

Official Report of the Election of the Local Staff Committee for The Hague (April-June 2023)

Preamble

Local Staff Committee The Hague, Central Staff Committee:

Roles and Importance within the EPO and Election Context

A *Purpose of the Local Staff Committee The Hague:*

The Local Staff Committee The Hague, comprising 16 members directly elected by the staff during this election, is responsible for representing staff members at the local level, maintaining contacts with the local administration, addressing site-specific issues, and appoints, among its members, 8 (4 full and 4 alternates) representatives for the Central Staff Committee. They contribute to the overall functioning of the Staff Committee, ensuring the interests and concerns of the staff in The Hague are effectively represented.

B *Staff Committee and Central Staff Committee, Compositions and Roles:*

The Staff Committee in the EPO consists of the Central Staff Committee and of the four Local Staff Committees, one for each EPO site. The Central Staff Committee, comprising ten full members and ten alternate members, operates at the central level and represents the staff on the General Consultative Committee (GCC). It appoints members to various bodies, provides suggestions on departmental organization, and addresses general difficulties. Local Staff Committees represent staff members at their respective places of employment, conveying their concerns to local management.

C *Election Context:*

The election of the Local Staff Committee in The Hague takes place in a significant context as it coincides with the commencement of the second term of the President of the EPO.

Executive Summary

Summary of the election procedure:

The election committee TH (EC) has organised the election of the Local Staff committee for The Hague (LSCTH) between the 16th of May 2023 (publication of the list of electors) and the 21st of June 2023 (closure of the vote). 22 candidates stood for election and 16 of them were elected.

The official outcome of the election is as follows:

Ranking	Candidate	Number of votes	Status
1	Dirk Dobbelaere	1058	Elected
2	Rhiannon Mitchell-Thomas	991	Elected
3	Isabelle Brandt	944	Elected
4	Claudia Lopes	835	Elected
5	Jorge Raposo	791	Elected
6	Yoann Salé	783	Elected
7	Florence Olsder	776	Elected
8	Lutz Müller-Kirsch	776	Elected
9	Teresa Juárez	769	Elected
10	Iñaki Larrañeta	755	Elected
11	Fausto Ciotta	749	Elected
12	Alexandra Forjaz	736	Elected
13	Tiago Pinheiro	729	Elected
14	Philippe Couckuyt	717	Elected
15	Alexandre Bouffier	675	Elected
16	Joël Bastié	643	Elected
17	René Zimmer	620	Not elected
18	Roger Feldhoff	612	Not elected
19	Christian Klemps	584	Not elected
20	José Tito Martins	583	Not elected
21	Gerald Rutsch	542	Not elected
22	Miguel Morales Gonzalez	374	Not elected

The Election Committee thanks for their support the colleagues of Productivity Apps, Collaboration & Events, Social Dialogue, PD Communication, Data Protection, and IT support.

Potential improvements for the next election:

The election committee has identified some issues/concerns, which seem important addressing:

- Increase the visibility of the elections in Intranet
- Influence of Articles 35(5)(2), 35(5)(a) of the Service Regulations on the election
- Appropriate time deduction for the members of the election committee
- Authorisation to send mass emails from the shared mailbox of the election committee
- Access to OpenText for the election committee's members

Conclusion:

Despite the tight timeframe, it has been possible to respect the time limits of the Election Rules.

Official Report

Table of Contents

1. Introduction.....	4
2. The election committee	4
3. Key moments of the election	5
3.1 <i>Publication of the list of electors</i>	5
3.2 <i>Notice of election</i>	5
3.3 <i>Publication of the list of candidates</i>	5
3.4 <i>Mock voting</i>	6
3.5 <i>Election</i>	6
3.6 <i>Issues during the voting period</i>	6
3.7 <i>Participation rate</i>	6
3.8 <i>Results of the election</i>	6
4. Individual decisions	6
5. Modalities of the election	7
5.1 <i>Organisation of the election: Practical, legal and technical aspects</i>	7
5.2 <i>Issues encountered with the use of Polyas GmbH</i>	8
5.3 <i>Configuration of the voting project</i>	10
5.4 <i>Conclusion on the utilization of Polyas GmbH</i>	10
6. Communication channels	11
7. Data protection	11
8. Potential improvement for next election	12
8.1 <i>Increase the visibility of the elections in Intranet</i>	12
8.2 <i>Influence of Art. 35(5)(2), 35(5)(a) of the ServRegs on the election</i>	12
8.3 <i>Appropriate time deduction for the members of the election committee</i>	12
8.4 <i>Authorisation to send mass emails from the shared mailbox of the EC</i>	12
8.5 <i>Access to OpenText for the election committee's members</i>	12
9. Conclusion	13

1. Introduction

Following the decision CA/D 3/23 of the Administrative Council during the 174th session of the Administrative Council (22nd of March 2023) and the update of the circular 356 as announced on the 21st of April 2023, the EPO staff is again organising and supervising itself the election of the local staff committee, which will represent the local staff of The Hague for the next 3 years, as foreseen by Article 35 of the Service Regulations..

