

[Home](#) > [My account](#) > My complaint

## Complaint about maladministration

Complaint submitted on : Tuesday | 29 August 2023

[PDF](#) DOWNLOAD IN PDF FORMAT[HOME](#)

**First name:** Aaron  
**Surname:** McLoughlin  
**Country of residence:** Belgium  
**Nationality:** Irish  
**Tel.:** ██████████  
**E-mail address:** aaronmcloughlin@mac.com  
**Language preference:** English  
**On behalf of (if applicable):** Myself

**Against which European Union (EU) institution or body do you wish to complain?**

European Commission

**Does your complaint concern the handling of a request for access to documents by this EU institution or body?**

No

**Does your complaint concern a failure by this EU institution or body to reply to your correspondence?**

No

**What is the decision or matter about which you complain? When did you become aware of it? Add annexes if necessary.**

During Easter, the European Commission removed public access to the names of most officials. This means that the names of the officials working in drafting and implementing legislation are no longer known to the general public. The EU's Whoiswho listing for the European Commission now only lists Heads of Unit and up.



When I learned about this, and finding no public explanation from the Commission, I made a request on 16.04.2023 for a copy of the decision that implemented this change and copies of any supporting documents that influenced the decision. My application to you concerns Commission Decision C(2023) 5251, the Commission's reply to the my confirmatory application. The case number is: : 2023/2252

Name	Description	Size
• <a href="#">SubmissionAMcltoCEC-16042023 .docx</a>		13.46 KB

### **What do you consider that the EU institution or body has done wrong?**

1. The Commission has provided only partial disclosure to their decision. No Commission Decision was adopted to change disclosure policy – “Document 2 represents the Decision” (28 March e-mail from SG), taken after “internal discussions at Secretariat-General’s management level” – but there is no further record of these discussions except Document 3 )Internal communication in the Secretariat-General of 7 March 2023, reference Ares(2023)3838050) which cannot be disclosed at all? (p.3) They seem to argue that because Security is a justification they can’t show you the reasons. Some generic examples are given; no incident reports or other documentary evidence.
2. In section 2.1 of the letter of 27.07.2023 they deliberately misconstrue the fact that I am (i) not asking for specific names of individuals in the documents which led to the decision to change transparency policy in your ATD request but (ii) do question the decision to generally remove names): “As a matter of principle, your claims seem to be contradicting in that you argue that the decision to remove such personal data from the Whoiswho directory reduces the transparency of the Commission’s working methods while at the same time acknowledging that you do not “at all’ request such data (i.e. the names of officials).” 3. They take some comfort in aligning practices with the Council (somewhat) and EP. But neither of those bodies exercise a right of initiative so the situations are not comparable in terms of transparency. Officials working on legislative files are public. In the EP, group advisers, MEP political advisers and MEPs is public. For Perm Reps, the names of the vast majority of Perm Reps working on legislative files are public. 4. The decision is at odds with transparency, and no clear evidence for undue influence or Commission Public servants not wanting to be named is given. A redacted version of these documents could be given. 5. It is a decision that will discredit the Commission in the eyes of the public. A previously accessible civil service that allowed members of the public and others to contact officials working on files directly was a refreshing example of good governance. 6. It will leave civil society and the public at a disadvantage as they are less likely to have the relationships to identify the officials in the Commission working on files. 7. Unknow cases of efforts at undue influence on a limited number of officials working on politically sensitive matters can not be reasonable grounds enough to change the operational policy of a whole public administration. Around the time the Commission introduced the decision, the only known cases were of senior officials and politicians. The decision does not clarify why senior officials are less immune to undue pressures. 8. The workload on Heads of Units and Directors has increased as they now have to act as funnels for enquiries from the public. They were not made aware of the change and only learned by a spike in phone calls.

**What, in your view, should the institution or body do to put things right?**

1. Disclosure The Commission has provided partial disclosure to my original request and confirmatory application. I would like you to consider if there is a good reason for the Commission not providing, even in redacted form: 1. Document 3 mentioned - the decision 2. Documents to show any evidence of undue pressure on staff, or requests for staff wanting to have their names removed. 2. Reconsider their decision I would like you to consider if the Commission's Decision to redact the names of most Commission officials, some of whom are working on policy and legislative work, as appropriate.

**Have you already contacted the EU institution or body concerned in order to obtain redress?**

Yes (please specify and submit copies of the relevant correspondence)

The case number is: : 2023/2252

You'll find attached:

16.04.2023: Initial Request

08.05.2023: Reply to Request – Partial disclosure

22.05.23: Submission of Confirmatory Application

27.07.2023: Reply to Confirmatory Application/ Commission Decision C(2023) 5251

Name	Description	Size
• <a href="#">AccessAMctoCEC-16042023 .docx</a>		13.46 KB
• <a href="#">ConfirmatoryApplicationAMctoCEC-2205203.docx</a>		22.72 KB

**If the complaint concerns work relationships with the EU institutions and bodies: have you used all the possibilities for internal administrative requests and complaints provided for in the Staff Regulations? If so, have the time limits for replies by the institutions already expired?**

Not applicable

**Has the object of your complaint already been settled by a court or is it pending before a court?**

No

**Please confirm that you have read the information below**

You have read the information note on data processing and confidentiality

**Do you agree that your complaint may be passed on to another institution or body (European or national), if the European Ombudsman decides that he or she is not entitled to deal with it?**

Yes

**Strasbourg**

Bâtiment Froissart  
(FRS)  
87 rue Froissart  
B-1000 Bruxelles

**Brussels**

Bâtiment Václav Havel  
(HAV)  
Allée Spach  
F-67000 Strasbourg

**Médiateur européen**

1 avenue du Président  
Robert Schuman  
CS 30403  
F-67001 Strasbourg  
Cedex

T. +33 (0)3 88 17 23 13

[www.ombudsman.euro](http://www.ombudsman.euro)