to amend the Programming Document, as the latter has been drafted taking into account the Commission’s budget proposal.

The Chair also recalled that the Programming Document must be adopted by the end of the year and a written procedure needs to be launched. The Chair explained that the goal would be to have a strategic discussion so that the written procedure should focus only on the voting phase, without further possibility to comment.

The Chair invited the Agency to provide an overview on the budgetary developments and the consequent HR planning for 2021, to ensure the fulfilment of the mandate of the Agency.

Ms BORISSOVA, Head of Corporate Services, presented the status of the adoption procedure of the Programming Document 2021-2023. She clarified that the Administrative Board adopted a draft of the Programming Document in January 2020; subsequently, the document was submitted to the Commission, which adopted its Opinion in September 2020.

Ms BORISSOVA pointed out that the current draft of the document includes the Commission's recommendations on budget and HR resources, as well as recommendations on the new prioritization system for tasks and deliverables. With regard to the latter, she informed the Administrative board that this is structured in Priority Level 1 (tasks critical for a competitive IEM), Priority Level 2 (reactive tasks such as individual decisions) and Priority Level 3 (legally mandated tasks of a lower importance).

Furthermore, Ms BORISSOVA explained that the current draft includes additional details on REMIT deliverables, as per internal auditors' recommendations, as well as some factual updates of a technical nature provided in the Commission's Opinion. On the other hand, the strategic objectives of the document did not change. She also informed that the draft received the favourable Opinion of the Board of Regulators.

Ms BORISSOVA emphasised that the deadline for the adoption of the document is 31 December 2020; following the strategic discussion, the document will be submitted for adoption to the Administrative Board in written procedure, providing that the EU budget 2021 is adopted and published by the anticipated timeline, which is the 18th of December 2020.

The Director also added that some of the income increased because of the green energy package positions, along with a change in the correction coefficient applied to salaries. Finally, the Director explained that staff training and professional development is a priority for the Agency, reason why there was a considerable increase of budget in this respect, at the expenses of contributions towards parking spaces.

The Administrative Board raised a few questions to the Director. The first one concerned the communications activities for 2021 included in Programming Document 2021. The second question focused on the need for increasing legal support and in particular, considering the Commission's remark on ensuring legal quality of decisions, whether the proposed transfer of resources brings a sufficient level of seniority to address this need in the long-term.

In addition, the Administrative Board further inquired about the actions taken by the Agency to ensure that Commission proposal for Budget 2022 contains the necessary figures and stressed the importance to communicate the Agency's budgetary needs effectively. It also enquired about the reasons why the Agency did not receive the expected budget and whether this was a matter of limited budget or whether there was an actual explanation for limiting the demand of ACER.

With regard to the Programming Document, for 2022 the Administrative Board suggested to present more clearly the task funded by the REMIT fees against the tasks funded by the EU contribution. Nonetheless, the Administrative Board reflected on how the REMIT fees decision may potentially solve some of the budgetary problems experienced by the Agency.

The Commission also stressed that it is undertaking an assessment of the Agency resources, in support the next budget process, and it continues to put considerable efforts in yearly budget negotiations. The Administrative Board, recommended considering outsourcing as an interim measure to ensure the fulfilment of the Agency's needs. The Administrative Board also pointed out that according to the Court of Auditor's Report, in view of the upcoming vast amount of administrative changes, the Agency should be prepared to keep experienced people in the administrative tasks.

The Director thanked the Administrative Board for its efforts on budget negotiations and agreed with the positive and significant developments of the REMIT fees decision. In terms of communication, the Director explained that following the last meeting extensive discussion on the draft communication strategy, the Agency is currently adjusting the latter reflecting some of the inputs provided and it may present it for adoption at the next meeting. Meanwhile, the Director informed that the Agency has taken other actions on communications, like the 70% Target Monitoring Report coming up on the 18th of December 2020 and other items coming up in January 2021.