With the goal of nominating the newly elected local staff committee for the next mandate period starting on the 1st of July 2023, it was impossible for the local staff committee of The Hague to notify to the President the new election regulations within the delay foreseen by Article 35(5)(d) of the Service Regulations and to nominate the election committee well in advance of the election.

The election rules have indeed been determined during the General Assembly on the 29th of March 2023 (Article 35(5)(c) of the Service Regulations).

The tasks to be performed by the election committee have been challenging from the beginning due to the short remaining time, the bank holidays and the school holidays and the lack of prior experience with the new election rules.

2. The election committee

The General Assembly of the 29th of March 2023 has mandated the following colleagues for organising and supervising the election of the local staff committee for The Hague:

- Eric Siebel (DG1, Dir. 1108)
- Roberto Righetti (DG1, Dir. 1005)
- Ansgar Wansing (DG1, Dir. 1012)
- Norddin Amghar (DG1, Dir. 1015)
- Louis Guastavino (DG1, Quality and Practice Harmonization)
- Cinzia Rossi (DG1, Dir. 1711)
- Paloma Sevillano Rodriguez (DG1, Dir. 1108)

The election committee of The Hague (further referred to as EC) met first on the 19th of April 2023 for electing the chair (Eric Siebel) and started to organise the election.

3. Key moments of the election

3.1 Publication of the electoral roll

The electoral roll was requested on the 30th of March 2023 and received on the 4th of May 2023, wherein the list of electors comprised the full name of the EPO employees in The Hague. The publication of the list of electors happened on the 16th of May 2023 on the INTRANET. On 15th of May 2023 an electoral roll comprising also the email addresses of the EPO employees was requested and it was received on the 17th of May 2023. The electoral roll published in the intranet was accordingly updated in the INTRANET.

No objection, besides a spelling objection, was received concerning the list of electors during (and also after) the objection period.

3.2 Notice of election

The notice of election was published on the 22nd of May 2023 on the INTRANET, informing the staff of the opening of the election, of the call for candidatures as well as of the deadline for the submission of candidatures (1st of June 2023, 13:00) and of the upcoming voting period (19-21 June 2023).

The EC received the information from Social Dialogue, that 2418 persons are on active status in in The Hague, which leads to the number of 16 members to be elected (according to Article 35(4) of the Service Regulations).

3.3 Publication of the list of candidates

The publication of the list of candidates took place on the 2nd of June 2023 on the INTRANET, together with the practical arrangements for the election. A corresponding mass e-mail by the EC via PD COM was sent on the same day to all the staff in The Hague.

The candidates were listed in an order established by drawing lots in a public meeting with took place on the 1st of June 2023 at 16:00.

The list of candidates published in the INTRANET was updated several times with the photos and electoral campaign materials of the candidates. A mass email was sent to all staff containing these materials on 6th of June 2023.

On 12th of June 2023, the two lists of candidates and the independent candidate sent each a mass email, via the EC and PD COM, to the staff presenting themselves and their programs.

On 16th of June 2023, the EC via PD COM sent a mass email reminder of the incoming election with information on how to vote and a link to the list of candidates.

3.4 Mock voting

On the 13th of June 2023, between 11:40 and 17:00 a mock voting was organised among 6 members of the election committee, for testing the configuration of the tool at a small scale. Polyas GmbH invoiced for the mock voting 215.97 €.

3.5 Election

Between the 19th of June 2023, 08:00 and the 21st of June 2023, 12:00, the voting portal was open. An individual invitation was sent by the firm Polyas before 08:00 on the first day. An individual reminder was sent by the firm Polyas around 08:00 on the second and third days of the voting period, to the colleagues, who hadn't still cast their votes. A further reminder was sent to the colleagues who hadn't still cast their votes one hour before the closure of the voting period.

Due to a problem with the link in the reminder sent on the second election day, a further reminder with the correct link was sent during the morning of the second voting day.

On 20th of June the EC published on the Staff Committee TH Elections dedicated site a last reminder to vote.

