

Directorate General Secretariat

Kurt Weiss
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ECB-UNRESTRICTED

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LS/PvdH/13/26

Request for public access to ECB documents

Dear Mr Weiss,

On 11 September 2013, the ECB received your request for information and documents related to the ECB's "study support scheme", namely: "1. Documents related to "Study Support Scheme" provided to member staff within the Training Policy of [the ECB] similar to the Scheme provided by Fundamental Rights Agency (FRA) to its staff; 2. Information if the first university studies, i.e. first ones after high school, are reimbursed by [the ECB] from the EU agency/institution budget; 3. How many staff of [the ECB] are students at EU Universities similar to the ones mentioned by FRA; 4. How many such students of your institution benefit of the Reimbursement Scheme for their University Studies, Master Studies and PhD Studies, similarly to the Scheme applied by FRA; 5. Decision by [the ECB]'s Governing Board for granting reimbursements of individual University Studies, Master Studies and PhD Studies to [the ECB] staff; 6. Recommendations, opinions or any other relevant documents containing the position of Staff Committee of [the ECB] on the "Study Support Scheme" for individual studies in form of university, master and PhD studies".

With regard to item 1 of your request, following a thorough assessment, it has been decided, in line with the requirements established by Decision ECB/2004/3 on public access to ECB documents¹, to disclose the Guidelines for secondary training to you as the ECB considers that none of the exceptions listed in Article 4 of Decision ECB/2004/3 apply (see the attachment).

In respect of item 2 of your request, we would like to inform you that the ECB has in place a secondary training policy which is open to permanent staff members who have been working for the ECB for at least three years in cases where the studies are generally relevant to the ECB's business. The staff members concerned can claim the reimbursement of 50% of all study-related costs up to a ceiling of €5,000 per calendar year upon the successful completion of their studies. The studies supported under this policy also include those for a first university degree, e.g. a bachelor's degree.

¹ Official Journal of the European Union (OJ) L 80, 18.3.2004, p. 42, as amended by Decision ECB/2011/6 of 9 May 2011, OJ L 158, 16.6.2011, p. 37.

As regards item 3 of your request, we would like to inform you that the ECB has no statistics on the number of ECB staff enrolled in universities. The reason is that taking up studies (outside working hours) is not subject to the approval of the ECB, nor does it need to be reported. Thus, we can only provide figures on ECB staff supported under the secondary training policy.

With regard to item 4 of your request, we would like to inform you that the university studies of 30 members of the ECB's staff are currently being supported under the secondary training policy. A further 9 staff members receiving support are attending other training programmes.

In respect of item 5 of your request, following a thorough assessment, it has been decided, in line with the requirements established by Decision ECB/2004/3 on public access to ECB documents, to disclose to you that, on 14 October 2003, the Executive Board endorsed a proposal to support certificate-related training. This proposal was subsequently reflected in the Guidelines disclosed to you in answer to item 1.

As regards item 6 of your request, following a thorough assessment, it was decided, in line with the requirements established by Decision ECB/2004/3 on public access to ECB documents, to disclose to you two letters from the ECB Staff Committee conveying its opinion on the draft Guidelines for secondary training, dated 10 February and 10 May 2004. The names of the individual staff members have been deleted from these documents since their personal data is protected by Article 4(1)(b) of Decision ECB/2004/3 in conjunction with Article 8 of Regulation No 45/2001 on the protection of individuals with regard to the processing of personal data by the Union institutions and bodies and on the free movement of such data². One of the conditions set out in Article 8 of Regulation No 45/2001 for the transfer of personal data to recipients other than Union institutions and bodies subject to Directive 95/46/EC is that the necessity of having such personal data transferred is established, which is not the case here. Therefore, partial access has been granted (see the attachment).

For the sake of good order, we would like to draw your attention to the fact that in line with Article 10(1) of the Decision ECB/2004/3 *"documents released shall not be reproduced or exploited for commercial purposes without the ECB's prior specific authorisation. The ECB may withhold such authorisation without stating reasons"*.

² OJ L 8, 12.1.2001, p. 1.

Yours sincerely,

A handwritten signature in blue ink, consisting of a stylized 'P' and 'H'.

Pierre van der Haegen
Director General Secretariat

A handwritten signature in blue ink, appearing to read 'R. Schremser'.

Roman Schremser
Senior Adviser Secretariat