With regard to legal support, the Director explained that the legal team is expected to reach a total number of seven members and this should be sufficient considering the overall size of the Agency, although it may depend on their actual workload, and this will be assessed regularly. He also added that NRAs might be approached to verify whether short-term assistance or long-term secondments can be a possibility.

The Director stressed that the Agency is looking forward to the Slovenian presidency of the Council in the second half of 2021. In this respect, the Agency is willing to enhance the already existent supportive and collaborative partnership with the State Secretary. On the medium-term risks, he opined that shifting resources significantly from the operational department to the administration may be difficult at this moment, but he welcomed a further discussion on the matter. Furthermore, he highlighted two high level risks for the backing of the internal market project: 1) facing significant blackouts in several jurisdiction and 2) market manipulation at large scale.

With regard to prioritization on outreach and communications, the Director explained that is keen to put across the notion of the Agency as an enabling factor for increased internal market integration. On the stakeholder side, the Agency will focus on some key relationships with the government and the Council.

Furthermore, the Commission stressed that there is a difficult budget situation for all the EU institutions at this moment. Overall, the Commission highlighted a significant increase in the budget proposal and a foreseen increase of Agency revenues of 40% in 2022, considering the current difficult economic circumstances across Europe.

- Conclusion:*
- (1) The Programming Document 2021-2023 will be submitted for adoption to the Administrative Board in written procedure, providing that the EU budget 2021 is adopted by the 18th of December 2020.
 - (2) Should the Budget 2021 not be adopted by the anticipated deadline, the Agency will await for the Budget 2021 adoption and amend the Programming Document 2021-2023 accordingly (if needed), and submit it for adoption to the Administrative Board in written procedure.

(3) *The Board of Appeal – Lessons Learnt and way forward*

The Chair of Administrative Board welcomed Mr PIEBALGS, Chair of the Board of Appeal, and thanked him for accepting the invitation to the meeting. The Chair recalled that the term of office of the Board of Appeal of the Agency will expire on 17 October 2021 and the Commission was planning to launch a public call for the appointment of the next members and alternates of the Board of Appeal in 2021.

The Chair of the Administrative Board also recalled that during the last meeting it was discussed the process to appoint the new members and alternates of the Board of Appeal, as well as the challenges coming from the significant increase of appeals against the Agency's decisions in 2020. He explained that following the discussion, the Administrative Board invited the Commission to involve the Administrative Board 1) in the drafting of the next call for the selection of the members and alternates of the Board of Appeal, and 2) in the selection of the profiles, to minimize potential conflict of interests and ensure high standards.

The Chair of Administrative Board emphasised that in the past years the Administrative Board has tried to provide the Board of Appeal with sufficient resources to accomplish its mandate. The Secretariat has also been working to find a solution to ensure adequate immunity to the members and alternates of the Board of Appeal in the exercise of their duties. In addition, the Chair pointed out that after the ruling of the General Court in case *Aquind v. ACER*,³ a more structural approach to resources supporting the Board of Appeal and a revision of the working methods of the Board of Appeal might be needed.

Mr PIEBALGS's presentation focused on the recruitment of the next Board of Appeal and on understanding the challenges of the current one. He argued that from 2021 onwards the Board of Appeal may face an increasing number of appeal cases and in-depth assessments; therefore, in light of the increasing workload, he suggested to remunerate the work of the Board of Appeal accordingly, instead of providing a symbolic remuneration. In addition, he suggested mentioning the expected workload in the call for expression of interest of the next Board of Appeal. Other issues raised included additional technical support and financing required by some of the cases and the need to have more than one person as Registry, along with some clerical staff.

Mr PIEBALGS proceeded suggesting 3 main actions: 1) mentioning in the call for expression of interest for the Board of Appeal that there is a workload expectation of 20-25 working days per year; 2) mentioning in the call for expression of interest that indemnity payment is available; 3) paying careful attention to the background of the members of the Board of Appeal (while there is an increasing need for legal expertise, there must be a good mix between legal and technical experts).

Mr MARTINET, Head of the Legal Services of the Agency, was invited to provide a short presentation on the ruling of the General Court in the case *Aquind v ACER* and the potential domino effect on the other appeals currently pending before the General Court.