3.6 Issues during the voting period

The EC received and answered 6 complaints of colleagues, who did not receive an invitation to vote. Each complainant was personally contacted and their problem individually solved and explained. The reasons they did not receive an invitation was because their names were not listed in the Electoral Roll due to non-compliance with Article 35(5)(b) of the Service Regulations. More technical issues linked to the use of the voting company Polyas GmbH are detailed below under paragraph 5.2.

3.7 Participation rate

Of the 2418 employees entitled to vote, 1667 casted their vote. The number of abstentions was 751. The number of blank votes was 6. The final participation rate was 68.94 %

3.8 Results of the election

The results of the election were provided by Polyas GmbH and publicly open by the EC on a meeting which took place on 21st of June 2023 at 12:00, just after the closure of the voting period. On Thursday the 22nd of June 2023, the EC published the provisional results of the elections in the INTRANET and on 23rd of June 2023 the staff received an email containing the provisional results of the election.

4. Individual decisions

None

5. Modalities of the election

5.1 Organisation of the election: Practical, legal and technical aspects

A meeting between the chairs of the four election committees, the administration and Social Dialogue took place on Friday, the 26th of May 2023, for presenting the modalities of the election. For the next election, it will be appreciated that such a meeting takes place at the early beginning of the election's process.

The election committee has also noticed and communicated that the foreseen time budget of 20 days for all members of the election committee is far too low and does not reflect the amount of time spent by the members of the election committee.

It is appreciated that VP1 has reiterated the importance of the work of the election committee and communicated this to the line managers of the members of the election committee.

Given the New Way of Working, in which a significant portion of the staff is working remotely from home or from abroad, the most suitable and prevalent voting system for the election committee naturally became electronic voting. Accordingly, the BIT proposed German company Polyas GmbH to cater to the specific requirements of the election. This approach ensured easy and secure participation of voters, regardless of their geographical location, while offering advanced features for efficient management of the electoral process.

In that context, the Election Committee used Polyas as in the last election of 2020, as the voting company for the election for the following reasons:

- Polyas is an online election platform that provides a secure and reliable solution for conducting elections and votes. It offers a range of features and functionalities amongst which the Election Committee selected:
 - 4 Reminders by email
 - Daily updates on voter turnout
 - Custom logo
 - Checkbox for voting independently (vote is personal and direct)
 - Hosting in Germany (data protection reasons)
 - Certificate of voting
 - Manage project together (several ballot managers)
- Secure and Verifiable: Polyas ensures the integrity and confidentiality of the election by employing encryption and cryptographic protocols. It allows for verifiability.
- Accessibility: The platform provides accessibility options for voters, allowing them to cast their votes remotely from any location with internet access. It supports various devices, including computers, tablets, and smartphones.
- Customization: Polyas allows for the customization of election settings to fit different voting scenarios. This includes setting the election timeline, defining eligibility criteria, configuring voting methods (e.g., secret ballot, preferential voting), and designing the ballot layout.

- Voter Authentication and Privacy: Polyas incorporates secure voter authentication mechanisms to ensure that only eligible individuals can participate in the election. It maintains voter privacy by separating voter identities from their ballots, preserving anonymity.
- Result Tallying and Reporting: The platform automates the process of vote counting and result tabulation, reducing the chances of human error. It provides real-time result updates and generates comprehensive reports for auditing and transparency.
- Legal Compliance: Polyas adheres to legal requirements and regulations related to elections, ensuring compliances with data protection and privacy laws which match the EPO policy and practices*.

Support and Assistance: Polyas offers technical support and assistance throughout the election process.

***Information according to Articles 16 and 17 of the EPO Data Protection Rules (DPR):**

1. **Controller:** The President of the European Patent Office
2. **Delegated Controller:** The Chair of the Hague Election Committee.
3. You may consult the **EPO Data Protection Officer** at: dpo@epo.org
4. **Purpose(s):** Distributing the list of employees located in The Hague who are eligible to vote for the local staff committee elections to ensure they are correctly mentioned (or not) in the electoral list.
5. **Legal basis for the processing:** Article 5(a) DPR.
6. **Data categories and source:** Full name, email addresses, job group and entry date in the EPO received from the EPO Administration.
7. **Data recipient(s):** EPO employees located in the Hague.
8. **Retention period:** The list is kept until the final completion of the election campaign including the closure potential complaints handling procedure if any.
9. **Your rights:** You have the right to access, rectify and receive your personal data, not to be subject to a decision based solely on automated processing, to have your data erased and to restrict and/or object to the processing of your data. To exercise these rights, please contact the Delegated Controller at Election_Comittee_LSC_TH@epo.org. In the event of a formal appeal/litigation, all data held at the time the formal appeal/litigation was initiated will be retained until the proceedings have been closed.

