



Outline of the procedure and workflow for dealing with access to documents requests

Access to documents ('AtD') requests made to the EO are handled in accordance with Regulation 1049/2001¹ and the Ombudsman's Decision on the handling of requests for public access to documents² by the 'Freedom of Information' ('FOI') Team. The FOI team currently comprises two Transparency Officers (TOs) and two colleagues specialised in document management who assist the TOs ('Assistants'). The TOs decide among themselves about the division of the FOI work. Specific FOI requests are dealt with by analogy to AtD requests with the necessary adjustments. The following rules apply to 'initial' applications. The Secretariat-General ('SG') handles 'confirmatory' applications without the involvement of the FOI team.

1. Reception of AtD requests

AtD requests are made via different channels: they can be submitted directly to the EO functional mailbox or by postal mail or fax. Often complainants make AtD requests in the framework of an inquiry, following a request for review; requests may also be made in the context of procurement or recruitment procedures; or they may come from the media³.

It follows that any EO staff member may receive an access to documents request at their individual mail address. It is very important to forward such requests promptly to the functional email box eo-foi-atd@ombudsman.europa.eu for registration and processing. In case of doubt how to qualify the incoming correspondence, colleagues are encouraged to reach out to their line manager or the TOs. The TOs confirm whether the correspondence should be dealt by the FOI Team.

2. Registration and filing of AtD requests and acknowledgement of receipt

The Assistants register the request in Ares and send an acknowledgement of receipt to the requester indicating the deadline to receive a reply (15 working days following the registration). The assistants create an e-signature workflow in Ares including an Info Task to the SG for all incoming AtDs.

3. Processing of the AtD requests by the FOI Team

Consultation

3.1. The Assistants identify and retrieve the documents falling within the scope of the request.

3.2. The TOs verify the documents identified and decide whether an internal consultation is needed.

3.3. There is no need for an internal consultation concerning documents related to **closed** inquiries. However, on a case-by-case basis, this may be warranted.

¹ Regulation 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents is available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001R1049&rid=1>.

² The Decision is available at: <https://www.ombudsman.europa.eu/en/letter/en/70670>.

³ In such cases, the Communication unit is informed via an Info Task about the receipt of the AtD request and the sending of the reply.



Access to documents procedure and workflow

3.4. Concerning **ongoing** inquiries, the responsible case handler is usually always consulted via the internal consultation process. In non-case related documents, other departments (HR, PAB, SG, CAB) may need to be consulted to retrieve the documents.

Redaction

3.5. One Assistant pre-redacts the documents to be disclosed in accordance with the rules set up in the reference document on the redaction rules. The other Assistant not involved in the initial pre-redactions double checks the pre-redactions. The TOs check and approve the pre-redactions. After this final check, the pre-redactions can be applied.

External consultation

3.6. The TOs decide whether an external consultation (with other EU institutions, bodies, offices or agencies, international organisations or national authorities) is necessary. If this is exceptionally the case, the TOs contact the relevant point of contact for the institution concerned by email (the AtD functional email box shall always be in copy). The correspondence is subsequently registered in Ares.

Drafting the note

3.7. The TOs draft the reply in the internal consultation note. They may consult their line manager.

4. Sending of the reply

The reply and the redacted documents are sent to the requester via AresLook from the EO functional mailbox. The reply is automatically registered in Ares.

5. Informing the SG of the sending of the reply

The SG is informed of the sending of the decision concerning the AtD request via Ares Info Task.

Ares workflow chart