He also clarified that the Board of Appeal is now expected to do a full review of the case, rather than applying a manifest error of assessment test, which implies increased workload and heavier reliance on technical expertise. He also reported that according to the Court, the Agency is responsible for taking all the required measures to ensure that the Board of Appeal is well equipped to perform its mandate. In light of this, Mr MARTINET explained that the Registry is currently reviewing the current Rules of Procedure and is working on the composition of the Board of Appeal, while addressing the need for increasing human and financial resources.

Upon request from the Administrative Board, Mr MARTINET reported that the Agency is currently looking into the possibility to make an appeal (the deadline will be the end of January). He further referred that the Board of Appeal may potentially rely on the internal expertise of the Agency (this approach is also adopted by the Single Resolution Board). On the other hand, the Administrative Board stressed the importance to guarantee the full independence and impartiality of the Board of Appeal, especially regarding decision-making.

³ Judgment of the General Court (Second Chamber) of 18 November 2020, *Aquind Ltd v European Union Agency for the Cooperation of Energy Regulators*, Case T-735/18.

The Administrative Board invited to address the need for adequate financial support to the Board of Appeal in the draft Programming Document 2022-2024 by reflecting upon the financial impact of the Aquind ruling.

The Administrative Board reflected on three key points, which require further consideration: 1) status, rights and benefits of Board of Appeal members; 2) what kind of support should be afforded to the Board of Appeal members; 3) what kind of procedural improvement can be achieved.

- Conclusion:*
- (1) The Administrative Board encouraged the Agency to ensure that adequate mechanisms are put in place to guarantee the immunity of members and alternates of the Board of Appeal for the actions performed in their duties.
 - (2) The Administrative Board invited the Registry and the Board of Appeal to look into the possibility of amending the Rules of Procedure of the Board of Appeal, according to the system of internal review foreseen by the Staff Regulations.
 - (3) The Administrative Board encouraged the Commission to involve the Administrative Board in the drafting of the call for expression of interest and in the selection of the profiles of the new members and alternates of the Board of Appeal.

SECTION III – REPORTING, INFORMATION, AND INTERNAL FUNCTIONING OF THE AGENCY

(4) Report on the Activities of the Board of Regulators

Following the invitation of the Chair, Ms POLETTI informed the Administrative Board that the last meeting of the Board of Regulators was on the 16th of December 2020 and provided an update on some of the decisions taken, including a decision on cross border participation in capacity mechanisms and another decision concerning day-ahead products. She added that the Board of Regulators approved the Agency Opinion on the ENTSO programme 2021, as well as the decision on the methodologies for the use of congestion income and discussed the Programming Document.

Furthermore, Ms POLETTI informed about the long discussion on the 70% capacity in the electricity market and the work to improve the quality of data and ensure compliance with reporting to support monitoring activities.

- Conclusion:*
- (1) The Administrative Board thanked Ms POLETTI for the comprehensive update on the activities of the Board of Regulators.

(5) The internal functioning of the Agency – the Working Groups

The Chair explained that the Administrative Board was called to endorse two proposals: the first is the Director's proposal concerning the amendments of the internal rules of procedure for the functioning of the working groups and the second is the joint proposal submitted by the Director and the Board of Regulators concerning the establishment of the Retail Working Group.

The Chair further explained that with regard to the first proposal, there was an extensive discussion at the last 46th meeting, and based on the outcome of the discussion, the Administrative Board invited the Director to submit a new proposal addressing two items: i) the composition of the working groups and ii) the location of meetings of the working groups. The Director provided the revised proposal on the 26th of November 2020. The Administrative Board endorsed the proposal concerning the composition of the working groups but suggested, by unanimity, a further reasoned amendment of the provision related to the location of meetings. The Director submitted a new proposal including a minor textual amendment on the 16th of December 2020 and the Chair invited the Administrative Board to endorse it without further discussion.