5.2 Issues encountered with the use of Polyas GmbH

Some issues were encountered with the use of Polyas GmbH. Here is a summary of the problems mentioned:

- Cost of selectable ballot features: Most of the selectable ballot features offered by Polyas are paid options, which incurred expenses for the mock voting process. The election committee had to consider the budgetary implications and decided to test all the necessary features with associated expenses for the mock voting stage. Careful consideration was given to balancing the desired features with the available budget to ensure an effective and efficient election process.

Mock voting cost: €215.97

Test-Election of the Local Staff Committee The Hague 2023-2026	
Start	13/06/2023 - 11:40:00
End	13/06/2023 - 17:00:00
Date of dispatch of the election invitation	13/06/2023 - 11:38:00
Number of eligible voters	6
Base price	€0.00
Ordered features	
Reminders by email	€40.00
Checkbox for voting independently	€95.00
Hosting in Germany	€1.50
Custom logo	€9.99
Daily updates on voter turnout	€35.00
Total net amount	€181.49
Plus VAT 19%	€34.48
Total amount	€215.97

Real voting cost: €2902.82** (*Not included extra costs*)

Election of the Local Staff Committee The Hague 2023-2026	
Start	19/06/2023 - 08:00:00
End	21/06/2023 - 12:00:00
Date of dispatch of the election invitation	19/06/2023 - 07:00:00
Number of eligible voters	2418
Base price	€2,118.33
Ordered features	
Reminders by email	€40.00
Daily updates on voter turnout	€35.00
Checkbox for voting independently	€95.00
Hosting in Germany	€604.50
Custom logo	€9.99
Discount 100%	-€2,902.82
Total net amount	€0.00
Plus VAT 19%	€0.00
Total amount	€0.00

- Mail ending up in spam folder: A colleague received the Polyas email in their spam folder. After an investigation by the BIT (Business and Information Technology), it was determined to be an isolated case. Measures to investigate further were taken as to prevent this from happening again in the future.
- Proxy voting: It was identified that technically, it was possible for an email recipient to forward the Polyas email containing the voting link, voter ID, and password to a third person, allowing proxy voting. To address this, a solution was implemented by introducing an honor declaration that emphasized the vote should be personal and direct. Voters were required to check a box confirming this declaration.

- Continuous update of the voter list: Throughout the voting period, the voter list was constantly updated to track who had voted and who had not. This information proved helpful in mobilizing individuals who had not yet cast their votes. However, it was essential to maintain the confidentiality of voter participation information.
- Incorrect link in the second reminder: The second reminder sent to voters contained an erroneous link due to an incorrect manual input to the electronic voting platform website. Once the error was identified, a corrective reminder was sent to provide the correct link to the voters.

5.3 Configuration of the voting project

To provide sufficient time for all eligible participants to cast their votes, the voting portal was open from June 19th, 2023, at 8:00 AM to June 21st, 2023, at 12:00 PM. This ensured that individuals had a reasonable timeframe to access the platform and submit their votes.

To ensure maximum participation, individual invitations were sent by Polyas, the chosen provider, at 7:00 AM on the first day of the voting period. Furthermore, timely reminders were sent by Polyas at 7:00 AM and 12:30 PM on the second day, and at 7:00 AM and 11:00 AM on the third day, specifically targeting colleagues who had not yet cast their votes. These reminders aimed to encourage those individuals to participate before the voting period concluded.

Set-up:

Election of the Local Staff Committee The Hague 2023-2026

Short description

Your project configuration

ONLINE VOTING ENDED

Title	Election of the Local Staff Committee The Hague 2023-2026
Ballot papers	1
Eligible voter	2418
Owner of the project	namghar@epo.org
Language	English
Voting period	19 June 2023 08:00:00 → 21 June 2023 12:00:00 (Europe/Berlin)
Election invitation	Date of sending out invitation: 19 June 2023 07:00:00 (Europe/Berlin)
Project identifier	4a9b9e54-2bd8-4d6e-81ea-3e8f79befc4f
Election link	https://election.polyas.com/4a9b9e54-2bd8-4d6e-81ea-3e8f79befc4f/
User	<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> </div> <div style="text-align: right;">lguastavino@epo.org</div> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> </div> <div style="text-align: right;">awansing@epo.org</div> </div>

5.4 Conclusion on the utilization of Polyas GmbH

In conclusion, the utilization of Polyas in the EPO Local Staff Committee election in The Hague presented both advantages and challenges. Through diligent investigation and proactive measures, the identified issues such as email delivery, proxy voting concerns, voter list management, reminder communications, and cost considerations were effectively addressed. These efforts contributed to a successful election process, ultimately ensuring the integrity, privacy, and accessibility of the voting procedure.

6. Communication channels

Even with the support of PD Communication, it has been very time consuming to prepare the publications on the INTRANET and the mass e-mails. Authorising the election committee to directly send mass emails to all The Hague staff is for sure much more efficient. Also facilitating the publications in INTRANET having an assigned partner in PD Communication and not having to go through the request forms (single point contact form), would make the publishing work of the EC much easier and more efficient.

The INTRANET site dedicated to the SR election was not visible at the first glance and it required quite an amount of effort (at least clicking 3 times and knowing where to find the right icon on the starting web site) to find the information regarding the SR elections. In our opinion the visibility given to the SR election was very low and when the PD Communication was explicitly asked to give more visibility to the election by publishing during the actual election days an announcement in the INTRANET home page carrousel, this request was not granted.

Despite all the above-mentioned challenges, the EC managed to engage the staff in The Hague in the election and achieve a very high participation rate.

7. Data protection

The election committee had to formulate a Data Protection Statement in accordance with Art. 16 and 17 [Data Protection Rules](#) (DPR) and a Record of Processing Operations Checklist (RPOC).

The formulation of both data protection forms was carried out in close cooperation with the team of the Data Protection Officer. This process was quite time consuming and said annexes should be kept insofar, as for the next election they can be used again as such, after consultation of the data protection officer.

At present the electoral roll is published as Excel-File, so that a subject consulting the list has to scroll through the list until he finds his name. By doing so, the subject gets more information than according to the "need-to-know-principle".

It is therefore proposed that the electoral role can only be consulted by a subject by entering his name or email address (@epo.org) in to a mask and starting a search. If for any reason he does not find himself to be on the electoral role, he should than contact the election committee. As the election committee might not technically program such a search mask, we would like to propose that help should be given by BIT.

8. Potential improvements for the next election:

The election committee has identified some issues, which may be discussed between the administration and the newly elected local staff committee in view of improving the next election. The ranking of the presentation is not related to any order of relevance.

8.1 Increase the visibility of the elections in Intranet

As said in paragraph 6 above the INTRANET site dedicated to the SR election was not visible at the first glance and it required quite an amount of effort (at least clicking 3 times and knowing where to find the right icon on the starting web site) to find the information regarding the SR elections. In order to increase the visibility of the election in INTRANET it is proposed, inter alia, for the next elections to publish an announcement in the INTRANET home page carousel.

8.2 Influence of Article 35(5)(2), 35(4)(a) of the service regulations on the election

According to Art. 35(4) of the Service Regulations, the number of to be elected LSC members depends on the number of staff in active employment at the time of the voting period and is determined by decision of the President.

The list of electors also depends on the voting period according to Art. 35(5)(b).

For unforeseen reasons it may happen that the voting period is changed on a short term. This may put the whole electoral process into question.

The election committee encourages therefore the administration and the newly elected local staff committee to find a way to render the election procedure more flexible.

8.3 Appropriate time deduction for the members of the election committee

The tasks to be carried out by the election committee require a substantial amount of time. Confirming an adequate time budget prior to the election may increase the interest of staff in working in the election committee. The foreseen time budget of 20 days for all members of the election committee is far too low and does not reflect the amount of time spent by the members of the election committee.

8.4 Authorisation to send mass e-mails from the shared mailbox of the election committee

As explained above, this could avoid duplicated work and thus lead to more efficiency. It would also allow more flexibility.

8.5 Access to OpenText for the election committee's members

It will facilitate and harmonise the archiving of documents, and the making of links.

9. Conclusion

Despite the tight time frame, it has been possible to respect the time limits of the Election Rules, and the 16 newly elected Staff Representatives can start their duty on 1st of July.

The election committee thanks the candidates for having stood for the election and for the fair electoral campaign.

The election committee congratulates the newly elected Staff Representatives and wishes them all the best.

The Election Committee for The Hague:

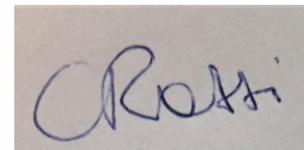
Eric Siebel (chair)



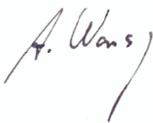
Roberto Righetti



Cinzia Rossi



Ansgar Wansing



Norddin Amghar



Louis Guastavino



Paloma Sevillano Rodriguez



The Hague, 28 June 2023