The Director discussed the Working Groups Rules of Procedure, highlighting the working relationship between the Agency and the working groups and the need to take into account travel costs and time spent by NRAs. Therefore, the Director suggested adopting a balanced approach, which considers a significant share of physical meanings and different interests at stake.

Ms POLETTI agreed that there must be an understanding of how the Board of Regulators, the Agency and working groups are working and cooperating; she recalled the initial proposal and the flexibility reached in terms of working arrangements, while improving efficiency and avoiding unnecessary bureaucracy. Ms POLETTI opined that the current proposal is very similar to the current wording of the Rules of Procedure (on the substance), with an improvement on flexibility. She clarified that for the Board of Regulators this proposal is still acceptable, although there is a general support for modernizing the Rules of Procedure for the future.

Ms POLETTI pointed out that members of the task forces are just providing inputs and they are not part of the working groups, reason why flexibility should be taken into consideration also in the Rules of Procedure. The final objective should be the achievement of efficient working arrangements to support the work of the Agency.

The Administrative Board, maintained the principle of the location of meetings as defined in the compromised text.

The Administrative Board moved then to the second proposal on the decision of the establishment of the Retail Working Group of the Agency. Mr HESSELING explained that the need behind this new working group stems from the legal tasks with respect to market monitoring in some areas that cover legal markets and customer protection. At the moment, there is an ad hoc arrangement with the CER (customer and legal markets) working group, where this is discussed with NRAs; however, he emphasised that these tasks are a legal obligation for the Agency, hence this should not be the appropriate way to interact with NRAs and a new working group should be established.

MR HESSELING further explained that most meetings are expected to be virtual and there will be a forum where NRAs will contribute actively. He reported that both NRAs and the Board of Regulators support the proposal and the Administrative Board is expected to take the final decision.

- Conclusion:*
- (1) The Administrative Board endorsed the Director's proposal concerning the amendments of the internal rules of procedure for the functioning of the working groups, as lastly submitted.
 - (2) The Administrative Board endorsed the second proposal on the decision of the establishment of the Retail Working Group of the Agency and invited Ms POLETTI to convey the proposal to the Board of Regulators for its Opinion.

(6) Report on the activities of the Agency

The Chair invited Mr GODFRIED, Head of the Market Surveillance and Conduct department, to present the results of the Staff Engagement Survey 2020.

Mr GODFRIED explained that the presentation include an overview of the result of the survey, some preliminary observations from the management perspective and next steps for the future. Firstly, he pointed out that there was a 7% participation increase in comparison to 2018; leadership and communication also improved in comparison to 2018. Mr GODFRIED reported that according to the survey, staff have a strong feeling of belonging to the EU institutions; they appreciate their job and feel like there is a respectful environment. There is also a clear vision in respect of the direction of the Agency.

Mr GODFRIED focused then on the dimensions that need to be improved, like professionalism, integrity and independency, as well as adaptability and cooperation across departments; work conditions, development and rewards are also requiring attention, as well as distribution of resources. Transparency in decision making and fear of making mistakes need to be taken into account, as well as clear processes, more effective responses to changes, constructive response to criticism, more learning opportunities for employees, and cooperation across departments.

Mr GODFRIED explained that the senior management discussed the results of the survey, which resulted in five key observations: 1) to what extent the Agency is an organization and it is perceived as one organization; 2) involving staff in decision making also leads to trust; 3) equal workload should lead to equal remuneration; 4) cooperation on procedure and processes, in particular across departments; 5) professional development outside the job.

Mr GODFRIED emphasised that the senior management intention is to learn from the results of the survey and work on improvements in an inclusive process, while cooperating with the Staff Committee, welcoming thoughts and constructive feedback. He informed that the next steps will be i) a presentation of the results to the Board of Regulators; ii) involving the staff and the senior management to identify key areas that need improvement; iii) providing a concrete proposal with an action plan. This will require a dedicated and inclusive process, before an action plan can be laid down and implemented.

Ms NAGALI, Chair of the Staff Committee, thanked the Administrative Board for including Staff Committee in the discussion related to the Staff Engagement Survey. As far as communication is concerned, she reported that Staff Committee believes that there is room for improvement, also between the staff and the management, especially in relation to decision-making, which is also connected to the feeling of trust previously mentioned. She informed the Administrative Board that the Staff Committee is planning to invite all staff to reflect upon the outcome of the Staff Engagement Survey to understand the reasons behind the results.

The Administrative Board highlighted that in terms of operational matters, while the Agency has its own mandate, it is still linked to the general principles set by the EU, hence it is important to have a benchmark and compare the situation with other EU institutions, for example on cooperation. The Administrative Board also enquired about the methodology behind the assessment of data and the reason behind the low satisfaction rate in two departments (GAS and MIT) and how is the Agency planning to improve the situation.

The Administrative Board pointed out the low evaluation score on i) the ability of the management to give a clear picture of the mission and goals of the Agency and i) the capacity of the management to have a clear vision of the direction of the Agency, enquiring about the reasons behind this perception and how the Agency is planning to address it.

The Administrative Board focused also on the low evaluation score of cooperation across the departments, enquiring about the current status of the situation, recalling that when the re-organisation took place last March, the Administrative Board invited the Agency to adopt internal workflows and procedures to define an internal-decision making process/standard-operating procedures to ensure that roles and responsibilities are defined and work can be better planned, including cooperation between departments.

The Director appreciated the depth of the survey and the inputs provided. He welcomed the idea of analysing some comparable data from different EU agencies. He also emphasised his willingness to have some individual discussions in the senior management team or with different departments to test what are the main concerns. With regard to improvement of collaboration across departments, he argued that this requires some structural and cultural shifts, as well as more internal clarity on what are the matters that require collaboration across departments.

In relation to the clear vision of directions of the Agency, he stressed that the Agency has put considerable efforts in communications, for example with Staff meetings and info sharing meetings; he considered the possibility of doing more or applying a different configuration, while taking into account possible internal disagreement on the matter, which may need to be addressed.

With regard to the fear of making mistakes, the Director explained that the goal is to create a learning and evaluation culture, which is as open as possible, where there are meetings and evaluations of meetings, as well as learning from the Court of Auditors criticisms.

Mr GODFRIED reflected on the interpretations of the questions provided in the survey and the potentially misleading results; for example, he pointed out that the formulation of some of the questions are not always about the management within the department, but rather on a general perception within the Agency. Hence, he argued that the design of the survey and its results raises questions, although the management is open to understand what the real problems are. As far as the resources issues is concerned, Mr GODFRIED reported a resource problem with REMIT and that there is a limit to what can be asked to people, and this may be linked to staff's satisfaction.

Mr HESSELING explained that as far as the gas department is concerned, the survey indicates a lower satisfaction score in transparency of decision-making and cross-department cooperation, but there are wider issues behind that need to be considered. With regard to the fear of making mistakes, he explained that a possible interpretation might be related to the publishing of reports and that people want to make sure that their work is correct.

Conclusion:

- (1) The Administrative Board invited the Agency to bring the topic of the staff engagement at the next January meeting, along with the participation of the Staff Committee and their additional views on the results of the survey.
- (2) The Administrative Board invited the senior management, in cooperation with the staff, to establish an action plan to address those dimensions of the survey that have a low performance and report the progress to the January and June meetings.
- (3) The Administrative Board invited the Agency to consider as a priority the definition of roles and responsibilities and the establishment of standard operating procedures, especially for those processes leading to the adoption of decisions.

CLOSING

The Chair noted that this was Mr ERMACORA's last meeting in the Administrative Board and thanked him on behalf of the Administrative Board, for the invaluable support provided over the years, and wished him all the best and success for his future endeavours.

The Chair shared the dates of the meetings for next year as follows: 28 January 2021, 16 June 2021, 7 October 2021, and 16 December 2021. The Chair explained that the date of December is currently provisional and may be subject to changes.

In the absence of any other business to be treated, the Chair closed the 47th meeting at 14h00.